

<b>Committee:</b>	<b>Date:</b>
Planning and Transportation	23 June 2015
<b>Subject:</b> Walsingham House 35 Seething Lane London EC3N 4AH External alterations including the replacement of the 7th floor, the addition of two storeys office (B1) use with a plant room at roof level; infilling of the lightwell and the sloping roof fronting onto Crutched Friars; replacement windows; new entrances; flexible office (B1) /retail (A1) use of part of the ground floor; ancillary roof plant and cycle spaces. 8,517sq.m (GEA).	<b>Public</b>
<b>Ward:</b> Tower	<b>For Decision</b>
<b>Registered No:</b> 14/01226/FULMAJ	<b>Registered on:</b> 22 December 2014
<b>Conservation Area:</b> Trinity Square	<b>Listed Building:</b> No

### Summary

Walsingham House is located at the corner of Crutched Friars, Seething Lane and Pepys Street. The existing building was constructed in 1929. It consists of basement, ground and eight upper storeys (44.8m AOD).

The proposal is for external alterations including the replacement of the 7th floor, the addition of two storeys for office (B1) use with a plant room at roof level; infilling of the lightwell and the sloping roof fronting onto Crutched Friars; flexible office (B1) /retail (A1) use of part of the ground floor; ancillary roof plant and cycle spaces.

The proposal would result in a building comprising of basement, ground, nine upper storeys and a roof plant storey. The extended building would be (53.18m AOD).

The proposal would increase the overall floorspace by 2,038sq.m to 8,517sq.m (GEA). This could be all office (B1) floorspace or up to 696sq.m (GEA) could be retail (A1) use within two units at ground floor and basement level.

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 in this part of the City.

One letter of support and one letter of objection have been received from 41 Crutched Friars. The objector is concerned about loss of daylight and sunlight.

The proposal sets back the upper floors from the main street frontage to

minimise the impacts upon its neighbours, including the residential units at Crutched Friars.

This development would not detract from the City's conservation areas, listed buildings and non-designated heritage assets or be detrimental to the setting of the Tower of London World Heritage Site.

The proposal is substantially in compliance with the provisions of the Development Plan.

It is concluded that the proposal is acceptable subject to conditions and to a Section 106 agreement being entered into to cover the matters set out in the report.

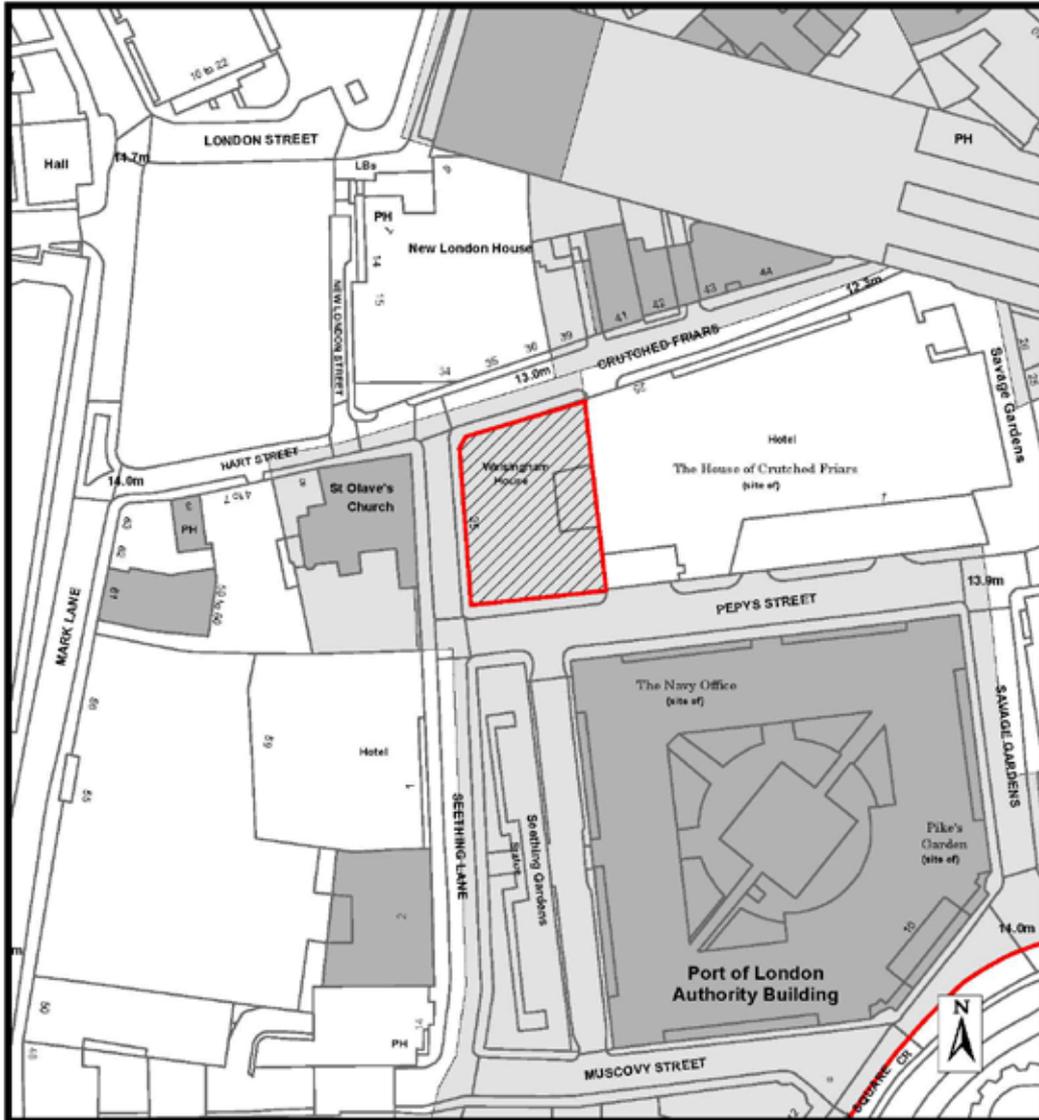
### **Recommendation**

(1) That you authorise the Chief Planning Officer to determine the above application for the above proposal in accordance with the details set out in the attached schedule subject to:

(a) planning obligations and other agreements being entered into under Section 106 of the Town & Country Planning Act 1990 and Section 278 of the Highway Act 1980 in respect of those matters set out in the report, the decision notice not to be issued until the Section 106 obligations have been executed;

(2) That your Officers be instructed to negotiate and execute obligations in respect of those matters set out in "Planning Obligations" under Section 106 and any necessary agreements under Section 278 of the Highway Act 1980.

# Site Location Plan



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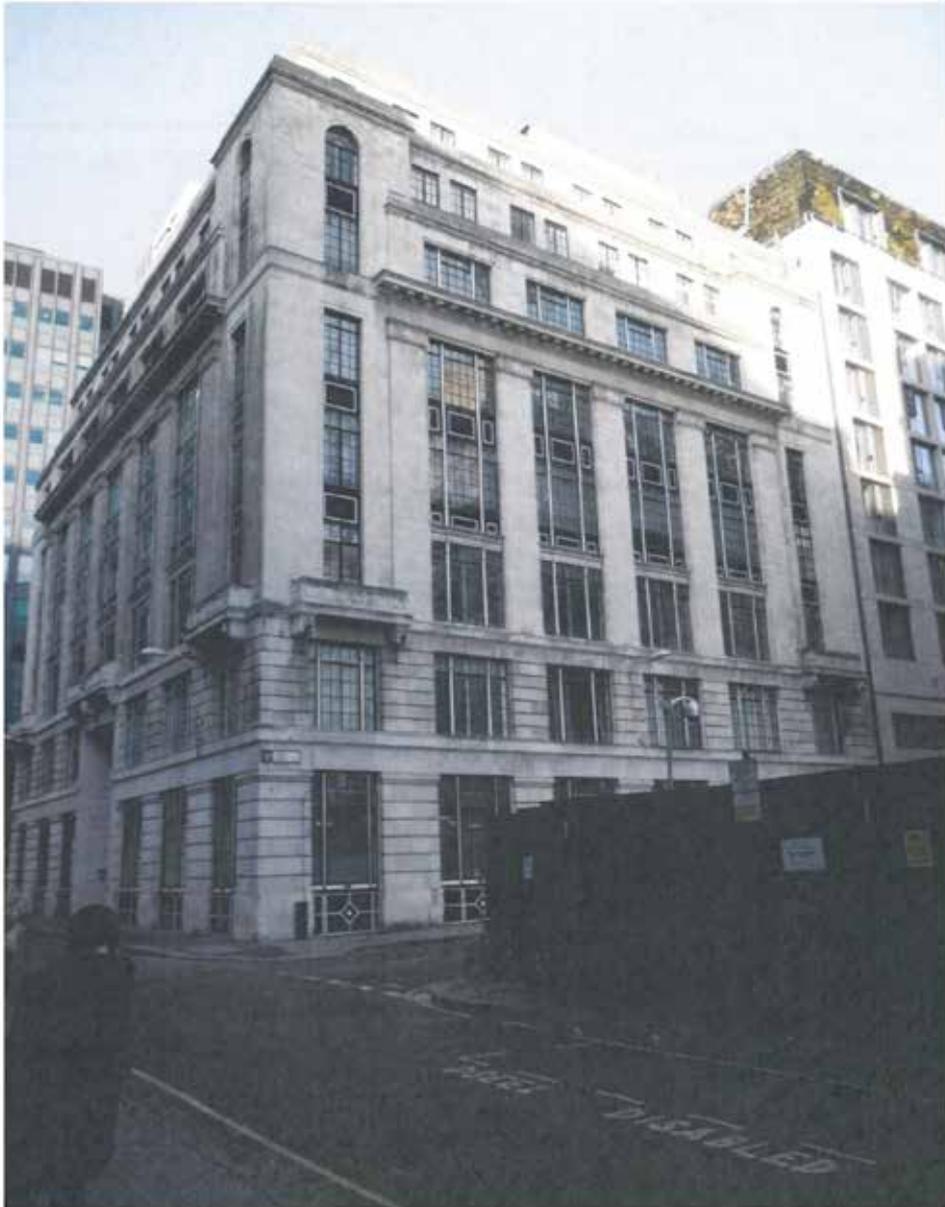
ADDRESS:  
Walsingham House, 35 Seething Lane

CASE No.  
14/01226/FULMAJ

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



DEPARTMENT OF THE BUILT ENVIRONMENT



Existing view of Walsingham House from Seething Lane looking north

Case No. 14/01226/FULMAJ

## **Main Report**

### **Site**

1. Walsingham House is located at the corner of Crutched Friars, Seething Lane and Pepys Street.
2. The existing building was constructed in 1929. It has a basement, ground and eight upper storeys (44.8m AOD).
3. It comprises of 6,479sq.m (GEA) of office (B1) floorspace.
4. The building is not listed but lies within the Trinity Square Conservation Area.
5. To the west of the site on the corner of Hart Street and Seething Lane is St. Olave's Church which is listed Grade I. To the south of the site is 10 Trinity Square which is listed Grade II\*. To the north of the site is 41 Crutched Friars which is listed Grade II, 42 Crutched Friars which is listed Grade II\* and 43-44 Crutched Friars which is listed Grade II. The site is adjacent to the Double Tree Hilton Hotel.

### **Proposal**

6. Planning permission is sought for external alterations including the replacement of the 7th floor, the addition of two office (B1) storeys with a plant room at roof level; infilling of the lightwell and the sloping roof fronting onto Crutched Friars; replacement windows; new entrances; flexible office (B1) /retail (A1) use of part of the ground floor; ancillary roof plant and cycle spaces.
7. The proposal would result in a building with a basement, ground, nine upper storeys and a roof plant storey. The extended building would be (53.18m AOD).
8. The proposal would increase the overall floorspace by 2,038sq.m to 8,517sq.m (GEA). This could be all office (B1) floorspace or up to 696sq.m (GEA) could be retail (A1) use within two units at ground floor and basement level.
9. The main office entrance would remain on Seething Lane. The two retail units could have entrances on Pepys Street and Crutched Friars.

### **Consultations**

10. The views of other City of London departments have been taken into account in the preparation of this redevelopment scheme and some detailed matters remain to be dealt with under conditions and the Section 106 agreement.
11. Historic England 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.

12. One letter of objection has been received which states, *“I object to this application on the grounds that it reduces the levels of daylight and sunlight received by my 2 properties at Flat 2 and Flat 3 41 Crutched Friars, London EC3N 2AE to levels that are both unacceptable to me and non-compliant with BRE Guidelines. This application also breaches the terms of a permissive deed executed in 1929 as the roof is above 120 feet ordinance datum”*. The daylight and sunlight issues are considered later in this report. The point about the permissive deed is not a material planning consideration.
13. One letter of support has been received from a resident at Flat 1 41 Crutched Friars. They state, *‘This is an example of how good architecture can enhance the appearance of an already distinguished building. The scale is appropriately grand for the site and will enable the owners to offer further and much better office accommodation for the City of London which is of course greatly needed’*.

### **Policy Context**

14. The development plan consists of the London Plan and the City of London 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.
15. There is relevant City of London and GLA supplementary planning guidance in respect of Planning Obligations, Sustainable Design and Construction.
16. Government Guidance is contained in the National Planning Policy Framework (NPPF). Chapter 12 of the NPPF sets out key policy considerations for applications relating to designated and non-designated heritage assets. Other relevant guidance is provided by English Heritage including the documents Conservation Principles, and The Setting of Heritage assets, Building in Context (EH/CABE) and the PPS5 Practice Guide in respect of the setting of heritage assets.

## **Considerations**

17. 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).

In considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. (S66 (1) Planning (Listed Buildings and Conservation Areas) Act 1990). In this case the duty is to the desirability of preserving the setting of listed buildings;

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);

to have regard to the purpose of conserving biodiversity as required by Section 40 of the Natural Environment and Rural Communities Act 2006;

### **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 Development Plan;
- The impact of the proposal on designated and non-designated heritage assets;
- The impact on the nearby buildings and spaces, including daylight/sunlight and amenity.

### **Economic Development Issues**

18. 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.
19. 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 London Plan and Local Plan.
20. The building would provide high quality office accommodation to meet the demands of the City's occupiers. The proposed building would provide high quality office accommodation and a maximum of 24% increase in office space over that which currently exists on the site.

## Retail

21. If the retail (A1) use is implemented there could be a total of up to 696sq.m (GEA) within two units at ground floor and basement level.
22. The proposed retail units are not on a retail link but, if implemented, would form a local retail frontage. This is supported by Local Plan Policy DM20.3.

## Design

### Existing Building

23. The building's principal facade fronts Seething Lane but the building has facades of similar quality to Crutched Friars to the north and Pepys Street to the south. At the rear the building has party wall junctions with the adjoining building and a central lightwell area. Walsingham House is located within the Trinity Square conservation area and forms part of the setting of the Grade I listed church of St Olave Hart Street, the Grade II\* listed former Port of London Authority headquarters building, Grade II listed 41 Crutched Friars, Grade II\* 42 Crutched Friars and Grade II listed 43-44 Crutched Friars.
24. Walsingham House is constructed in Portland stone and has a free classical appearance with subtle art-deco elements. The lower floors of the building are well composed with a two story rusticated base supporting a giant order of plain pilasters that extend a further three floors higher, interspersed by vertical strips of metal Crittal windows.
25. The corners of the building have a more solid expression and rise higher than the cornice line that extends across the central section of each facade. The verticals bands of glazing running up the face of the southern corner elements terminate at their upper levels in a round headed arch. The fenestration is characterised by a clear hierarchy of windows with sub-divided glazing in painted metal window frames; small panes on the upper floors and larger sub-divisions at ground floor level. Each floor is marked by painted metal spandrel panels. The windows are recessed into stone faced returns with the exception of the ground floor windows which take the form of shallow chamfered bays which project out from the wind reveals to add to the impression of solidity at the rusticated base of the building. The impressive double height principal entrance is located at the centre of the Seething Lane frontage and is reached by three shallow steps.

26. The well-ordered formality of the base and middle parts of the Walsingham House building is not continued to the top of the building. The consistency of the lower floors breaks down at fifth floor level and above. The form of the building above this height appears to have been shaped by rights to light factors with a sloping roofline on the Seething Lane frontage and a distinct change in height between the north and southern frontages. This results in an unsatisfactory and unbalanced appearance when seen from street level. The later additions of an eighth floor caretaker's flat and the unsightly plant rooms, which are clearly visible looking north along Seething Lane, also detract from the appearance of the lower floors.

#### Principal External Changes

27. The principal external changes that would be made to the building are:
- Replacement of the 7th floor, the addition of two new storeys and a plant room at roof level.
  - Alteration to the ground floor frontages.
  - Replacement of the glazing.
  - Infilling of the rear lightwell.

#### Replacement 7<sup>th</sup> Floor, New 8<sup>th</sup> and 9<sup>th</sup> Floors and Plant Rooms.

28. The upper floors of the building would be remodelled and extended. The architectural appearance of the new extensions would draw on the appearance of the lower parts of the building and would be in Portland Stone. The alterations would address the unbalanced appearance of the principal Seething Lane facade and would increase the height of the Crutched Friars facade to a height consistent with the other two street facades. The north facing sloping roof and the northeast-southwest height discrepancy of upper floors across the site would be removed. The existing parapet lines to the upper floors would be regularised and the new upper floors would be formed in repeating set-backs to mirror the precedents on the existing levels 6 and 7. The new top floor would be embellished with decorative metal screening above the windows to further enhance the appearance of the upper levels of the building.
29. A new plant room would be provided above the 9<sup>th</sup> floor but this would be sufficiently set back and angled to ensure that it would not be visible in views from street level. Glass balustrades would be provided to new terrace areas around the perimeter of the new floors.

### Alterations to the Ground Floor Frontages

30. The main entrance to the building is currently accessed via three shallow steps. The floor level to the office reception area would be lowered and an internal platform lift provided to allow a level entry into the building from the street. The timber entrance screen would be retained but the current double doors would be replaced by a set of automatic sliding timber doors that would match the appearance and proportions of the existing doors. The pattern of glazing above the door would be simplified.
31. The proposals envisage the use of part of the ground floor for retail uses which would require the formation of two new entrances. Two existing window bays would be sympathetically adapted to create new accessible entrances whilst maintaining the coherent appearance of the building's ground floor facade.

### Replacement Glazing.

32. The 1930's single glazed metal framed Crittal style windows would be replaced with powder coated steel framed, thermally broken, double glazed replicas with clear glass. At ground level the existing metal chamfered projecting bays would be replaced in replica and the varying pattern of sub-division to the ground floor glazing would be regularised. The existing rosette and lozenge decorations on these bays would either be reused or used to make replica moulds.

### Infilling of the Rear Lightwell.

33. The existing lightwell at the rear of the building would be infilled by a new building core with toilet accommodation to allow the creation of modern office floorspace within the building.

### Setting of Listed Buildings, Impact on the Conservation Area & Local Views.

34. Listed buildings are located sufficiently close to the site for their settings to be potentially affected by the proposed development. These buildings are the Grade I listed church of St Olave Hart Street, Grade II\* listed former headquarters building of the Port of London Authority (PLA), Grade II listed 41 Crutched Friars, Grade II\* 42 Crutched Friars and Grade II listed 43-44 Crutched Friars . The building is located within the Trinity Square conservation area.
35. Walsingham House is located directly across Seething Lane from the Church of St Olave. Careful consideration has been given by the architects to the form of the new floors that would be added to Walsingham House to ensure that the church would not be visually overwhelmed. St Olave's Church is of a modest scale - the east front that backs onto Seething Lane comprises single storey aisles flanking a double height nave. The church and Walsingham House are not seen together in longer views along Seething Lane as the church is masked by the buildings to the south. In the more immediate locality, the manner in which the new upper floors would be set back from the cornice line means that these floors would not be apparent except in steep upward looking views.

36. In views looking east along Hart Street the building already has a significant presence as a backdrop to St Olave's. The proposals would have a positive impact on the setting of the church and the street scene in general. The proportions and appearance of Walsingham House would be improved, the highly visible and unsightly plant structure at the top of the building would be removed, and the flank wall to the adjacent Mint Hotel building would be obscured by the new upper level of the northern facade of Walsingham House.
37. In views along Crutched Friars, due to the narrowness of the street and the manner in which the existing upper levels are set back from the pavement line, the existing glimpsed view of the churchyard and gate of St Olave's would be essentially unchanged.
38. The impact of the Walsingham House alterations on the setting of the former PLA building would be beneficial. There would be a noticeable improvement in the general street scene along Seething Lane. The design of the proposed new top storeys would be visually complimentary both to the architecture of the PLA building in terms of materials, massing and details, and to the general view looking northwards along the street.
39. In the Conservation Area Character Summary and Management Plan Walsingham House is identified as making a positive contribution to the conservation area and that it has remained unaltered. It is considered that the current proposals retain the positive attributes of the existing building and successfully address its shortcomings in a manner that would enhance the conservation area.
40. The proposed alterations are welcomed on the basis that the top of the building would be given a more architecturally coherent form in an appropriate architectural style and massing, using Portland stone to match its lower levels. The alterations would improve the appearance of the building and would enhance the conservation area.

#### Daylight and Sunlight

41. A report has been submitted which reviews the potential impact on daylight and sunlight of the proposal on surrounding properties using the British Research Establishment (BRE) guidelines.
42. Policy DM10.7 is,
  - (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.

43. The Building Research Establishment (BRE) guidelines set out several methods of assessing changes in daylight and sunlight arising from new developments. The Local Plan states that the City Corporation will apply these methods, consistent with BRE advice that ideal daylight and sunlight conditions may not be practicable in densely developed city-centre locations. An assessment needs to be made as to whether the impacts are reasonable in all the circumstances of any particular project and its context.
44. Residential properties are located to the north of the site at 39 and 41 Crutched Friars; the rest are commercial.
45. To assess the surrounding properties, the BRE guidelines provide two main methods for assessing daylight: Vertical Sky Component (VSC) which measures daylight received on the external plane of windows; Daylight Distribution/No Sky Line (NSL) which seeks to ensure that 80% of a room would have a view of the sky.
46. The VSC value is a measurement of the amount of 'visible sky' that can be seen from over and around an obstruction. It represents the amount of direct light from the sky received by a particular window. The maximum VSC value that can be received for a totally unobstructed vertical window is 40% VSC.
47. The BRE Guidance states, "If the VSC is greater than 27% then enough skylight should still be reaching the window of the existing building. Any reduction below this level should be kept to a minimum. If the VSC, with the new development in place, is both less than 27% and less than 0.8 times of its former value, occupants of the existing building will notice the reduction in the amount of skylight. The area lit by the window is likely to appear more gloomy, and electric lighting will be needed more of the time."
48. Sunlight is measured in terms of the percentage of annual probable sunlight hours (APSH) at the centre point of the window. The Guidance says that sunlight to an existing dwelling may be adversely affected if the window receives less than 25% of APSH or less than 5% of APSH during the winter, receives less than 0.8 times its former value during either period and has a reduction over the whole year of greater than 4% APSH.

### 39 Crutched Friars

#### Daylight

49. There are 20 windows serving seven residential rooms on the first to fifth floors of 39 Crutched Friars.
50. The existing VSC values for the windows at 39 Crutched Friars are all below 27%, ranging from 7.56% to 23.89%.

51. VSC assessment for 39 Crutched Friars show that five of the twenty windows tested would retain at least 0.8 times their existing values and the reductions would not be noticeable therefore. These five windows are located at the fourth and fifth floor levels. The reduction in daylight to the other 15 windows would retain between 0.70 and 0.79 of their former values.
52. The Daylight Distribution (NSL) test results show that three of the seven rooms would retain at least 0.8 times their former value and the reductions would not be noticeable therefore. The remaining four rooms would retain 0.43 to 0.73 of the former value.
53. A number of the results above are only marginally outside the guidelines. On the first and second floor, where the VSC losses would be in the noticeable range the NSL change would not be noticeable. In two rooms both the VSC and NSL changes would be noticeable. Overall, it is considered that this change would be a minor adverse impact.

#### Sunlight

54. All of the windows to rooms at 39 Crutched Friars currently exceed the minimum recommended level of 25% APSH but windows at first and second floors have less than the 5% recommended for winter months.
55. The APSH results show that six of the seven rooms would continue to have access to annual sunlight levels in excess of the BRE guidelines target of 25% APSH. The remaining room, at first floor level, and one window at second floor level would have less (20% - 23%) and the reductions would be 0.74 to 0.79 of their former value, and therefore be a noticeable change. Winter sunlight changes would be more significant with noticeable reductions to below the recommended 5% at 11 windows.

#### 41 Crutched Friars

#### Daylight

56. There are 12 windows serving three residential rooms on the first to third floors of 41 Crutched Friars
57. The results of the VSC assessment show that the reduction in daylight at all the windows would retain at least 0.8 times their existing values. The changes would not be noticeable therefore.
58. The daylight distribution results show that retained daylight areas are 0.63 at first floor level, 0.55 at second floor level and 0.59 at third floor level, compared to the 0.8 target. It should be noted that these rooms are greater than 5m deep, for which the BRE guide states that a "greater movement of the no skyline maybe unavoidable".
59. The results in respect of 41 Crutched Friars demonstrate that, whilst the NSL changes would be in the noticeable the VSC losses would not be. It is considered that this change would be a minor adverse impact.

## Sunlight

60. The windows at first and second floors of 41 Crutched Friars do not currently meet the minimum recommended level of 25% APSH and 5% for winter months. Those at third floor mainly exceed the minimum recommended level of 25% APSH, although one window has less than the 5% recommended for winter months.
61. The APSH results show annual sunlight levels would be reduced at all windows but would retain at least 0.8 times their existing sunlight values in all but one window on the first floor.
62. Winter APSH is currently well below the 5% guidance in all but three windows on the third floor. The proposals would reduce the winter APSH such that all would be below 5%. The changes would be by a noticeable amount in all but two windows on the first floor.

## Daylight and Sunlight Summary

63. The submitted report demonstrates that daylight to windows serving residential premises at 39 and 41 Crutched Friars and daylight distribution within these flats would be reduced but that the reductions would, in many cases, be at a level that would not be noticeable. Similarly, the annual and winter sunlight levels would be reduced, in some cases by amounts that would be a noticeable change.
64. These properties already have lower daylight and sunlight levels than are recommended by the BRE because of the built up nature of the surrounding vicinity, in particular the Hilton Doubletree hotel. As a result, these properties rely more heavily on the light being received from over the development site, and are therefore sensitive to any increase in massing.
65. The proposed scheme for Walsingham House sets back the upper floors from the main street frontage to reduce the impact upon its neighbours, including the residential properties at Crutched Friars.
66. Whilst there would be reductions in daylight and sunlight that would be of a noticeable level according to the BRE Guidance it is considered that these changes would be of a minor adverse impact and would not be so great as to be unacceptable.

## Sustainability & Energy

67. As part of the supporting documentation, the applicants have submitted an Energy Strategy Report, a BREEAM pre-assessment and Sustainability Statement.

68. The refurbishment and extension of the building provides the opportunity to improve its energy performance over the Building Regulations compliant baseline. Passive design measures, such as the installation of high-performance glazing, a new energy efficient building envelope for the extension, energy efficient lighting and controls and specification of energy efficient plant would be incorporated. The connection of the development into a district heating network would currently not be possible but the opportunity for a future connection would be provided. The installation of air source heat pumps is the only proposed renewable technology.
69. These measures are estimated to achieve a 32.75% improvement on carbon emissions savings over the performance of the existing building.
70. The new extension would not exceed the threshold for extensions to be considered as a new built element under the Building Regulations, and therefore would not be required to be assessed as new development.
71. The retrofitting and improvement of the development as a whole in relation to carbon emissions savings is considered to deliver substantial benefits towards sustainability and climate change adaptation and therefore is considered to be acceptable. This is confirmed by the anticipated BREEAM pre-assessment rating of "excellent".

#### Servicing & Parking

72. Servicing would be via an entrance on Pepys Street and from Seething Lane as in the existing situation. The existing number of deliveries per day is 12-13. The submitted servicing survey estimates that the number of deliveries would increase to 17-18 per day due to the additional office floorspace. The retail use, if implemented, would generate a greater demand for deliveries than the office use. The number of extra deliveries for the retail use would depend on the end occupier. The implementation of a Delivery and Servicing Plan is considered to mitigate any potential impact of the increase in the number of daily deliveries for both the office and retail use.
73. The existing development provides no car, motorcycle or cycle parking.
74. No on-site disabled parking would be provided. On-street disabled parking facilities are available on Seething Lane approximately 50m south of the office entrance.
75. 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".
76. There would be 68 cycle parking spaces provided at basement level together with shower and changing facilities. This would comply with the cycle parking standards in the Local Plan of 1 space per 125sq.m of floorspace (GEA).

### Access

77. Level access for people with disabilities would be provided into the proposed office and to the retail units if these are implemented.
78. Level access would be provided to the terraces at 8th and 9<sup>th</sup> floor levels. The intention is to provide level access to the terrace at 7th floor level but this is subject to the existing building structure allowing.

### Archaeology

79. The site is in an area of high archaeological potential where remains from all periods may be expected to survive. Roman, medieval and post medieval structural remains have been recorded in the area and the site is close to the precinct boundary of the medieval House of the Crutched Friars.
80. The proposals infill an existing lightwell, underpinning and strengthening works to foundations and new piled foundations which would have an impact on surviving archaeological remains.
81. The design of underpinning, strengthening works and new foundations would be informed by future soil investigation works. Conditions are recommended to cover archaeological evaluation, a programme of archaeological work and foundation design.

### **Planning Obligations and Community Infrastructure Levy**

82. 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.
83. 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.

84. 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
85. Regulation 123 states that a planning obligation may not constitute a reason to grant planning permission to the extent that it provides funding for infrastructure included in the regulation "Regulation 123" list as the type of infrastructure on what CIL will be spent on.
86. 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).

### **Mayoral Community Infrastructure Levy (CIL)**

87. 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**

88. 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.
89. Developments liable for both Mayoral CIL and Mayoral planning obligations payments for Crossrail will not be double charged. The Mayor will treat the CIL liability as a credit towards Mayoral planning obligation contribution. Therefore the Mayoral planning obligation liability can be reduced by the Mayoral CIL.

90. At the time of preparing this report the Mayoral CIL has been calculated to be £101,900. The full Mayoral planning obligation has been calculated to be £250,520. This would be reduced to £148,620 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 at this point.
91. 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 received will be forwarded to the Mayor. However, the developer will also be liable to pay an additional £3,500 Mayoral 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:

<b>Liability in accordance with the Mayor of London's policies</b>	<b>Contribution £</b>	<b>Forwarded to the Mayor</b>	<b>Retained by City Corporation</b>
Mayoral Community Infrastructure Levy payable	101,900	97,824	4,076
Mayoral planning obligation net liability*	148,620	148,620	Nil
Mayoral planning obligation administration and monitoring charge	3,500	Nil	3,500
<b>Total liability in accordance with the Mayor of London's policies</b>	<b>£ 254,020</b>	<b>£246,444</b>	<b>£7,576</b>

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

### **City CIL**

92. The City introduced its CIL on 1<sup>st</sup> 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 sq.m 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 £152,850. 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.

93. 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.

#### **City S106 Planning Obligations**

94. On 1 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).
95. The section 106 agreement would normally follow the agreement template available on the City of London website.
96. In this case the proposed net increase in floorspace would be 2038sq.m. On the basis of the figure indicated in the Supplementary Planning Document, the planning obligation figure would be £46,874. It is the City's practice that all financial contributions be index-linked with reference to the appropriate index from the date of adoption of the City's SPD to the date planning permission was granted.

97. The applicant has agreed a breakdown which accords with the Supplementary Planning Document as follows:

<b>Liability in accordance with the City of London's policies</b>	<b>Contribution £</b>	<b>Available for Allocation £</b>	<b>Retained for Administration and Monitoring £</b>
City Community Infrastructure Levy	<b>152,850</b>	<b>145,208</b>	<b>7,642</b>
City Planning Obligation Affordable Housing	<b>40,760</b>	<b>40,352</b>	<b>408</b>
City Planning Obligation Local, Training, Skills and Job Brokerage	<b>6,114</b>	<b>6,053</b>	<b>61</b>
City Planning Obligation Monitoring Charge (non-financial obligations)	<b>1,500</b>	<b>Nil</b>	<b>1250 tbc</b>
<b>Total liability in accordance with the City of London's policies</b>	<b>£201,224</b>	<b>£191,613</b>	<b>£9,611</b>

98. 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 Contribution

99. 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 Contribution

100. 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.

### Delivery and Servicing Management Plan

101. 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

102. 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 Strategy (Construction)

103. The applicant will be required to submit for approval details of the Local Training, Skills and Job Brokerage Strategy in line with the aims of the City Corporation's Employment Charter for Construction. 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.
104. 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

105. The applicant will be required 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.

106. The developer will be required at the 6 month stage, or half way through the project (whichever is earliest), to report to the City of London Corporation's Economic Development Office on their performance against the 10% local procurement target.
107. 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

108. 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. The submitted energy statement demonstrates that the development is designed to achieve a 34% reduction in carbon emissions when compared with the London Plan target of 35% improvement over the 2013 building regulations.
109. A detailed post construction assessment will be required. If the assessment demonstrates that the target is not met on site the applicant will be required to meet the shortfall through 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 prior to occupation of the development.

#### Utility Connections

110. 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.

### Monitoring and Administrative Costs

111. 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. Some funds may be set aside for future maintenance purposes.
112. 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) and £250 per non-financial obligation will be allocated to the monitoring of the agreement.
113. Separate additional administration and monitoring fees will be applied in relation to the Crossrail Contribution.

### Conclusions

114. The proposal supports the City's strategic objective to promote the City as the leading international financial and business centre.
115. 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 in this part of the City.
116. This development would not detract from the City's conservation areas, listed buildings and non-designated heritage assets or be detrimental to the setting of the Tower of London World Heritage Site.
117. Whilst there would be reductions in daylight and sunlight that would be of a noticeable level according to the BRE Guidance it is considered that these changes would be of a minor adverse impact and would not be so great as to be unacceptable.
118. The proposal is substantially in compliance with the provisions of the Development Plan.
119. It is concluded that the proposal is acceptable subject to conditions and to a Section 106 agreement being entered into to cover the matters set out in the report.
120. I recommend planning permission be granted as set out in the Recommendation and Schedule.

## **Background Papers**

### Internal

Email Environmental Health 6/2/2015

### External

Energy Strategy Report Issue 2.0 - 2/12/2014

BREEAM Offices 2008 Issue 03 - 5/12/2014

Transport Assessment - December 2014

Statement of Community Involvement - December 2014

Draft Delivery & Servicing Plan - December 2014

Archaeological Appraisal JLQ 0193 - 4/12/2014

Daylight & Sunlight Report MH/KW/ROL7011 - 26/2/2015

Framework Travel Plan - December 2014

Planning Statement - December 2014

Design and Access Statement - 15 December 2014

Existing Drawings - P00/098 Rev P1, P00/099 Rev P1, P00/100 Rev P1, P00/101 Rev P1, P00/102 Rev P1, P00/103 Rev P1, P00/104 Rev P1, P00/105 Rev P1, P00/106 Rev P1, P00/107 Rev P1, P00/108 Rev P1, P00/120 Rev P1, P00/121 Rev P1, P00/122 Rev P1, P00/123 Rev P1, P00/124 Rev P1, P00/125 Rev P1, P00/126 Rev P1, P00/130, P00/132 Rev P1, P00/133 Rev P1.

Email David Lonsdale - 14/1/2014

Letter English Heritage - 20/1/2015

Letter CAAC - 4/2/2015

Letter John Robertson Architects - 9/2/2015, 2/4/2015x2

Email JLL - 16/3/2015 & 2/6/2015

Heritage Statement - January 2015

Letter Anstey Horne - 3/3/2015

Sustainability Statement - 17/3/2015

Email Michael Will - 14/5/2015

## **Appendix A**

### **London Plan Policies**

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

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 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 7.2 All new development in London to achieve the highest standards of accessible and inclusive design.

Policy 7.4 Development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features. In areas of poor or ill-defined character, development should build on the positive elements that can contribute to establishing an enhanced character for the future function of the area.

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 7.8 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 7.13 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.

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

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

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

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

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

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

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

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

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

### ***DM10.7 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.

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

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

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

1. Development in conservation areas will only be permitted if it preserves and enhances the character or appearance of the conservation area.
2. The loss of heritage assets that make a positive contribution to the character or appearance of a conservation area will be resisted.
3. Where permission is granted for the demolition of a building in a conservation area, conditions will be imposed preventing demolition commencing prior to the approval of detailed plans of any replacement building, and ensuring that the developer has secured the implementation of the construction of the replacement building.

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

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

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

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

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

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

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

### ***DM15.7 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.

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

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

### ***DM16.3 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.

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

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

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

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

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

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

#### ***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.

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

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

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

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

## SCHEDULE

APPLICATION: 14/01226/FULMAJ

**Walsingham House 35 Seething Lane London**

**External alterations including the replacement of the 7th floor, the addition of two storeys office (B1) use with a plant room at roof level; infilling of the lightwell and the sloping roof fronting onto Crutched Friars; replacement windows; new entrances; flexible office (B1) /retail (A1) use of part of the ground floor; ancillary roof plant and cycle spaces. 8,517sq.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 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.
- 3 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.

- 4 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.
- 5 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.
- 6 (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.

- 7 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) details of the proposed new facade(s) including typical details of the fenestration and entrances;
  - (c) typical details of stonework;
  - (d) details of ground floor elevations;
  - (e) details of the ground floor office and retail entrances;
  - (f) details of windows and external joinery;
  - (g) details of new dormer windows;
  - (h) details of soffits, hand rails and balustrades;
  - (i) details of junctions with adjoining premises;
  - (j) details of the integration of window cleaning equipment and the garaging thereof, plant, flues, fire escapes and other excrescences at roof level
- REASON: To ensure that the Local Planning Authority may be satisfied with the detail of the proposed development and to ensure a satisfactory external appearance in accordance with the following policies of the Local Plan: DM3.2, DM10.1, DM10.5, DM12.2.
- 8 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 68 pedal cycles (at 1 to 125). The cycle parking provided on the site must remain ancillary to the use of the building and must be available at all times throughout the life of the building for the sole use of the occupiers thereof and their visitors without charge to the individual end users of the parking.
- REASON: To ensure provision is made for cycle parking and that the cycle parking remains ancillary to the use of the building and to assist in reducing demand for public cycle parking in accordance with the following policy of the Local Plan: DM16.3.
- 9 Changing facilities and showers shall be provided adjacent to the bicycle parking areas and maintained throughout the life of the building for the use of occupiers of the building in accordance with the approved plans.
- REASON: To make travel by bicycle more convenient in order to encourage greater use of bicycles by commuters in accordance with the following policy of the Local Plan: DM16.4.
- 10 At all times when not being used for cleaning or maintenance the window cleaning gantries, cradles and other similar equipment shall be garaged within the enclosure(s) shown on the approved drawings.
- REASON: To ensure a satisfactory external appearance in accordance with the following policy of the Local Plan: DM10.1.

- 11 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, DM15.4.
- 12 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.
- 13 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.
- 14 No live or recorded music shall be played that it can be heard outside the premises or other premises in the building.  
REASON: To safeguard the amenity of the adjoining premises and the area in general in accordance with the following policies of the Local Plan: DM15.7, DM21.3.
- 15 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: P00/199 Rev P1, P00/200 Rev P1, P00/201 Rev P1, P00/202 Rev P1, P00/203 Rev P1, P00/204 Rev P1, P00/205 Rev P1, P00/206 Rev P1, P00/207 Rev P1, P00/208 Rev P1, P00/220 Rev P1, P00/221 Rev P1, P00/222 Rev P1, P00/223 Rev P1, P00/224 Rev P1, P00/225 Rev P1, P00/226 Rev P1.  
  
P01/099 Rev P3, P01/100 Rev P3, P01/101 Rev P1, P01/102 Rev P1, P01/103 Rev P1, P01/104 Rev P1, P01/105 Rev P1, P01/106 Rev P1, P01/107 Rev P1, P01/108 Rev P1, P01/109 Rev P1, P01/110 Rev P1, P01/111 Rev P1, P01/120 Rev P2, P01/121 Rev P2, P01/122 Rev P2, P01/123 Rev P1, P01/124 Rev P1, P01/125 Rev P1, P01/126 Rev P1, P01/130 Rev P1, P01/131 Rev P3, P01/132 Rev P1, P01/133 Rev P2, L06/001 Rev P2.  
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 The provisions of Part 3, Class E, of Schedule 2 to the Town & Country Planning (General Permitted Development) Order 1995 will permit changes of use between office (B1) and retail (A1) at part basement and part ground floor levels for a period of ten years from the date of this permission.

- 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 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.

Blamires, Michael

---

From: David Lonsdale <[REDACTED]>  
Sent: 14 January 2015 14:09  
To: Adjei, William  
Cc: Blamires, Michael  
Subject: Re: Walsingham House 35 Seething Lane, London EC3N 4AH

Dear Mr Adjei,

I have been twice consulted about the plans for Walsingham House and have studied the proposed scheme carefully. My flat is directly opposite the building at 41 Crutched Friars.

This is an example of how good architecture can enhance the appearance of an already distinguished building. The scale is appropriately grand for the site and will enable the owners to offer further and much better office accommodation for the City of London which is of course greatly needed.

I support the application.

Yours

David Lonsdale

On Wed, Jan 14, 2015 at 5:01 AM, Adjei, William <[William.Adjei@cityoflondon.gov.uk](mailto:William.Adjei@cityoflondon.gov.uk)> wrote:

> Please see attached consultation for the above mentioned address.  
>  
>  
>  
> Many Thanks  
>  
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## City of London Conservation Area Advisory Committee

Mr. Ted Rayment,  
Department of the Built Environment  
Corporation of London,  
P.O. Box 270,  
Guildhall,  
London, EC2P 2EJ

4<sup>th</sup> February 2015

Dear Sir,

At its meeting on 22<sup>nd</sup> January 2015 the City of London Conservation Area Advisory Committee considered the following planning application and reached the decision given below:

**C.6 14/01226/FULL - Walsingham House, 35 Seething Lane, London, EC3N 4AH  
Trinity Square Conservation Area/Tower Ward. Ward Club rep. Ward Club  
rep. Claire Cross**

External alterations including the replacement of the 7th floor, the addition of two storeys (office B1 use) with a plant room at roof level; infilling of the lightwell and the sloping roof fronting onto Crutched Friars; flexible office (B1)/retail (A1) use of part of the ground floor; ancillary roof plant and cycle spaces.

There were no objections and the Officers were requested to consult with the applicants about the possible retention of the ship that formed part of the existing timber doors.

I should be glad if you would bring the views of the Committee to the attention of the Planning & Transportation Committee.

Yours faithfully,



Mrs. Julie Fox  
Secretary

## Blamires, Michael

---

**From:** Jezeph, Alexandra [REDACTED]  
**Sent:** 02 June 2015 18:15  
**To:** Blamires, Michael  
**Subject:** FW: ROL7011 Walsingham House

Dear Michael,

Further to our recent conversations regarding the Walsingham House application, I write to forward a response from our rights to light consultant which addresses the points raised in the objection letter submitted by Mr Will.

I will give you a call tomorrow to discuss the note and any further information you may need in the lead up to committee.

Thanks and regards,  
Alex

Alexandra Jezeph  
Senior Planner  
30 Warwick Street | London W1B 5NH



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[jll.co.uk](http://jll.co.uk)

---

**From:** Lance Harris [mailto:[REDACTED]]  
**Sent:** None  
**To:** Jezeph, Alexandra  
**Cc:** Ferguson, Sharon; Festus Moffat ([REDACTED]); [REDACTED] Matthew Harris  
**Subject:** ROL7011 Walsingham House

Dear Mrs Jezeph

You recently forwarded me a copy of an email dated 14<sup>th</sup> May 2015 from Michael Will (owner of Flats 2 and 3, 41 Crutched Friars) to David Stothard and Michael Blamires of the City of London planning department, setting out his objections to the Walsingham House proposals.

As Mr Will's objections relate solely to the question of light, you have asked me to reply in this note, so I have responded below to the specific points raised and summarised the position with the Crutched Friars residential properties in terms of the overall position.

### Specific points of objection

1. Mr Will suggests that the proposed scheme breaches the terms of a deed dating back to 1929. The terms of the deed in question are yet to be debated with Mr Will and no agreement has therefore been reached as to how the deed applies to the current proposals. However, that is a separate, legal matter to be resolved between the parties and has nothing to do with the Town & Country Planning process. It is something which would fall outside of the expertise of the planning department and

not something which can play any part in the decision making process when considering the planning application.

2. Mr Will further objects on the basis that there will be unacceptable impacts on the daylight and sunlight received by his properties *“that are both unacceptable to me and non-compliant with BRE guidelines”*.

I think the starting point must be to emphasise the fact that we are dealing with guidelines rather than a set of rules to be applied rigidly in every case, so it is not a question of compliance or non-compliance, but rather an assessment of whether the impacts are reasonable in all the circumstances of any particular project and its context. Indeed, the BRE guide to which Mr Will refers goes out of its way to emphasise this in the introductory section from which the following quotes have been taken:-

- *“The advice given here is not mandatory and this document should not be seen as an instrument of planning policy; its aim is to help rather than constrain the designer”*
- *“Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design”*
- *“Note that numerical values given here are purely advisory. Different criteria may be used, based upon the requirements for daylighting in an area viewed against other site layout constraints”*.
- *“Different targets may be used, based on the special requirements of the proposed development or its location”*.

What is clear from this is that rigid application of the numerical guidelines may well give rise to an inappropriate answer and form of development for city centre sites, in which case it may be appropriate to adopt lower target values that are more appropriate to the location concerned. No better example of that can be Walsingham House and its position in the City of London boundaries.

The Anstey Horne report dated 26<sup>th</sup> February 2015 acknowledges that there will be some transgressions of the BRE guidelines, if rigidly applied, at both 39-41 and 42 Crutched Friars, where there are already some lower existing daylight and sunlight levels because of the built up nature of the surrounding vicinity, in particular the Hilton Doubletree development alongside Walsingham House. As a result, these properties rely more heavily on the light being received from over the development site, and are therefore inevitably more sensitive to any increase in massing to the existing building profile.

Respecting the need to give full consideration to the impact on neighbouring properties, Anstey Horne was instructed to work closely with John Robertson Architects to assist them in producing a design that is sensitive to the existing surrounding buildings, whilst retaining the integrity of the current building on the site. Unlike the more dominant obstruction created by the Hilton Doubletree, the proposed scheme for Walsingham House discreetly sets back the upper floors from the main street frontage to minimise the impacts upon its neighbours, including the Crutched Friars residential properties that Mr Will owns.

As is always the case in central city locations, it is necessary to apply the guidelines with some common sense and flexibility in order to avoid built forms that are inappropriate for the location. The City of London’s Environmental Quality Policy ENV35 refers to this flexible application of the BRE guidelines and in that context the general intentions of the City of London’s planning policy on daylight and sunlight is therefore satisfied by the Walsingham House scheme.

Regards

**Lance Harris**  
Director



Anstey Home, 4 Chiswell Street, London EC1Y 4UP  
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**Department of the Built Environment**

Philip Everett BSc, CEng, MICE  
Director of the Built Environment

Jones Lang La Salle  
Attn: Miss Alexandra Jezeph  
[by email only]

Telephone 020 7332 1933  
Email [pippa.jackson@cityoflondon.gov.uk](mailto:pippa.jackson@cityoflondon.gov.uk)  
Typetalk: 18001 020 7332 1933

Date 20<sup>th</sup> January 2015

Dear Miss Jezeph

**Re: Walsingham House, 35 Seething Lane, London, EC3N 4AH**  
**Planning Application No: 14/01226/FULMAJ**

We have been consulted with regard to the above Planning application. Based upon the application documents submitted, we make the following observations:

- 1 It is pleasing that level access from the street has been provided at the entrance to this building.
- 2 Please confirm the size of the platform lift to be installed within the entrance lobby.
- 3 Confirmation is sought that all the internal steps will have handrails on either side which extend horizontally by 300mm beyond the top and bottom step. BS 8300 5.10.2 d & 5.10.1 and Building Regulations Part M 1.37 c & d
- 4 Each step nosing should incorporate a permanently contrasting continuous material for the full width of the stair on both the tread and the riser to help blind and partially sighted people appreciate the extent of the stair and identify individual treads. The material should be 50mm to 65 mm on the tread and 30 mm to 55 mm on the riser, and should contrast visually with the remainder of the tread and riser. BS 8300 5.9.5 Please ensure that all the internal steps meet this requirement.
- 5 The basement cycle facilities contain no provision for wheelchair accessible shower facilities. This needs to be rectified.
- 6 It is noted that all of the unisex wheelchair accessible WC compartments have sliding doors; justification for this should be set out in the access statement.
- 7 All the unisex wheelchair accessible WC's have concealed cisterns; this leads to boxing in and handrails not being as accessible as they should be. The back wall is now not flat but has a corner along it affecting access to the handrail on the transfer side of the WC pan. The reasoning for this design should be provided along with detail plans to ensure that the usability of the facility is not compromised.

City of London Access Team,  
Dept of the Built Environment  
P O Box 270, Guildhall, London EC2P 2EJ  
Switchboard 020 7606 3030  
[www.cityoflondon.gov.uk](http://www.cityoflondon.gov.uk)

[access@cityoflondon.gov.uk](mailto:access@cityoflondon.gov.uk)

- 8 **There are no ambulant disabled person's cubicles shown; please ensure that there is one ambulant disabled person's cubicle per group of facilities in addition to the wheelchair accessible unit.**
- 9 **Please confirm that level access to the terraces on floors 7, 8 and 9 will be provided.**
- 10 **It is noted that both the retail units have level changes to be overcome within the units. One unit proposes using a ramp adjacent to the entrance door. Please be aware that landings should be provided at the foot and head of a ramp. They should be at least the width of the ramp and not less than 1200 mm long, clear of any door swing or other obstruction. BS 8300 5.8.4 and Building Regulations Part M 1.26 h**

The above observations extend beyond issues relating to planning approval and are based on best practice standards for pan-disability access and inclusive design. We wish to draw your attention to these factors at this stage, to encourage early consideration of accessibility in the design process so that a truly inclusive environment can ultimately be achieved that everyone will be able to visit, use and enjoy.

We look forward to receiving your response regarding the above observations and to working with you to ensure that inclusive access for all will be provided.

Yours sincerely

Pippa Jackson PG Dip  
Access Adviser

c.c: Michael Blamires, Planning Services & Development Division

**Hassall, Pam**

---

**From:** PLN - Comments  
**Subject:** FW: Walsingham House - ROL7011 Walsingham House - OBJECTION

-----Original Message-----

**From:** Michael Will [mailto:  
**Sent:** 14 May 2015 13:47  
**To:** Stothard, David; Blamires, Michael  
**Cc:** Hampson, Annie  
**Subject:** Walsingham House - ROL7011 Walsingham House - OBJECTION

Dear Sirs,

I object to this application on the grounds that it reduces the levels of daylight and sunlight received by my 2 properties at Flat 2 and Flat 3 41 Crutched Friars, London EC3N 2AE to levels that are both unacceptable to me and non-compliant with BRE Guidelines.

This application also breaches the terms of a permissive deed executed in 1929 as the roof is above 120 feet ordinance datum.

In the unlikely event you wish to progress this application to the Planning and Transportation Committee kindly provide me a copy of the officer's report in support in advance in order that I may provide further written representations. Moreover, I hereby give notice that I may wish to make oral representations to the committee so that they understand first hand the damage this application will cause to my properties.

Kindly acknowledge receipt.

Yours faithfully,

Michael A. Will  
Solicitor



ENGLISH HERITAGE

LONDON OFFICE

Mr Michael Blamires  
Corporation of London  
Department of Planning & Transportation  
PO Box 270  
Guildhall  
LONDON  
EC2P 2EJ

Direct Dial: 020 7973 3775  
Direct Fax: 020 7973 3792

Our ref: W: P00444276

20 January 2015

Dear Mr Blamires

**Notifications under Circular 01/2001, Circular 06/2009 &  
T&CP (Development Management Procedure) Order 2010  
WALSINGHAM HOUSE 35 SEETHING LANE LONDON EC3N 4AH  
Application No 14/01226/FULMAJ**

Thank you for your letter of 14 January 2015 notifying English Heritage of the application for planning permission relating to the above site. Our specialist staff have considered the information received and we do not wish to offer any comments on this occasion.

**Recommendation**

**This application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.**

It is not necessary for us to be consulted again on this application. However, if you would like further advice, please contact us to explain your request. We can then let you know if we are able to help further and agree a timetable with you.

In returning the application to you without comment, English Heritage stresses that it is not expressing any views on the merits of the proposals which are the subject of the application.

Please note that this response relates to historic building and historic area matters only. If there are any archaeological implications to the proposals it is recommended



1 WATERHOUSE SQUARE 138-142 HOLBORN LONDON EC1N 2ST

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ENGLISH HERITAGE

LONDON OFFICE

that you contact the Greater London Archaeological Advisory Service for further advice (Tel: 020 7973 3712).

Yours sincerely



**Tom Nancollas**  
Business Officer

E-mail: [thomas.nancollas@english-heritage.org.uk](mailto:thomas.nancollas@english-heritage.org.uk)



1 WATERHOUSE SQUARE 138-142 HOLBORN LONDON EC1N 2ST

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**Rights of Light and Party Wall Consultants**  
4 Chiswell Street, London EC1Y 4UJ  
T 020 7065 2770  
F 020 7065 2774  
www.ansteyhome.co.uk

Chartered Surveyors



Our ref: LJM/SB/ROL7011

**David Stothard**  
Assistant Director, Development Division  
Department of the Built Environment  
City of London  
Guildhall  
PO Box 270  
London  
EC2P 2EJ

3 March 2015  
By email

Dear Mr Stothard

Re: (ROL7011) Walsingham House

As you know, Anstey Home is advising on daylight and sunlight issues in connection with the Walsingham House scheme.

I am sorry that my unexpected absence meant that our previously planned meeting had to be cancelled. I do think there is merit in meeting so that we can talk through the issues and any concerns you have in detail, but in the meantime I have set out below a response to the points raised in your email to Alexandra Jezeph of February 12<sup>th</sup>.

1. I genuinely do not believe it would be appropriate to look at this on a cumulative basis, taking account of the impacts of the Hilton Doubletree development, for the following reasons:-

- a) Although we do sometimes produce cumulative impact assessments for EIAs on larger schemes, that is always where the proposed scheme is coming forward at the same time as other schemes in the vicinity, such that the planners understandably want to understand the total impact on the neighbour. Obviously we do not have that situation here because the Hilton Doubletree works were completed several years ago, and I honestly cannot remember ever being asked to produce a cumulative study in relation to works completed so far in the past.

Contd:

Directors: Lance Harris MRICS ; Graham North FRICS MCIArb ; Heather Schöpp BSc (Hons) MRICS ; Aidan Cosgrave BSc (Hons) MRICS  
; Paul Goldsmith BSc (Hons) MRICS ; Matthew Orsler BA (Hons)

Associate Directors: Nick Bayly ; Matthew Briggs BEng (Hons) PGDip ; Sally Tester BSc (Hons) MRICS ; Matthew Harris BSc (Hons)  
; Drew Steadman BA (Hons) ; Tom Bentley BSc (Hons)

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- b) Your Local Plan does refer to taking account of cumulative effects, but for the reasons described in point a) above I do not think that is applicable here. Also, what the BRE guide says is that where there are successive works of extension or alteration to a particular building one should look at the cumulative effects, so that, in effect, the developing party cannot chip away at the light enjoyed by the neighbour by virtue of a succession of alterations. That does not apply here either.
  - c) The Walsingham House scheme is already been penalised here by virtue of the past impacts created by the Hilton Doubletree, because the light to 39 and 41 Crutched Friars was materially affected by that scheme. The Walsingham House scheme therefore has to cope with the fact that there is relatively limited light available to the Crutched Friars properties, which is why it has been designed in such a sensitive fashion, raking back sharply away from Crutched Friars rather than raising in a more vertical fashion as was the case with the Hilton Doubletree scheme.
  - d) On a practical level it creates problems as well because we would have to research what used to exist on the Hilton Doubletree site and model and test a baseline from there, information we do not currently have and which might be difficult to obtain in truly accurate form.
2. There are minor discrepancies between our figures for the existing condition and the figures GIA calculated for the proposed condition. However, I have no idea what level of information GIA were provided with for their analysis, whereas our client paid for a detailed and accurate survey of the site and all the surrounding buildings, so I believe our results to be entirely reliable and the ones we should be looking at. You point out that there were discrepancies between the results in the GIA reports of 1998 and 2006, so there is an obvious problem if one refers back to past work undertaken by other parties, over which we have no control and which might have been based upon some degree of estimation.
3. We have not used the test of average daylight factor, because it is not in that part of the BRE guide that deals with the impact upon existing neighbours. As you know, it is a design tool for new residential development and paragraph F7 of Appendix F specifically says "*use of the ADF for loss of light to existing building is not generally recommended*". It does go on to give examples where exceptions might be made, but none of those examples fit with our circumstance.

The vertical sky component, daylight distribution and APSH tests are recommended because they are comparative, allowing everyone to see the difference between the existing and proposed conditions. The ADF test is not designed to be comparative, it is simply looking at light conditions alongside the interior daylighting recommendations for new residential development.

I hope this explanation is useful, but I still think it might be a good idea to get together for a short meeting to talk through the relevant points so that you are entirely comfortable. Probably like you, I have quite a congested diary most weeks, but I will do my very best to fit in with your schedule and our offices are but a few minutes apart.

In the meantime we have produced the attached amended version of our initial daylight/sunlight report to take account of clarification previously raised by Michael Blamires, particularly in respect of 39/41 Crutched Friars. For example, we have now separated the results out on a flat by flat basis. It also updates the results for Mr Will's flats and one other, where we have now had access, but the results are almost identical.

I look forward to hearing from you.

Yours sincerely



Lance J Harris

PS. A hard copy of the updated report will be hand delivered tomorrow.

cc. Michael Blamires  
Annie Hampson  
Alexander Jezeph  
Sharon Ferguson  
Matthew Harris