

<b>Committee:</b>	<b>Date:</b>
Planning and Transportation	14 May 2020
<p><b>Subject:</b></p> <p>Site Bounded By Fenchurch Street, Mark Lane, Dunster Court And Mincing Lane. London EC3M 3JY</p> <p>i) Demolition of 41-43 Mincing Lane, 40-54 Fenchurch Street, former church hall and the Clothworkers' Hall and its redevelopment to provide a new building comprising four levels of basement (including a basement mezzanine level), ground, mezzanine, plus part 9, 31 and 35 storeys plus plant containing offices (B1) and flexible shop/financial and professional services/cafe and restaurant uses (A1/A2/A3) at ground floor level; and flexible shop/cafe and restaurant/drinking establishment uses (A1/A3/A4) at levels 10 and 11, including winter garden (Sui Generis); ii) Reprovision of the Clothworkers' accommodation (Sui Generis) within part ground, part first, part second and part third floors and four levels of basement (including a basement mezzanine level); iii) Creation of ground level public access to level 10 roof garden and basement level 1 to Grade II Listed crypt; iv) Dismantling, relocation and reconstruction of the Lambe's Chapel Crypt to basement level 1 and associated exhibition accommodation (Sui Generis) (listed Grade II); v) Alterations to and conservation of the Grade I Listed Tower of All Hallows Staining; vi) Provision of new hard and soft landscaping and other associated works.</p> <p>(The total proposed floor area of the new building is 94,336sq.m GIA, comprising 88,064sq.m of office floorspace, 289sq.m of flexible retail floorspace (A1/A2/A3), 550sq.m of flexible retail floorspace (A1/A3/A4), 789sq.m of livery hall floorspace, 214sq.m of crypt floorspace and 430sq.m of winter garden floorspace. The building would rise to a maximum height of 149.6m when measured from the lowest office ground floor level, 165.1m AOD.)</p> <p>This application is accompanied by an Environmental Statement which is available for inspection with the planning application. Copies of a CD containing the Environmental Statement may be obtained from Gerald Eve LLP, 7 Welbeck Street, London, W1G 0AY.</p>	<b>Public</b>
<b>Ward:</b> Tower	<b>For Decision</b>
<b>Registered No:</b> 19/01307/FULEIA	<b>Registered on:</b> 12 December 2019
<b>Conservation Area:</b> No	<b>Listed Building:</b> No

## Summary

Planning permission is sought for:

- Demolition of 41-43 Mincing Lane, 40-54 Fenchurch Street, former church hall and the Clothworkers' Hall and its redevelopment to provide a new building comprising four levels of basement (including a basement mezzanine level), ground, mezzanine, plus part 9, 31 and 35 storeys plus plant containing offices (B1) and flexible shop/financial and professional services/cafe and restaurant uses (A1/A2/A3) at ground floor level; and flexible shop/cafe and restaurant/drinking establishment uses (A1/A3/A4) at levels 10 and 11, including winter garden (Sui Generis);
- Re-provision of the Clothworkers' accommodation (Sui Generis) within part ground, part first, part second and part third floors and four levels of basement (including a basement mezzanine level)
- Creation of ground level public access to level 10 roof garden and basement level 1 to Grade II Listed Lambe's Chapel Crypt
- Dismantling, relocation and reconstruction of the Lambe's Chapel Crypt to basement level 1 and associated exhibition accommodation (Sui Generis) (listed Grade II)
- Alterations to and conservation of the Grade I Listed Tower of All Hallows Staining; vi) Provision of new hard and soft landscaping and other associated works.

Listed building consent is sought for:

- Alterations to and conservation of the Grade I Listed Tower of All Hallows Staining.' (19/01283/LBC)
- Listed building consent for 'Dismantling, relocation and reconstruction of the Grade II Listed Lambe's Chapel Crypt to basement level one including the provision of public access and associated exhibition (Sui Generis).' (19/01277/LBC)

The following recommendation relates to the planning application. There is a separate recommendation before your Committee relating to the two related applications for Listed Building Consent. Both this application and the related listed building consent applications are considered in this report.

Representations objecting to the proposals have been received from Historic Royal Palaces (HRP), the London Borough of Tower Hamlets, Generali (who run the roof garden at 120 Fenchurch Street) and Richard Bennett.

Representations supporting the proposals have been received from the City Heritage Society, the Reverend Arani Sen representing St Olave's Church, Georgina Graham on behalf of the Archdeacon of London, the Drapers Company, the Merchant Taylors Company, the Carpenters Company and the Mercers Company.

The scheme is of a high-quality design and features a number of innovative features including extensive urban greening. It provides a significant increase in office floorspace meeting one of the primary objectives of the City's Local plan and London Plan policies. It results in some loss of retail on a Retail Link but this is considered acceptable when taking into account the nature of the development and the other benefits of the scheme.

It provides an increase and significant enhancement of the public realm through the widening of pavements, the creation of a widened route from Fenchurch St, the provision of a new high quality public space around the listed Tower and a new free to visit roof level space at level 10 of quality, affording views, seating and promenading space and a winter garden accessed off it. The extent of new public realm will represent a significant uplift on the existing area.

Whilst it is accepted that the proposed development would reduce the amount of sunlight received by the roof garden at 120 Fenchurch Street, it is considered that the public benefit created by the proposed roof garden and public realm would outweigh this harm.

The scheme includes conservation work to the listed Tower and the relocation of the listed Lambe's Chapel Crypt and the provision of a public exhibition space to which public access is provided which are a significant cultural heritage benefit of the scheme. However, elements of those works would cause a degree of harm to certain features and interests of the Tower and harm to the Crypt, and great weight has been given to the desirability of their preservation. After applying the relevant statutory tests and NPPF criteria there is considered to be clear and convincing justification for the harm.

The scheme provides a new Livery Hall for the Clothworkers' Company, which is their 7th on the Site which meets their requirements and provides the incorporation of a number of important artefacts associated with the Company including their Gates.

The impact on neighbouring buildings and spaces has been considered. The scheme would not result in unacceptable environmental impacts in terms of noise, air quality, wind, daylight and sunlight and overshadowing. The impact on daylight and sunlight/ overshadowing has been thoroughly tested. Whilst the loss of aspect and the overshadowing of the public roof garden at 120 Fenchurch St has a detrimental impact it is not considered that the impacts would cause unacceptable harm such as to warrant a refusal of planning permission in that a further high quality roof level space is being provided with aspect and amenity. The proposal would be in compliance with Local Plan Policies DM 10.7 and DM21.3 and policies 7.6 and 7.7 of the London Plan.

The scheme would make optimal use of the capacity of a site with high levels of public transport accessibility and would be car free. The proposal would require deliveries to be consolidated and would reflect servicing measures sought for other major developments in the City. The servicing logistics strategy would be incorporated in the Delivery and Servicing Management Plan. The proposal would be in compliance with Local Plan Policies DM16.1, DM16.5 and 6.13 of the London Plan.

1248 long term bicycle spaces would be provided with associated shower and locker facilities. The number of short term spaces at 42 would not be compliant with requirements but need to be balanced against the other public realm benefits. This apart the scheme is in compliance with Local Plan Policy 16.3 and London Plan Policy 6.9.

The scheme would provide benefits through CIL for improvements to the public realm, housing and other local facilities and measures. That payment of CIL is a local finance consideration which weighs in favour of the scheme. In addition to the general planning obligations there would be site specific measures secured in the S106 Agreement. Together these would go some way to mitigate the impact of the proposal.

Planning of the City Cluster has sought to safeguard the immediate setting of the Tower of London in accordance with guidance and to step the height of development away from the Tower so that it rises to a peak some way from the Tower. This scheme immediately to the south of the eastern cluster introduces a taller element closer to the Tower of London which sits comfortably with the Eastern Cluster.

In relation to other designated and non-designated heritage assets, it is considered that the proposed development would not harm their significance or setting.

Virtually no major development proposal is in complete compliance with all policies and in arriving at a decision it is necessary to assess all the policies and proposals in the plan and to come to a view as to whether in the light of the whole plan the proposal does or does not accord with it. The Local Planning Authority must determine the application in accordance with the development plan unless other material considerations indicate otherwise.

In this case, while the proposals are considered in compliance with a number of policies, they are not considered to be in compliance with the development plan as a whole due to non-compliance with the retail policies identified above.

Paragraph 8 of the NPPF sets out that there is a presumption in favour of

sustainable development.

Paragraph 131 of the NPPF sets out that great weight should be given to outstanding and innovative designs which help raise the standard of design more generally in the area.

As set out in paragraph 193 of the NPPF, when considering the impact of a proposed development on the significance of a designated heritage asset great weight should be given to the conservation of designated heritage assets (and the more important the asset, the greater the weight should be). The world heritage site status and its Grade I listing places the Tower of London at the very highest level and as a result greater weight should be given to the asset's conservation.

The proposal has been assessed in accordance with the definition of the Outstanding Universal Value and significance of the World Heritage Site as set out in the Tower of London World Heritage Site Management Plan (2016). In addition, the proposal has been assessed in terms of the guidance set out in the Tower of London Local Setting Study (2010) and the London Views Management Framework SPG. The proposal has been assessed in accordance with other relevant SPGs, SPDs and guidance notes listed in the report. The proposed development was not found to harm the Outstanding Universal Value or significance of the Tower of London World Heritage Site.

Taking all material matters into consideration, the application is recommended to you subject to all the relevant conditions being applied and section 106 obligations being entered into in order to secure the public benefits and minimise the impact of the proposal.

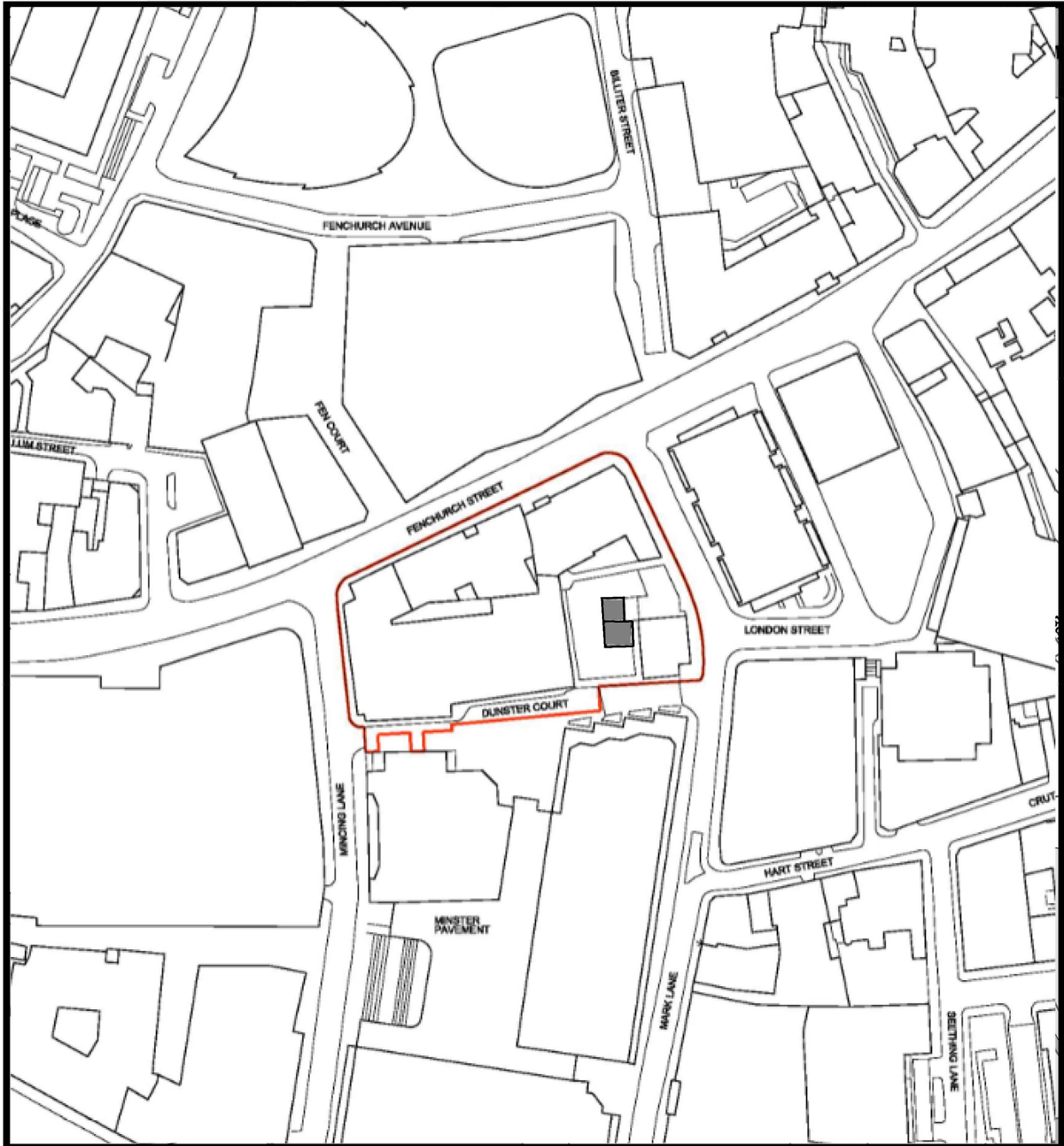
### **Recommendation**

1. That planning permission be granted 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 and

2. That you agree in principle that the land affected by the proposal which is currently public highway and land over which the public have right of access (comprising small areas of Fenchurch Street, Mark Lane, Mincing Lane and Star Alley that would be built upon if the development was implemented) may be stopped up to enable the development to proceed and, upon receipt of the formal application, officers be instructed to proceed with arrangements for advertising and making of a Stopping-up Order for the various areas under the delegation arrangements approved by the Court of Common Council.

# Site Location Plan



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ADDRESS:

Site Bounded By Fenchurch Street, Mark Lane, Dunster Court And Mincing Lane, EC3M 3JY

CASE No:

19/01307/FULEIA

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



DEPARTMENT OF THE BUILT ENVIRONMENT

Site from Fenchurch Street looking West



Site from Fenchurch Street looking East



Site from the corner of Mark Lane and London Street





Proposed view of public realm from Mark Lane



Proposed view of City Cluster



## **Main Report**

### **Environmental Statement**

1. The application is for EIA development and is accompanied by an Environmental Statement (ES). The ES is a means of drawing together, in a systematic way, an assessment of a project's likely significant environmental effects. This is to ensure that the importance of the predicted effects and the scope for reducing them are properly understood by the public and the competent authority before it makes its decision.
2. The Local Planning Authority must take the Environmental Statement into consideration in reaching its decision as well as comments made by the consultation bodies and any representations from members of the public about environmental issues as required by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
3. The duties imposed by regulation 26 of the EIA Regulations require the local planning authority to undertake the following steps:
  - a. To examine the environmental information
  - b. To reach a reasoned conclusion on the significant effects of the proposed development on the environment, taking into account the examination referred to at (a) above, and where appropriate, their own supplementary examination
  - c. To integrate that conclusion into the decision as to whether planning permission is to be granted; and
  - d. If planning permission or subsequent consent is to be granted, consider whether it is appropriate to impose monitoring measures.
4. The local planning authority must not grant planning permission unless satisfied that the reasoned conclusion referred to above is up to date. The draft statement attached to this report at Appendix A sets out the conclusions reached on the matters identified in regulation 26. It is the view of the officers that the reasoned conclusions set out in the statement are up to date.
5. Representations made by anybody required by the EIA Regulations to be invited to make representations and any representations duly made by any other person about the environmental effects of the development also forms part of the environmental information before your Committee.
6. The Environmental Statement is available online, together with the application, drawings, relevant policy documents and the representations received in respect of the application.

## **Site and Surroundings and Existing Buildings**

### **The Site**

7. The site, known as 50 Fenchurch St, is bounded by Fenchurch St to the North, Mark Lane to the East, Dunster Court to the South and Mincing Lane to the West.
8. It comprises a group of separate commercial buildings, the Clothworker's Hall, St Olave's Church Hall, the Lambe's Chapel Crypt, the Tower and remains of All Hallows Staining and an associated disused churchyard and burial ground.
9. The Clothworkers Hall occupies the Southern part of the site and is accessed from Dunster Court. It was constructed in the 1950s and was extensively refurbished in the 1990s. The Hall is unlisted and is the 6th hall of the company on the site. On the 8 November 2019 it received a Certificate of Immunity from Listing. Decorative metalwork gates control access to Dunster Court from the West.
10. The site is not in a conservation area. It is located immediately to the south of the Eastern Cluster and has an excellent PTAL rating of 6b. This rating is due to the close proximity of Fenchurch Street National Rail and London Underground train station. There are a number of stations close to the site, which include Cannon Street station (National Rail and London Underground), Aldgate, Bank, Tower Hill, Tower Gate, Monument. A total of 25 bus routes are available within the vicinity of the site. There are TfL Cycle Hire docking stations in close proximity to the site including on Crosswall, which accommodates 32 cycles, and on Great Tower Street, which accommodates 24 cycles.

### **Details of the current buildings on site**

11. 41-43 Mincing Lane and 40-45 Fenchurch Street, known as Minster House, occupies the western part of the site and fronts onto both Mincing Lane and Fenchurch Street. It is an eight-storey post war building. The property underwent significant refurbishment in 2002. It comprises a stepped, eight storey office (Class B1) building accessed from Mincing Lane, with a ground shop unit (Class A1) accessed from the corner of Mincing Lane and Fenchurch Street.
12. 46-50 Fenchurch Street is a post war building which occupies the northern part of the site. It comprises a stepped, eight-storey, office (Class B1) building with shop (Class A1) and financial and professional services (Class A2) units at ground, and part basement. The retail units and offices have separate entrances on Fenchurch Street.
13. 51-54 Fenchurch Street occupies the north-eastern part of the site. It is a 1950s office (Class B1) building, with a small café (Class A3) at ground floor level and a flexible (Class B1/A1) unit currently in A1 use. The building includes two basement levels and is set back at eighth floor level. The building is bisected at ground level by Star Alley, a pedestrian route between Mark Lane and Fenchurch Street which also runs to the rear of the site.

14. The alignment of Star Alley has changed over time. Part of Star Alley to the south of 51-54 Fenchurch Street is owned by the City of London Corporation.
15. On the opposite side of Star Alley is the disused churchyard and Tower of All Hallows Staining which occupies the south-eastern part of the site. The Church was demolished in 1870 leaving the Tower which is Grade I listed.
16. Adjacent to the Tower and predominantly below ground is the Grade II listed Lambe's Chapel Crypt which was relocated to this site in the 1870's from its former site in Monkwell Street. Surrounding these is the former Churchyard and burial ground of the church where burials remain.
17. Within this area is the Church Hall of St Olave's Hart St which was constructed by the Clothworkers Company in 1957 which is hired out for a variety of purposes.
18. All three structures are located within the former churchyard, which is currently a private open space not accessible to the public, surrounded by railings, fronting Mark Lane.
19. The area around the listed Tower which is the area of the former churchyard is subject to procedural requirements contained in the Allhallows Staining Church Act 2010. The church tower and Lambe's Chapel Crypt have not been the subject of any planning decisions. However, the Allhallows Staining Church Act 2010 repealed earlier legislation and removed restrictive covenants, and the removal of human remains subject to certain provisions. The provisions of the planning acts continued to apply.
20. The Clothworkers' Hall occupies the southern part of the site and is accessed from Dunster Court, a private access road, which runs to the south of the site which is gated with fine gates and piers at the western end.
21. The Hall dates from 1955-1958 and was first designed by Henry Tanner and then by Herbert Austen Hall. The hall rises to part six and seven storeys and is constructed of brick with stone dressings. The southern wing, which is the main wing, is stone-clad at ground level, whilst the upper levels are brick with deep set sash windows. The southern wing includes the Livery Hall, reception rooms and a floor of offices. The eastern wing is stone-clad at ground level, with a four-storey stone clad façade above, and a red brick upper level. The main wing adjoins the west wing, which is ashlar at ground level and red brick on the upper floors. There are two residential flats located in the Clothworkers' Hall, which are ancillary and support the primary activities of the Clothworkers' Company. The building is the Clothworkers' Company's sixth Hall on the site and is not listed.

#### Designated Heritage Assets

22. There are two statutorily listed structures on the site as referred to above.

23. The Tower and remains of All Hallows Staining is Grade I Listed. The Tower is all that remains of a 14th century church that was on this part of the site. The Church, after collapsing in 1671 and being rebuilt in 1774, was demolished in 1870. The site was then sold to the Clothworkers' Company, who restored the Tower in 1872/73. The Tower is set in its original position within a small paved, private open space surrounded by railings. The listing description for the Church Tower is as follows:
24. "C12 or C13 onwards. Lowest stage of tower of coursed ragstone rubble with some knapped flint, probably C12 or C13. Two-light cinquefoil window in west wall, pointed arched in south and east walls of tower. The second stage of the tower, fragmentary remains of a diagonal buttress and south and west walls of the south aisle or nave are probable C14. Octagonal stair turret at north-west corner of tower, with four-centre head doorways to four internal stages, is probably C15. Second stage cinquefoil windows, restored externally but retaining C16 brickwork internally. Parts of the third stage brickwork date from C18. Upper third and fourth stage restored following demolition of the body of the church in 1870."
25. Adjacent to the Tower is the 12th century Lambe's Chapel Crypt, which is Grade II Listed. The crypt formed part of the 'Hermitage St James on the Wall'. It was re-built in this position at the same time as the Tower was restored by the Clothworkers' Company. The listing description of the Crypt is as follows:
26. "Mid C12. Removed from the site of Lambe's Chapel in Monkwell Street and reconstructed in the remains of the west end of the south aisle or nave of the church. Said to have formed part of the Hermitage of St James on the Wall. Now reduced to 2 bays with candystick rib vault supported by richly carved capitals on short shafts."

### **Relevant Planning History**

27. The Clothworker's Hall received a Certificate of Immunity from listing in December 2019.
28. The building at 41-43 Mincing Lane and 43-45 Fenchurch St was constructed in the 1950s as an office building and a retail use at ground floor was approved subsequently in 2002 and implemented. A 1999 planning permission for redevelopment was not implemented.
29. At 46-50 Fenchurch St, an office building with retail, various permissions have been granted for refurbishment and for A1 and A2 retail uses.
30. In 2014 planning permission was granted for the demolition of the existing building at 51-54 Fenchurch St and its redevelopment for a ten-storey office building with 2 retail units one of which was A1/A3 the other of which was A1/A3 or Class B1(a) and the realignment and re-provision of Star Alley. This permission has lapsed. In 2016 permission was granted for the flexible use of part of the ground floor from B1 offices to flexible B1/A1 and A3.

31. The church tower and Lambe's Chapel have not been the subject of any planning decisions. However, the Allhallows Staining Church Act 2010 removed restrictive covenants and the removal of human remains subject to certain provisions. The provisions of the planning acts continued to apply.
32. The Church Hall was constructed in the 1950s pursuant to a planning permission for the erection of a church hall and the laying out of the surrounding open space. The church hall latterly has been less used as a church hall and has been let out for a variety of commercial uses.

### **Proposals**

33. Applications have been made for:  
19/01307/FULEIA
34. Planning permission for:
  - i. Demolition of 41-43 Mincing Lane, 40-54 Fenchurch Street, former church hall and the Clothworkers' Hall and its redevelopment to provide a new building comprising four levels of basement (including a basement mezzanine level), ground, mezzanine, plus part 9, 31 and 35 storeys plus plant containing offices (B1) and flexible shop/financial and professional services/cafe and restaurant uses (A1/A2/A3) at ground floor level; and flexible shop/cafe and restaurant/drinking establishment uses (A1/A3/A4) at levels 10 and 11, including winter garden (Sui Generis);
  - ii. Re-provision of the Clothworkers' accommodation (Sui Generis) within part ground, part first, part second and part third floors and four levels of basement (including a basement mezzanine level)
  - iii. Creation of ground level public access to level 10 roof garden and basement level 1 to Grade II Listed crypt
  - iv. Dismantling, relocation and reconstruction of the Lambe's Chapel Crypt to basement level 1 and associated exhibition accommodation (Sui Generis) (listed Grade II)
  - v. Alterations to and conservation of the Grade I Listed Tower of All Hallows Staining; vi) Provision of new hard and soft landscaping and other associated works.  
19/01283/LBC
35. Listed building consent for 'Alterations to and conservation of the Grade I Listed Tower of All Hallows Staining.' (19/01283/LBC)  
  
19/01277/LBC
36. Listed building consent for 'Dismantling, relocation and reconstruction of the Grade II Listed Lambe's Chapel Crypt to basement level one including the provision of public access and associated exhibition (Sui Generis).' (19/01277/LBC)

37. This report deals with the application for planning permission (19/01307/FULEIA) and the applications for Listed Building Consent (19/01283/LBC and 19/01277/LBC).
38. The scheme provides:
- 88,064 sqm of office floorspace,
  - 839 sqm of retail
  - 4789 sqm of livery hall
  - 1283 sqm of publicly accessible roof terrace
  - 430 sqm of winter garden
  - 214 sqm associated with the Lambe's Chapel crypt
39. The scheme provides a significant increase in office floorspace on the site with some reduction in retail, livery hall floorspace as well as the church hall which is not re-provisioned on the site.
40. A new hall for The Clothworkers' would be provided to the north-east of the site and would be accessed from an entrance on Fenchurch Street. It would provide a new livery hall with ancillary offices and a Master's flat and would comprise four levels of basement, ground and three upper storeys, totalling 4,789sq.m of floorspace (sui generis). As most of the accommodation would be provided at below ground level, light would be provided from a lightwell within the new public square.
41. The main building would have two office entrances on Fenchurch Street with 88,064 sqm of office floorspace. The design of the main building is based around a single core. This creates a clean office floorplate to allow flexibility and the maximum natural light to the office floors. The office space has been designed to be flexible and capable of sub-division to allow for both multi-let and single occupier arrangements.
42. Two retail units are proposed at ground floor level (ClassA1/A2/A3) with an area of 289 sqm, fronting the new public square.
43. A public roof terrace would be created at level 10 around the perimeter of the building, with a double height winter garden facing south. Public access would be provided from an entrance located at ground floor level on the east elevation of the main building. The roof terrace would be 1,283sq.m in area and the winter garden would provide a further 430sq.m of floorspace. Retail floorspace (A1, A3 and A4) totalling 550sq.m would be arranged over two levels at levels 10 and 11 to compliment the roof terrace and winter garden.
44. The Grade I Listed Tower of All Hallows Staining would be conserved and a new setting for it would be created by lowering the ground level to reveal the base of the Tower which is obscured by surrounding higher ground. The Tower would be the focal point of the new public realm, which would be accessible to the public from Fenchurch Street, through the new routeway and from Mark Lane.
45. It is proposed that the Grade II Listed Lambe's Chapel Crypt is relocated from its current position adjacent to the Tower of All Hallows Staining, to within the footprint of the proposed office building at



basement level 1, which would enable public access from the public lobby which would also provide access to the roof terrace and winter garden. The relocation would include a new exhibition space to explain the Crypt. The Clothworkers' Company would continue to use the Crypt occasionally for ceremonial use.

46. The scheme would incorporate extensive urban greening. Vertical greening would add visual variety to the elevations and help link the building with the greening of its surroundings. Bespoke metal planters would provide support for climbing plants on the south, north and east elevations to create an expansive green façade. At level 10, urban greening would be provided on the roof terrace through unique sculptural elements with vertical planting and the double height winter garden.
47. 1248 long stay cycle parking spaces are proposed, alongside showers and associated facilities, and 42 short stay cycle parking spaces would be provided within the new public square.

### **Consultations**

48. The views of other City of London departments have been taken into account in the preparation of this redevelopment scheme and incorporated into the proposal. Some detailed matters remain to be dealt with under conditions and in clauses in the Section 106 agreement.
49. Following receipt of the applications by the City the applications have been advertised and consulted upon. Copies of all letters and e-mails received making representations are attached in full in Appendix A.
50. The Applicants have submitted a Statement of Community Involvement outlining their engagement with stakeholders including a Public Exhibition which was held in November 2019 which was advertised, and key parties notified. It was attended by 134 people.
51. The London Borough of Southwark and Westminster City Council have no comments on the application.
52. The London Borough of Tower Hamlets objects to the application because of its impacts on the Tower of London WHS and has made detailed comments in this regard.
53. The application is supported by the following Livery Companies:
  - The Drapers Company
  - The Merchant Taylors Company
  - The Carpenters Company
  - The Mercers Company
54. The Environment Agency advises that the scheme accords with their Guidelines and Natural England have no objections.
55. Thames Water raise no objections to the proposal subject to the imposition of conditions.
56. The City's Air Quality Officer has raised no objections.

57. The Lead Local Flood Authority have raised no objection to the proposals subject to the imposition of conditions.
58. NATS Safeguarding, City Airport and Heathrow Airport are satisfied with the proposals subject to appropriate conditions in relation to construction cranes.
59. A representation has been received objecting to the principle of demolishing the existing Clothworkers Hall, an historic part of London for which he sees no justification.
60. The Reverend Arani Sen representing St Olave's Church supports the proposals and advises that the loss of the Church Hall is satisfactory as it is being re-provided with the support of the Clothworkers at St Botolph's Aldgate. The provision of public open space within the scheme is welcomed. This is supported by Georgina Graham on behalf of the Archdeacon of London.
61. Network Rail have requested further information in respect of passenger numbers arising from the development at Fenchurch Street station.
62. TfL have raised a number of queries in respect of the application and these queries have been addressed by the Applicant.
63. The City Heritage Society is of the view that the existing commercial and Livery Hall buildings are not worthy of retention and support the development proposals. They request that certain architectural features such as the Company's crest are incorporated into the new scheme.
64. Historic England advises that due to the site's location to the south and east of the City Cluster, the proposed commercial tower would increase the cumulative impact of the Cluster on the setting of the Tower of London World Heritage Site. Although the scheme would be set against the backdrop of the Cluster in some key views, it further increases the relative prominence of the City from other locations and will as a result cause some harm to the significance of the Tower.
65. Historic England welcomes the proposed conservation and representation of the tower of All Hallows Staining and Lambe's Chapel Crypt. The removal of the clutter that currently surrounds these and their representation within the context of a positive public realm proposal should enhance the ability to appreciate their heritage significance.
66. Historic England welcomes the proposed conservation of, and repair works to the tower of All Hallows Staining, which are considered to be well-informed and should prevent further loss or decay of historic fabric. Important architectural features and detailing would be better revealed following the removal of later fabric, such as the infill to the Reigate stone arches and heavy masonry shelter coats. The reduction in level of the churchyard as part of a new public realm scheme should also alleviate the damp issues causing stonework to deteriorate and enable a better appreciation of the listed building in a more sympathetic immediate setting.

67. Historic England are of the view that the proposed dismantling, relocation and reconstruction of Lambe's Chapel Crypt is considered to be well justified and enables a number of benefits. Its current location makes a limited contribution to significance and this is largely drawn from its long association with the Clothworkers Company, which would be maintained as the crypt would remain on the site. The connection with the tower of All Hallows Staining may be considered misleading in implying an earlier relationship between the two. The principle of relocating the crypt is therefore considered acceptable. In doing so, the inaccuracies and inappropriate materials of the present reconstruction can be rectified; a more coherent re-presentation of the original crypt with inclusive public access would also be achieved.
68. They recommend that the City weighs the harm to heritage significance identified in their letter against the public benefits of the scheme, as required by paragraph 196 of the NPPF. Heritage benefits described above to the tower of All Hallows Staining may be treated as a public benefit for these purposes, but should not be seen as mitigation for the harm caused to the OUV of the Tower of London WHS.
69. As with all proposals with the potential to harm the Outstanding Universal Value of World Heritage Sites, they encourage the City to notify the State Party (DCMS) of this proposal. DCMS will then make a decision on whether to notify the World Heritage Centre.
70. Historic Royal Palaces make objection to the proposal because of its impact on the WHS. They are of the view that the site is outside the Eastern Cluster, that it diminishes the WHS's outstanding universal value, detrimentally impacts on its setting from LVMF views and other key views and that it should not be approved.
71. Generali who run the roof garden at 120 Fenchurch Street make objections to the proposals on the grounds that it will detrimentally impact on the Public Roof Garden due to a resultant loss of daylight and sunlight and a loss of view which will diminish its amenity. They have provided evidence of this. They state that their building marked the south-eastern corner of the Eastern Cluster and it was not to be expected that the roof garden would be impacted in this way.

### Policy Context

72. The development plan consists of the London Plan and the City of London Local Plan.
73. The Mayor of London and the City of London have prepared draft plans which are material considerations to be taken into account.
74. The London Plan and Local Plan policies that are most relevant to the consideration of this case are set out in Appendix B to this report.
75. The Draft London Plan is at an advanced stage. It takes forward many of the policy positions of the existing plan whilst strengthening and adding to others. On the 13th March 2020 the Secretary of State directed the Mayor not to adopt the Plan due to it not addressing a number of national policies in respect of housing ambition, small sites,

industrial land and aviation meaning it will be some time before the plan is adopted. It has passed through the Examination in Public so is to be afforded some weight with the matters addressed by the Secretary of State being less relevant to this site.

76. In relation to this scheme the Draft London Plan continues to support a mixed-use office scheme in the Central Activities Zone (CAZ). The changes that are most relevant to this scheme are those that encourage good growth, enhance climate change, good design and sustainability requirements and further support requirements for public access and routes through sites.
77. The City's draft Local plan 2036 will be reported to the Court of Common Council to agree the pre-submission draft in May 2020 and it is anticipated that pre-submission consultation will commence after summer recess. Once agreed by the Court of Common Council it will be a material consideration in the determination of applications alongside the adopted Local Plan.
78. Government Guidance is contained in the National Planning Policy Framework (NPPF) February 2019 and the Planning Practice Guidance (PPG) which is amended as necessary.
79. There is relevant GLA supplementary planning guidance in respect of: Accessible London: Achieving an Inclusive Environment SPG (GLA, October 2014), Control of Dust and Emissions during Construction and Demolition SPG (GLA, September 2014), Sustainable Design and Construction (GLA, September 2014), Social Infrastructure GLA May 2015) Culture and Night-Time Economy SPG (GLA, November 2017), London Environment Strategy (GLA, May 2018), London View Management Framework SPG (GLA, March 2012), Mayoral CIL 2 Charging Schedule (April 2019), Central Activities Zone (GLA March 2016)
80. Relevant City Corporation Guidance and SPDs comprises Air Quality SPD (CoL, July 2017), Archaeology and Development Guidance SPD (CoL, July 2017), City Lighting Strategy (CoL, October 2018) City Transport Strategy (CoL, May 2019), City Waste Strategy 2013-2020 (CoL, January 2014, Protected Views SPD (CoL, January 2012), City of London's Wind Microclimate Guidelines (CoL, 2019), Planning Obligations SPD (CoL, July 2014). Open Space Strategy (COL 2016), Office Use (COL 2015), City Public Realm (COL 2016) and relevant Conservation Area Summaries.

### Considerations

81. 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 apply considerable weight and importance to the need 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);

82. The NPPF states at paragraph 2 that “Planning Law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise”.
83. Paragraph 10 states that “at the heart of the Framework is a presumption in favour of sustainable development. That presumption is set out at paragraph 11:
84. For decision-taking this means:
  - a) approving development proposals that accord with an up-to-date development plan without delay; or
  - b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - c) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - d) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
85. It states at paragraph 8 that achieving sustainable development has three overarching objectives, being economic, social and environmental.
86. Paragraph 190 of the NPPF advises that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.
87. Paragraph 192 of the NPPF advises, “In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
  - c) the desirability of new development making a positive contribution to local character and distinctiveness.”
88. Paragraph 193 of the NPPF advises “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”
89. Paragraph 194 of the NPPF states “Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:
- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
  - b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.”
  - c) Paragraph 196 of the NPPF states “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”
90. Paragraph 197 states “The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”
91. In considering the planning application account has to be taken of the environmental information including the Environmental Statement, the statutory and policy framework, the documentation accompanying the application, and the views of both statutory and non-statutory consultees.
92. There are policies in the Development Plan which support the proposal and others which do not. It is necessary to assess all the policies and proposals in the plan and to come to a view as to whether in the light of the whole plan the proposal does or does not accord with it.
93. 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 economic benefits of the proposal
  - The other benefits of the proposal including provision of a public roof garden, the relocation and representation of Lambe's Chapel Crypt and public exhibition, representation of the Tower and remains of All Hallows Staining Church and churchyard and new public open space
  - The impact of the proposal on designated and non-designated heritage assets, including the Lambe's Chapel Crypt, Tower and remains of All Hallows Staining Church, its churchyard and burial ground and surviving archaeological remains
  - The impact of the proposals on the Tower of London World Heritage Site
  - The impact on the nearby buildings and spaces, including daylight/sunlight and amenity.
94. In considering whether to grant listed building consent, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses (S.16(2) Planning (Listed Buildings and Conservation Areas) Act 1990).

### **Economic Issues and Need for the Development**

95. The National Planning Policy Framework establishes a presumption in favour of sustainable development and places significant weight on ensuring that the planning system supports sustainable economic growth, creating jobs and prosperity.
96. The City of London, as one of the world's leading international financial and business centres, contributes significantly to the national economy and to London's status as a 'World City'. Rankings such as the Global Financial Centres Index (Z/Yen Group) and the Cities of Opportunities series (PwC) consistently score London as the world's leading financial centre, alongside New York. The City is a leading driver of the London and national economies, generating £45 billion in economic output (as measured by Gross Value Added), equivalent to 13% of London's output and 3% of total UK output. The City is a significant and growing centre of employment, providing employment for over 450,000 people.
97. 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.
98. The City is the home of many of the world's leading markets. It has world class banking, insurance and maritime industries supported by world class legal, accountancy and other professional services and a growing cluster of technology, media and telecommunications (TMT) businesses. These office-based economic activities have clustered in

or near the City to benefit from the economies of scale and in recognition that physical proximity to business customers and rivals can still provide a significant competitive advantage.

99. The City's dense Financial Services (FS) business cluster allows firms to benefit from access to a large pool of specialist labour, skilled workers, and support services (accounting, legal services, actuarial etc), as well as supporting demand in those businesses.
100. In 2016 the FS Industry provided 182,000 FS jobs in the City with 60,000 of these being in Banking. Large FS firms in the City employ 75% of workers in the financial services sector compared to 25% in SMEs.
101. The City Supply Chains research, based on its important cluster of SMEs found that 63% of firms in the City buy from other firms within the City. Whilst a similar proportion (68%) sold to other firms in the City, highlighting the importance of those local trade relationships and the importance of the presence of large FS firms for other City firms and SMEs.
102. Some of the key reasons given for purchasing within the City included the proximity of businesses, speed of delivery and the expertise and reputation of the firms found in the concentrated industry clusters around the business district. The effect of sales to other City firms by SMEs surveyed showed that more than one third of SME respondents' sales to City firms accounting for more than half of their annual trading income. (City of London and Bone Wells Urbecon, 2013, <https://www.cityoflondon.gov.uk/business/economic-research-and-information/research-publications/Pages/City-SME-supply-chains.aspx>)
103. 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.
104. The City of London lies within the Central Activities Zone (CAZ), which is London's geographic, economic and administrative core and contains London's largest concentration of financial and business services. The London Plan 2016 strongly supports the renewal of office sites within the CAZ to meet long term demand for offices and support London's continuing function as a World City. The Plan recognises the City of London as a strategic priority and stresses the need 'to sustain and enhance it as a strategically important, globally-oriented financial and business services centre' (policy 2.10). CAZ policy and wider London Plan policy acknowledge the need to sustain the City's cluster of economic activity and policies 2.11 and 4.3 provide for exemptions from mixed use development in the City in order to achieve this aim.
105. The London Plan projects future employment growth across London, projecting an increase in City employment of 151,000 between 2011 and 2036, a growth of 35.6%. Further office floorspace would be required in the City to deliver this scale of growth and contribute to the maintenance of London's World City Status.



106. Strategic Objective 1 in the City of London Local Plan is to maintain the City's position as the world's leading international financial and business centre. Policy CS1 aims to increase the City's office floorspace by 1,150,000sq.m gross during the period 2011-2026, to provide for an expected growth in workforce of 55,000. Local Plan Policy DM1.2 encourages the provision of large office schemes.
107. The scheme meets the aims of policy CS1 in delivering significant growth in both office floorspace and employment. The current application provides for an additional increase in floorspace and employment in line with the requirements of the Local Plan. The proposed development would result in an additional 77,436sq.m (GIA) of Class B1 office floorspace (88064 sq. m compared to 10628 sq. m existing) consolidating the nationally significant cluster of economic activity in the City and contributing to its attractiveness as a world leading international financial and business centre. This amount of floorspace would contribute towards meeting the aims of the London Plan for the CAZ and deliver approximately 6.7% of the additional office floorspace sought in Local Plan policy CS1.
108. Using the London Plan's assumed density of one person per 12sq.m Net Internal Area (NIA) the number of office workers in the new building could be 7,339.
109. The proposed development includes large uniform floor plates maximising internal usable areas and addressing the needs of international business in accordance with Local Plan policy DM1.2 and could provide flexible floor space for a variety of occupiers.

#### Provision of Office Accommodation

110. The provision of a substantial office building in this location meets the aims of policy CS7 of the Local Plan in delivering 88,064sq.m of office floorspace, which is an additional 77,436sq.m. This would add a substantial amount of Class B1 office floorspace to the City's office stock, which is supported and in accordance with policy CS1 of the Local Plan. This additional floorspace would make a significant contribution towards meeting the Local Plan's overall office floorspace targets to 2026 and the draft Local Plan's targets to 2036.

#### Provision of Retail Accommodation

111. The existing retail floorspace on the site is 1462 sq m, with 957 sq m being at ground level. Of the existing floorspace 277 sq m could revert to B1 office use without requiring planning permission.
112. The proposed retail floorspace comprises 217 sq m of retail A1, A2 and A3 at ground level, 217sqm of A1, A3 and A4 retail at level 10 and 333 sq m of A1,A3 and A4 at Level 11.
113. As such there is a significant loss of retail frontage and floorspace along the Leadenhall Market to Aldgate Retail Link, contrary to policy.

Under Policy DM20.2 and emerging policy R2, the policy is to resist the loss of retail frontage and floorspace in retail links.

114. The new retail floorspace proposed within the new open space and at the upper levels would not be within the Retail Link, but would enhance facilities and the retail offer on the site and would provide a draw to pedestrians and visitors.
115. In weighing the planning balance, it is necessary to take into account the primary objective of the current Local Plan and the emerging Local Plan which is to ensure that the City remains the world's leading international financial and professional services centre. The scheme would provide significant additional office floorspace, close to the Eastern Cluster contributing to meeting the City's targets for increasing office floorspace. Other Local Plan objectives met include conserving and enhancing a heritage asset (and making it more accessible to the public), providing modern facilities for a City Livery Company (a key part of the City's cultural and philanthropic offer) and providing new open space close to the Cluster, which is identified in the Local Plan as being deficient in open space. The scheme will also provide higher level views and public areas, in line with emerging Local Plan policy.
116. The potential for further retail at ground floor fronting Fenchurch Street was discussed with the Applicant who prepared a Response.
117. The Applicant's response demonstrated that the proposed office reception area would not be out of proportion with several other towers and the ground floor of the building performs a wider range of functions than most, with a dedicated entrance to the high level public areas and crypt as well as the entrance to the Clothworkers Hall.
118. On balance the Applicant's additional note does provide sufficient evidence to support the reduced ground floor retail frontage on the Retail Link. However, the development as currently proposed, would be contrary to adopted Local Plan DM20.2 and emerging policy R2.

#### The Building's Form and Relationship to the Eastern Cluster

119. The proposed building is located to the south of both the Eastern Cluster Key City Place in the City of London Local Plan 2015 (Policy CS7) and the City Cluster Key Area of Change in the Draft City Plan 2036 (Policy S21). Both policies identify the Eastern City Cluster area as the preferred location for siting tall buildings where deemed appropriate.
120. The City Cluster area is defined by an illustrative diagram in the adopted Local Plan and emerging Draft Local Plan. The area is intended to be a general strategic area where tall buildings can be delivered on appropriate sites. The boundary as shown in the diagrams is illustrative and not prescriptive. Both the adopted and draft Local Plans identify those areas in the City where tall buildings would be inappropriate. The site does not lie in an area of the City identified as being inappropriate for a tall building.

121. The principle of a tower at this location on the immediate periphery of the Eastern City Cluster area is acceptable in broad policy terms though its height and other issues including its impact on the setting of the Tower of London and other strategic and local views would need to be taken into account in accordance with policy.
122. The tower's height and form was amended significantly following extensive pre-application negotiations to address the view along the Fleet Street Processional route; to ensure the height responded to the gradual increase in building heights from the south to the north of the cluster to consolidate the form of the City Cluster ; reduction in the tower's width to create a more vertical statement on the skyline and the need to address views from the public roof garden of 120 Fenchurch Street towards the Tower of London and Tower Bridge.
123. A thorough and comprehensive assessment was carried out on the impact of the proposed tower on wider and local views and no harm was found. Consequently, the height and bulk of the proposal is considered acceptable in terms of its wider and local context and will assist in consolidating the form of the cluster.
124. The proposed building would rise to 149.6m above ground and 165.1 m above AOD. This is an appropriate height to consolidate the form of the City Cluster of towers rising from the south to the apex to the north. As a comparison, the following list outlines the heights of existing and permitted towers in the City cluster (in descending AOD height order):
  - 1 Undershaft: 304.9m
  - 22 Bishopsgate: 294.94m
  - 100 Leadenhall Street: 263.4m
  - 122 Leadenhall Street: 239.40m
  - 110 Bishopsgate: 217.80m
  - 52-54 Lime Street: 206.50m
  - Tower 42: 199.60m
  - The Gherkin (30 St Mary Axe): 195m
  - 20 Fenchurch Street: 160m

## **Design Approach**

125. The design approach comprises of a glazed tower divided into two wings on the western side of the site stepping up from 142m on the eastern wing to 165m at the western side with both elements separated by a recessed niche, faced in vertical green planting. The tower has chamfered north and south facades positioned at opposing angles to one another which helps to break up the sense of scale as well as giving the tower a more vertical emphasis and a more dynamic profile from a number of views. The tower element comprises of clear double skin glazing with angular modelled glass horizontal spandrel panels over the floor plates which will have a glistening quality in sunlight which contrasts well with the green planting of the niche. The tower partly cantilevers over the public roof terrace with a perimeter promenade walkway and glazed winter garden at level 10.

126. The recessed area between the two wings of the tower will include cantilevered metal planters which will be planted by creepers of ivy, evergreen jasmine and other plant types trained up vertical wires to create a green veil. The planters will include an irrigation system and the moisture content of the soil will be monitored. The area behind the trellis planting and the building façade enables BMU access for the maintenance of the greening. The fire safety aspects of this greening have been assessed by the City's District Surveyor and found to be acceptable
127. The Building Maintenance Units are telescopic and located at the top of the tower between the lift overruns and will not project above the roof parapet when parked and will be concealed from any significant vantage points. These will be used also to maintain the greening within the niche. There is an additional trackless BMU located at 10th floor level and when not in use it will be garaged within the curtilage of the building out of sight.
128. The public roof terrace is located above a glazed podium building to ensure a reduction in scale to the east as a response to the need to step down towards the Tower of London as well as maximizing views to the south east towards the Tower from the public roof terrace of 120 Fenchurch Street. The podium building provides a more human scale to Fenchurch Street and surrounding streets and is designed in a more abstract architectural style with facades of sheer glazing with a degree of reflectivity ensuring an aesthetic contrast between the podium and tower. The roof of the podium is a free public roof garden with generous planting which will appear as a way-marking feature in surrounding street views complementing the vertical green niche of the tower.
129. An additional roof terrace for the office occupiers of the building is located at Level 32.
130. The podium element includes a north-south route between Fenchurch St and the new public square to create a comfortable pedestrian environment. The route at approximately 11.6m wide and 16.5m high is generously scaled and will provide views of the important Grade 1 listed Church tower acting as a wayfinding feature for passers-by into the new public square. The route re-imagines Star Alley. It is aligned to both the pedestrian route through 120 Fenchurch Street to the north and addresses pedestrian desire lines towards Fenchurch Street Station.
131. The ground floor of the podium building provides A uses and the entrance to the public roof garden and Crypts exhibition facing eastwards onto the public square with the entrance to the Clothworkers Hall on the north east corner and the Fenchurch Street frontage dominated by the office reception.

### The Clothworkers Hall

132. Sitting recessed below the eastern end of the podium is the Clothworkers Hall block, clad in faience to appear architecturally distinct befitting its separate use. The faience will be twice coloured and twice fired to give a sense of depth, texture, richness and reflection and will be convincingly modelled with projecting faience fins creating visual interest. The ground floor elevations are clear glazed to create visual interest to the public realm and the existing Hall entrance doors will be re-instated on the Mark Lane elevation.
133. To create a sense of architectural integrity at the base of the development, circular, channelled faience columns over the lower four storeys support the cantilevered podium block with the resultant soffit clad in faience panels to match the colour of the Clothworkers Hall faience.
134. The Clothworkers Hall continues underneath the new public square on the south side of the entrance block and includes a lightwell between the entrance block and the Church tower which allows light in to the Clothworkers Hall below. This lightwell is sufficiently set away from the Church tower so that it appears appropriately grounded.

### A new Public Square

135. The scheme provides a new public square on the south eastern corner. This existing area (apart from Star Alley) is inaccessible to the public. An unconvincing hard landscaping of concrete paving at different levels has unsympathetically encroached upwards onto the original Church tower floor levels to the detriment of the tower's setting.
136. A major public benefit of the scheme is a new public square with a sunny south facing aspect with the Grade 1 listed Church tower as its centrepiece. The landscaping of the new public square will be of a high quality and well considered with the history of the site denoted in the paving and landscape elements including the alignment of Star Alley, the churchyard as well as providing seating and paving denoting the church footprint whilst integrating historical tombstones in to the scheme as landscaping elements. The landscaping will include generous tree planting and soft landscaping. A sense of enclosure is provided on the southern side with a perimeter boundary wall with railings and greening.
137. The existing Star Alley is replaced with a new wider route. Star Alley's position has evolved over time and its existing line will be denoted in the paving of the new public square. The new route has numerous benefits. It's alignment responds to pedestrian desire lines from Fenchurch Street Station northwards, it will be wider to accommodate the forecast growth in working population, it will align with the north south route through 120 Fenchurch Street and will open up new views of the Tower of the listed All Hallows Staining from Fenchurch Street, both as a historical building but also as a wayfinding focus.

138. The roof garden and crypts exhibition entrance is prominently located on the east elevation facing on to the public square and almost on axis to the church tower.

#### The Tower and remains of Church of All Hallows Staining

139. The Tower and remains of Church of All Hallows Staining are listed Grade 1. It is in a private open space enclosed by a low wall and railings, which comprises the churchyard, raised above the ground level with a narrow path at ground level on the north, west and south sides, a path at ground level between the east entrance to the Tower and Mark Lane, and a paved area on the north east side adjacent to Mark Lane and Star Alley. Lambe's Chapel Crypt is to the south of the Tower and raised above the churchyard level. The open space was paved in the 1950's with random stone paving, including the roof of the Crypt and there are a number of grave ledger stones and markers in the former churchyard. St Olaves Church Hall is at the south east corner of the site.
140. All Hallows Staining Church was demolished in 1872, and the churchyard was made into a garden with trees and planting. The Tower and below ground foundations are the surviving structures of the church. Post war and following removal of a temporary church, the Tower was altered; the arch to the south aisle and the east arch to the nave were infilled with ragstone, and an entrance door built within the east arch infill. New steps were built from ground level to the new entrance door and a modern timber floor inserted above the original floor. Inside the Tower, a new staircase was built between the new floor level and an external passageway on the south side, to give access to Lambe's Chapel Crypt. Although historically significant, the Tower's visual appearance is affected by its setting; the variation of the surrounding levels, poor interpretation and presentation of its archaeological, architectural and historic evolution and lack of public access.
141. The Tower and remains of the Church have very high significance due to their date, historical, archaeological, aesthetic and communal value. There is an historic association with The Clothworkers Company who bought the Tower and Churchyard in the 1870's on condition that the land was not built on and that the Tower was kept in good order. It is constructed of coursed ragstone rubble and flint. There may have been an earlier church on the site as there are surviving burials which pre-date the construction of the Tower. Assessment and archaeological evaluation carried out have shown that the Tower is of mid-14th century date and later alterations were carried out in the 15th, 16th and 18th centuries. The upper levels were restored in the late 19th Century when the body of the church was demolished, and conservation work was carried out in the 1980's. Lambes' Chapel Crypt was moved to the site of the churches' south aisle in the 1870's.
142. Assessment, investigation and condition surveys of the history and construction of the Tower have been carried out and the results submitted with the planning and Listed Building Consent applications.

To enable this, the modern timber floor, staircase and modern floor at the original Tower ground level have been removed. The floors had no historic value and their removal has improved the damp conditions which are detrimental to the fabric and conservation of the Tower and have caused some deterioration. Their removal has enabled further investigation of the Tower construction and architectural features and archaeological evaluation. The Tower is subject to environmental monitoring which is on-going and the results of this work will inform future conservation proposals.

143. The Tower has high significance for a number of reasons; it is a significant survival of a medieval structure, it is one of the first churches in the City built from stone, it survived the 1666 Great Fire and World War II damage. It is one of the few City buildings where a sense of the medieval character of the City can be appreciated and studied. It has evidential, historic, aesthetic and communal value for its evolution evident in the built fabric and historic records, its visual appearance as a medieval stone building, as a focal point in the open space, as a place of worship and close associations with its churchyard, burials and the Lambe's Chapel Crypt and the high archaeological and historic significance of this part of the site.
144. The proposed scheme would retain the Tower in its physical location and context and provide a new landscaped setting. It is proposed to excavate the ground around and below the Tower and insert new permanent and underpinning structures, ensuring that the Tower is protected at all stages and its physical condition is maintained. The footprint of the church would be laid out in the new landscape scheme, with low walls and seating and the footprint of the Churchyard set out with greening and incorporating the grave ledger stones and markers. On the north side a new lightwell to the lower levels of The Clothworkers Hall would be separated from the Tower by metal railings. The modern infill stonework to the south and east arches of the Tower would be removed and it is proposed, subject to on-going assessment and monitoring of the condition of the structure, that the arches are opened, allowing full public access around, in and through the Tower. The monitoring results may lead to proposals to enclose the arches in order to protect the stonework which is vulnerable and not leave it liable to deterioration through weathering. In this instance, a separate listed building consent would be necessary, and public access would be required.
145. The proposed alterations would enhance the significance of the Tower and its conservation by removing modern construction around it, particularly at the lower levels, which are detrimental to its visual appearance and physical condition. The removal of the modern arch infills and the removal of the modern steps on the east side, which currently have a negative visual impact, would be an improvement and enable inclusive access. Lowering the surrounding ground would provide an enhanced setting for the Tower and enable its full extent to be visible and appreciated. The association with the former church and churchyard layout would be more clearly understood, the Tower would have an improved connection with the surrounding buildings, and it

would not be seen, as at present, as isolated and disconnected. The proposed landscaping would reflect the character of the former church nave and aisle and the green character of the churchyard, its grave ledger stones and markers, which would further enhance the Tower's setting. There would be less than substantial harm caused to the archaeological and historic significance of the Tower, its evidential, historic, aesthetic and communal value, by excavating and removing the ground surrounding and below the Tower. The evidential and communal value is enhanced by the close association of the church and churchyard. The proposed work would have an impact on archaeological remains of high significance and their removal would cause harm by the removal of the significant physical association with the Tower, evidence of buried remains of the church, its' churchyard, burials, Roman and early medieval archaeological remains.

146. The proposals would provide an enhanced setting for the Tower and its relationship with the churchyard and site of the church. The Tower would benefit from necessary conservation work and removal of modern construction which has a detrimental impact on its condition, fabric and visual appearance. There would be improved presentation and interpretation of the Tower which would promote its understanding and appreciation and it would be in a landscaped open space that would be level, with full public access. The work would be subject to a full programme of archaeological work which would advance knowledge and understanding of the significance of the church and churchyard, their history and evolution as well as the history of City parish. In considering the planning application, considerable weight and importance has been given to the desirability of preserving the Tower, its setting and features of special architectural or historic interest which it possesses. There is a presumption against granting planning permission that harms a listed building, and that presumption has been applied in evaluating the planning application. In considering the application for listed building consent, special regard has also been paid to the desirability of preserving the Tower.
147. In this case the less than substantial harm caused by removing the ground around and below the Tower is considered to be outweighed by the substantial public benefits of improved presentation and interpretation.
148. Conditions are added to cover the recording, monitoring, conservation, details of a programme of archaeological work, foundation design, structural interventions and protection measures to the Tower, details of the marking out of the footprint of the church and churchyard, interpretation and information signage. Conservation, management and access arrangements would be required under the S106 agreement.

#### The Lambe's Chapel Crypt and new Public Exhibition

149. The Crypt dates from the mid-12th century, first recorded in 1189 and the architectural details indicate a date of 1140. It was originally below Lambe's Chapel, which had been part of the Hermitage of St James on the Wall. The Chapel was adjacent to Clothworkers Company almshouses and was bought by William Lambe, a Clothworker, in the



16th century, who left it to The Company. The Chapel was demolished in 1872 when the Crypt was moved and rebuilt on the site of All Hallows Staining Church which had been purchased by The Clothworkers Company.

150. Analysis of the Crypt and historic records show that only part of the Crypt was saved, including the north wall, doorway, the stone ribs to the vaulting and the columns. It was rebuilt to a different orientation and it is approximately half its original size. The 1870's reconstruction includes rebuilding of some stone ribs which are not dimensionally, historically or aesthetically correct, as well as non-original brick and concrete. It was rebuilt partly below the churchyard level and externally it appears as a raised structure south of the Church Tower with a York Stone paved roof. There is no separate access to the Crypt, the access is from a doorway in the north Crypt wall leading to a modern staircase in the Church Tower.
151. The Crypt has high archaeological, historic and architectural significance due to its early medieval date, its associations with William Lambe, a Master of The Clothworkers Company, its close associations with The Clothworkers Company since the 16th century, its rescue and rebuilding on the site of All Hallows Staining and continued use as a chapel. Although the reconstruction includes modern materials, the present Crypt has significance as a re-creation of the sense of space of the original Lambe's Chapel Crypt, and the incorporation of highly significant original fabric. It has evidential, historical, aesthetic and communal value due to its associations with Lambe's Chapel, historically significant original fabric and long association with The Clothworkers Company.
152. It is proposed to carefully dismantle the Crypt and to reconstruct it in a new publicly accessible exhibition space in the lower ground floor of the proposed office building. Access would be by a dedicated lift from the building entrance, which would also provide access to the public roof garden. The Crypt would be reconstructed in a more historically accurate way, using best conservation practice based on archaeological evidence, and restoring the scale, format and sense of place of the original Crypt. The reconstruction would correct the orientation, with new vault and side walls constructed from appropriate materials and the layout would be revised to provide a coherent understanding and appreciation of the original dimensions. The exhibition space would include details of the history of the Crypt, its close connections with The Clothworkers Company, and the archaeology, artefacts and history of the site.
153. There would be some harm to the Crypt from dismantling and reconstruction. It would however provide an opportunity to better understand the original significant fabric and dismantling may reveal details which would enhance knowledge and inform the reconstruction and interpretation proposals. It would enable the removal of unsympathetic or damaging materials which would be in the interests of the conservation of the Crypt and its appearance. Its proposed relocation and display and exhibition with full public access would be a

significant public benefit. Considerable weight and importance has been given to the desirability of preserving the Crypt. There is a presumption against granting planning permission that harms a listed building, and that presumption has been applied in evaluating the planning application. Special regard has been paid to the desirability of preserving the Crypt.

154. In forming a balanced judgement when considering the impact on the Crypt, as required by paragraphs 193-197 of the NPPF, it is the view of officers that the scale of harm is low, and that the public benefits of the relocation and display is considered to outweigh the harm caused.
155. Conditions are attached to cover the dismantling, storage and reconstruction of the Crypt, details of the exhibition space, the exhibition displays, including artefacts, interpretation and wayfinding material and signage. Conservation, management and visitor arrangements would be required under the S106 agreement.

#### A new public roof garden and winter garden

156. A new perimeter promenaded walk with a roof terrace with a south facing glazed winter garden is provided at 10th floor level. This will be a free to visit public benefit with no pre-booking requirements. The roof garden at 60m high will afford impressive all-round views of landmarks such as Tower Bridge, the Thames and the City skyline both of historical landmarks as well as the dynamic cluster of towers. The promenaded walkway will be located under the double height overhanging soffit of the tower providing a generous space and shelter from rain and shade in Summer resulting in a more resilient and useable public realm in any weather conditions. The glazed balusters will be of a sufficient height at 2m to provide protection from wind as well as addressing safety concerns.
157. A glazed winter garden is located on the southern side of the roof garden providing warmth and shelter from inclement weather as well as a comfortable environment to enjoy the low winter sun. Given its south facing aspect it will be a sunlit, bright double height space planted with verdant evergreen vegetation, traversed by paths with generous seating. A complementary separate retail use providing vibrancy will ensure that the winter garden is successful as a place to dwell.
158. The combination of a perimeter covered walk, enclosed winter garden and extensive roof terrace with generous seating will result in an elevated public realm of the highest quality and environmental conditions. In addition, vertical planted features and the generous planting within the winter garden will provide soft greening. The landscaping elements are arranged away from the perimeter walkway to enable the success of the perimeter walk and an appreciation of the views.
159. The public roof terrace will be accessed by two dedicated lifts from a prominent and dedicated entrance on to the new public square. The same lifts will access the Crypts exhibition at lower ground floor level enhancing the visitor experience combining the past below ground with

elevated views over the modern City. The proposed elevated public realm has all the attributes to be a unique, successful and enduring socially and economically inclusive public space for all and a significant asset for the City, for workers, residents and visitors.

160. The roof garden would be open all year round, seven days a week, from 10am-7pm or nautical dusk, whichever is later. The roof garden would be closed on Christmas Day, Boxing Day and New Year's Day but open on all other bank holidays and would not close for private events, although private events could take place outside the public opening hours.
161. A Visitor Management Plan is required under the Section 106 Agreement for the public roof garden, winter garden and the Crypts public exhibition.

### Urban greening

162. The development provides generous urban greening in the new public square, the roof garden and vertical planting in the recessed niche between the two tower elements. Urban greening provides the following benefits: mitigating air and noise pollution, capturing CO<sub>2</sub> while releasing O<sub>2</sub>, combating the heat island effect, improving biodiversity, rainwater run-off management as well as making a place healthier, more attractive improving the wellbeing of people. The development achieves an Urban Greening Factor (UGF) of 0.34.

### Impact on the Tower of London World Heritage Site

163. The application included a separate Heritage Impact Assessment outlining the impact of the proposal on the Tower of London World Heritage site located to the south east of the site.
164. A key consideration in assessing the application is the impact on the significance of the Tower of London World Heritage Site. Para 194 of the NPPF states that "any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
165. The Statement of Outstanding Universal Value (SOUV) sets out the significance of the Tower of London and was agreed in 2013 and is included in the Tower of London World Heritage Site Management Plan and identifies the Tower as an internationally important monument and one of England's most iconic structures. These attributes include an internationally famous monument, its landmark siting, symbol of Norman power, the physical dominance of the White Tower, the concentric defences, surviving medieval remains and historical associations (paras 3.2 to 3.6 of the Management Plan).
166. The Glossary of the NPPF in defining heritage significance states "for World Heritage Sites, the cultural value described within each site's Statement of Outstanding Universal Value forms part of its

significance.” The Mayor of London’s Supplementary Planning Guidance “London’s World Heritage Sites: Guidance on settings” (March 2012) also sets out the OUV and significance of the Tower of London.

167. The Tower of London World Heritage Site Management Plan (2007) provides an agreed framework for long-term decision-making on the conservation and improvement of the Tower and sustaining its outstanding universal value. The Plan embraces the physical preservation of the Tower, protecting and enhancing the visual and environmental character of its local setting, providing a consideration of its wider setting and improving the understanding and enjoyment of the Tower as a cultural resource. The local setting of the Tower comprises the spaces from which it can be seen from street and river level, and the buildings that provide definition to those spaces. Its boundary is heavily influenced by views across the Thames.
168. The Tower of London Local Setting Study, produced in 2010, describes the character and condition of the Tower’s local setting and sets out aims and objectives for conserving, promoting and enhancing appreciation of the Outstanding Universal Value of the Tower is recognised and identified in the City of London Local Plan in Policies CS12 and CS13 and on Policies Map A.
169. There are two views within the London View Management Framework which are key in assessing 50 Fenchurch St’s impact on the World Heritage Site, Tower Bridge (10A) and City Hall (25A), these are considered in detail.

#### Tower Bridge: (10A.1)

170. This LVMF view is identified also as a key view in the Tower of London World Heritage Site Local Setting Study. Its focus is on the Tower of London with the cluster of towers in the City comprising a distinctive element to the west of the Tower. The application includes a comprehensive Historic Impact Assessment in accordance with the ICOMOS guidance for assessing the impact of proposals affecting the World Heritage Site.
171. From this viewpoint, the proposal will appear as a prominent element in the foreground of 22 Bishopsgate, the Leadenhall Building and the consented 1 Leadenhall Court tower. It will appear fully integrated within the cluster of existing and consented towers and would assist in visually consolidating the cluster of towers as a distinct mass to the west of the Tower of London. In particular, the proposal would mediate between the height of 22 Bishopsgate and the 1 Leadenhall Street tower consolidating the character of the towers rising in height from the west to east.
172. There is considered to be an aesthetic benefit for the cluster of towers to read as a single coherent group to ensure a legible and clear relationship between the City cluster as an entity and the Tower of London as a separate landmark to the east, the proposal assists in doing so. The tower will have the effect of bringing the cluster of towers

southwards somewhat closer to the Tower of London but in a manner which does not appear over-bearing or over-dominant and a generous area of lower City townscape remains between the proposal and the Tower of London, a significant distance to the east of the site.

173. Therefore, the proposal is not considered to dominate the Tower of London and therefore is in accordance with para 183 of the LVMF guidance for this view. In addition, the proposal by reason of its location at the centre of the cluster would not compromise a viewer's ability to appreciate the Outstanding Universal Value of the World Heritage Site and therefore is in accordance with paragraph 186 of the LVMF guidance for this view.
174. The proposal does not breach the White Towers' skyline or erode the visual separation between the upper parts of the White Tower and the emerging cluster of tall buildings in the background and thereby will not undermine the objective of retaining visual separation between the upper parts of the White Tower and the cluster (para 186 of the LVMF guidance for this view). The proposal would appear visually integrated at the centre of the cluster thereby retaining the appearance and visual dynamic of the city cluster of towers and the Tower of London as two discernible and separate skyline features in accordance with para 187 of the LVMF guidance for this view.
175. For the reasons outlined, the proposal is not considered to cause harm to the significance of the Tower of London.
176. The proposal would not have an adverse impact on the World Heritage Site and its setting and compromise a viewer's ability to appreciate its Outstanding Universal Value, integrity, authenticity or significance. Therefore, the proposal's impact on view 10A (Tower Bridge) is in accordance with Policy CS13 of the City of London Local Plan and Policy 7.10 of the London Plan.
177. This report agrees with Historic England's conclusions that the proposal's impact on the significance and Outstanding Universal Value of the Tower of London World Heritage Site from the north bastion of Tower Bridge (View 10A) is neutral and the ability to appreciate the Outstanding Universal Value does not change. Therefore, the proposal in the manner in which it preserves the World Heritage Site and its setting and special architectural or historic interest is in accordance with the test of Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990.

#### City Hall (25A.1, 25A.2 and 25A.3)

178. While outside the Protected Vista, the proposal would affect the views from, and between the three Assessment Points (25A.1, 25A.2 and 25A.3). The City cluster of towers is a characteristic element in these views. The site falls outside the Protected Vista from City Hall focusing on the Tower of London. However, the proposal would affect the views from the three assessment points.

179. The principal focus of all three views is the strategic landmark of the Tower of London. The proposal by virtue of its location on the southern edge of the cluster of towers would appear as a prominent element in the foreground of the cluster of towers. The tower will have the effect of pulling the cluster southwards but not in a manner which over-dominates or is harmful to the Tower of London located a significant distance to the east.
180. In all three views the proposal will appear as visually integrated in to the existing and consented cluster of towers. At no point in the three Assessment viewpoints would the proposal appear directly over the White Tower and would not rise above the curtain walls. The Tower of London to the east of the cluster would continue to dominate the lower scale of the townscape in this part of the view. The Outstanding Universal value and setting of the Tower of London World Heritage Site would not be compromised.
181. Therefore, the proposal is considered to be in accordance with the guidance for this view (paras 414 to 415 and 418 to 419 of the LVMF) and Policy 7.10B of the London Plan, in particular by virtue of the proposal's height, scale, massing and materials and its relationship to other buildings in this view and the quality of design. The proposal would not compromise the viewer's ability to appreciate the Outstanding Universal Value, integrity, authenticity or significance of the World Heritage Site, does not dominate the World Heritage Site and relates positively to the Tower of London. Consequently, the World Heritage Site would continue to dominate its surroundings.
182. This report agrees with Historic England's conclusions that the proposal's impact on the significance and Outstanding Universal Value of the Tower of London World Heritage Site from the Queen's Walk (View 25A,1-3) is neutral and the ability to appreciate the Outstanding Universal Value does not change. Therefore, the proposal, in the manner in which it preserves the World Heritage Site and its setting and special architectural or historic interest is in accordance with the test of Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990.

#### Other World Heritage Site views

183. The application includes a Historic Impact Assessment in accordance with the ICOMOS guidance for assessing the impact of proposals affecting the World Heritage Site. The impact of the proposal was assessed on a total of 12 views identified in the Local Setting Study, one of which included an assessment during the hours of darkness.
184. The Tower of London World Heritage Site is located a significant distance to the south-east of the site and the site lies outside the identified Local Setting boundary for the World Heritage Site. The proposal has been assessed from all recognized key views of the World Heritage Site identified in the adopted Local Setting Study

185. Other views listed within the Local Setting Study include views from the Inner Ward, Inner Wall and near the Byward Tower entrance. These have been assessed in turn.
186. From the Scaffold Site viewpoint in the Inner Ward, the proposal will be almost concealed behind the parapet and tower of the Chapel Royal of St Peter ad Vincula. The only part of the proposal which will breach this parapet is a very small, almost imperceptible section of the top few metres of the building. the top few storeys. The proposal would not detract from the scale of the buildings of the Inner Ward or the sense of place of the Inner Ward and, would ensure the buildings surrounding the Inner Ward remain the focus of the view in accordance with the guidance for this view in the Local Setting Study.
187. The Local Setting Study acknowledges that there is a range of views within the Inner Ward. A more detailed and comprehensive assessment of the visual impact on the Inner Ward was required as part of the submission. It is clear that the cluster of towers represent a prominent backdrop to views within the Inner Ward. From the south side of the Inner Ward the proposal will appear as a distinctive tower in the foreground of the cluster and will have the effect of bringing the cluster of towers somewhat closer to the tower to the south east. However, the cluster would still appear a significant distance to the north west and the proposal would not appear over-dominating in views from the Inner Ward. From views from the south side of the Inner Ward the cluster of tall buildings create a prominent and bold backdrop to the Chapel Royal of St Peter ad Vincula. In this respect, the proposal is seen as part of this varied and eclectic cluster of tall buildings.
188. As one approaches the Chapel on the northern side of the Inner Ward most of the towers are concealed by the Chapel and stepping further forwards towards the Chapel the proposal and the rest of the cluster are concealed from view. Given the dynamic and ever-changing nature of the view with the kinetic relationship of the cluster backdrop to the view, the proposal is not considered to harm this view.
189. Historic England have concluded that there is less than substantial harm resulting from the proposal's impact on the Inner Ward, arguing "... the appearance of modern tall buildings above this roofline causes harm, as it diminishes the self-contained ensemble of historic buildings currently largely unimpeded by signs of the modern city beyond. This is not a pristine view, but each time a new building appears in the view. It contributes to a diminution of the impact of the sense of history in this special place". This report does not concur with Historic England's view as, for reasons set out in preceding paragraphs, the Inner Ward view is a kinetic one and as one approaches the Chapel Royal of St Peter ad Vincula a short distance to the north of the scaffold site, the historic building can still be seen against open sky, unimpeded by signs of the modern City beyond.
190. From the identified viewpoints from the Inner Wall looking northwards, the proposal would rise to the left of the 22 Bishopsgate and 1 Leadenhall Street towers and would assist in infilling the somewhat awkward sky gap between the 20 Fenchurch Street tower and the

cluster and has the visual effect of pulling the 20 Fenchurch Street tower closer to the cluster of towers which is considered beneficial in consolidating the single form of the cluster. The proposed tower, located as it is on the southern edge of the cluster would have the effect of pulling the cluster south eastwards closer to the Tower of London, but not in a manner which is overtly dominating or harmful. The proposal is not considered to harm views out of the World Heritage Site. From this viewpoint, the proposed tower would sit comfortably at the eastern end of the City cluster.

191. In the view from the Byward Tower entrance, the proposed tower would consolidate and add to the profile of the cluster rising in the foreground of the existing towers on the western side of the City cluster and would not harm views out of the World Heritage Site from this point.
192. In other views and approaches to the Tower identified in the Local Setting Study such as from the north and south Inner Wall, the proposal though clearly visible as a distinctive tower on the southern edge of the cluster some distance from the World Heritage Site. In many of these views, the proposed tower will be located between the 20 Fenchurch Street tower and the City Cluster, assisting in partly infilling this awkward sky gap which is beneficial in pulling and consolidating the cluster of towers together as a single skyline element. The emerging City cluster of towers to the west of the Tower of London has become an integral part of the setting and views of the World Heritage Site.
193. The City has carried out a 3D modelling initiative to better understand the impact of new tall buildings on key views. This work is providing evidence that the cluster can evolve while taking account of key protected views and the wider setting of the Tower of London World Heritage Site. This is in line with Policy CS7 of the Local Plan which seeks to deliver “tall buildings on appropriate sites that enhance the overall appearance of the cluster on the skyline” whilst “adhering to the principles of sustainable design, conservation of heritage assets and their settings and taking account of their effect on the wider London skyline and protected views”. Furthermore, para 7.6.4 of the explanatory text of Policy S21 (City Cluster) of the draft City Plan 2036 states “ The spatial extent of the Cluster has been informed by technical work undertaken to develop the City’s 3D modelling, which shows that there is scope for further tall buildings, although not every site within the Cluster will be suitable”. The proposal accords with the 3D model in terms of the relationship and proximity with the Tower of London World Heritage Site. In particular, there is considered to be an aesthetic benefit for the emerging cluster to address the awkward sky gap between the 20 Fenchurch Street tower and the City Cluster, so the cluster appears as a single consolidated entity. The proposed tower has the effect of doing this in a number of important views.
194. Historic England object to the proposal considering it to be “highly intrusive in many local views from the tower” especially along the north wall walks where it would appear to link 20 Fenchurch Street and the cluster. For reasons outlined on preceding paragraphs, this report does



not concur with this view and does not conclude that the impact on the World Heritage Site is a harmful one. Therefore, the proposal, in the manner in which it preserves the World Heritage Site and its setting and special architectural or historic interest is in accordance with the test of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

#### London Views Management Framework

195. The London View Management Framework (LVMF) is a key part of the Mayor's strategy to preserve London's character and built heritage. Policy 7.12 of the London Plan ensures the implementation of the LVMF. In particular, the policy seeks to ensure in 7.12A that "new development should not harm, and where possible should make a positive contribution to, the characteristic and composition of the strategic views and landmark elements". Furthermore Policy 7.12C states that "development proposals in the background of a view should give context to landmarks and not harm the composition of the view as a whole".
196. The LVMF explains the policy framework for managing the impact of development on key panoramas, river prospects and townscape views. The LVMF provides Mayoral Supplementary Planning Guidance (SPG) on the management of 27 strategically important views designated in the London Plan. It elaborates on the policy approach set out in London Plan policies 7.10, 7.11 and 7.12 and came into effect on 16 March 2012. London Plan policy requires that development should not cause adverse impacts on World Heritage Sites or their settings and that new development should not harm and where possible should make a positive contribution to the characteristics and composition of strategic views and their landmark elements.
197. The site falls outside all the Protected Vistas of the LVMF but impacts on a number of the identified Assessment Points. These have been assessed in full and the impact on the following Assessment points are covered in detail. The impact on two specific views (10A, the north bastion of Tower Bridge and 25A from City Hall) are discussed in preceding paragraphs in relation to the Tower of London World Heritage Site.

#### Waterloo Bridge (15B.1 and 15B.2)

198. The proposed development would be largely or wholly concealed behind 20 Fenchurch Street when viewed from and between assessment points 15B.1 and 15B.2. The northern part of the tower would be visible just to the right of 20 Fenchurch Street from the northernmost view (15B.1) but not in a manner which harms the view.
199. The proposal is considered to accord with the guidance for this view (para 262 to 267 of the LVMF). Its height and good architectural design would not draw the cluster closer to St. Paul's Cathedral ensuring the Cathedral's continued visual prominence.

### London Bridge (11B.1, 11B.2)

200. The proposal would be located to the east of 20 Fenchurch Street from and between Assessment Points 11B.1 and 11B.2. It would, alongside the consented 40 Leadenhall Street tower have the impact of pulling the cluster of towers towards the east closer to the Tower of London in this view. However, the Tower of London lies in the extreme east of the view and would not harm the wider settings of the listed Adelaide House, Custom House, St Magnus the Martyr or Billingsgate Market.
201. The proposal is considered to be in accordance with the guidance for this view (paras 202 to 205 of the LVMF). In particular, Tower Bridge would remain the dominant structure in the view and the viewer's ability to easily recognize its profile and the Outstanding Universal Value of the World Heritage Site would not be compromised.

### Gabriel's Wharf (16B.1, 16B.2)

202. The proposal would be concealed behind 20 Fenchurch Street from these two viewpoints. The views and setting of St Paul's Cathedral or other Heritage Assets in this view would not be harmed.
203. The proposal is considered to be in accordance with the guidance for this view (paras 280 to 283 of the LVMF). In particular, the proposal would preserve the townscape setting of St. Paul's Cathedral by being located within and contributing to the existing eastern cluster. The prominence of St Paul's Cathedral would not be reduced or compromised.

### **Other Key Views (non LVMF)**

204. The height of the proposed tower means its impact on surrounding townscape views is widespread and the key views impacted upon are discussed in turn:

#### Monument

205. The proposal falls outside the identified viewing cones from the Monument and would not harm or conceal views of important heritage assets in the view. The proposed tower would be partly obscured by the 20 Fenchurch Street tower. The proposal would not harm or obstruct important views of the Monument from afar or in local views.

### Fleet Street / Ludgate Hill

206. The Processional Route is identified as a Viewing Point of St Paul's in the City of London's "Protected Views" SPD, January 2012. The gap of open sky between the Cathedral and the cluster is important in the views as well as the ability to appreciate the Cathedral and its western towers against open sky as well as the wider setting of the Cathedral.
207. The impact of the proposal on this view was a key consideration. Consequently, the height of the proposed tower was agreed so that it

was concealed in the views along Fleet Street to Ludgate ensuring that the tower will not harm views or the appreciation of St Pauls Cathedral.

### Cheapside

208. The tower will appear as a distinctive skyline feature in views eastwards along Cheapside alongside the 20 Fenchurch Street tower and 20 Gracechurch St. Although a striking feature in the background the impact is not considered harmful and is not considered to visually compete with the visual prominence of St Mary Le Bow in this view.

### Aldgate Square

209. The recently pedestrianized public square is an important public space on the eastern approach to the City. In views westwards, the City Cluster is a dynamic and eye-catching backdrop. In these views, the proposed tower would appear on the southern side of the cluster as a prominent element in views along Fenchurch Street. The proposal will not harm this view.

### St. Paul's Cathedral

210. The proposal would not harm views of, the setting or significance of St. Paul's.
211. Exceptional public views of London are afforded from the Golden gallery of St. Paul's. From here the proposal would appear to the north of the 20 Fenchurch Street tower and would contribute to partially infilling the somewhat awkward sky gap between this tower and the cluster of towers to the north, a beneficial impact that would assist in consolidating the cluster of towers as a single entity. The proposal will not harm views out of or the setting of St Paul's Churchyard.
212. The proposal is not considered to harm views within and out of or the setting or significance of St Paul's Cathedral as a listed building or the St. Paul's Conservation Area.

### **Views from other publicly accessible elevated viewing areas**

213. The City cluster forms a key element in a number of elevated views from the upper storeys of buildings, which because they are freely available to the public have significant public benefits. Such areas are increasing in number and are proving to be highly popular and much visited elevated elements of the public realm offering exceptional views.
214. The proposal will diminish views to the south from the public roof garden of 120 Fenchurch Street. In addition, the proposal will significantly diminish sunlight to this roof garden. This impact is a disbenefit of the scheme, and in this respect the proposed scheme would have not been considered acceptable in the absence of the

provision of a similar vantage point and promenaded walk. The promenaded walk, winter garden and generous free to visit public space provided at level 10 in the proposed scheme is considered to compensate for the diminishment in the viewing experience and qualities of the roof garden at 120 Fenchurch Street such that the wider public benefit is not harmed. The tower element of the proposed scheme is set back at the eastern end of the site which has the effect of ensuring that views remain of the Tower of London and Tower Bridge from the roof garden of 120 Fenchurch Street.

215. The impact of the proposal on views from the Skygarden at 20 Fenchurch Street tower has been assessed. Although the tower will obscure views to the north east, generous views of the Tower of London, Tower Bridge, the river and the Isle of Dogs will not be affected. and where visible the impact of the proposal is not considered to significantly diminish the public experience of this popular public space.
216. The proposed tower would not harm the views out from other elevated public spaces proposed at 1 Undershaft, 22 Bishopsgate, 100 Leadenhall Street and 6-8 Bishopsgate and where visible will appear as an eye-catching addition to the dynamic skyline.
217. The proposal would be a dynamic element in the heart of the City cluster of towers from the viewing gallery of Tate Modern on Bankside.

### **Impact on significance and setting of Listed Buildings**

218. There are a large number of listed buildings in this part of London where the proposal will appear in their setting. The impact on these other listed buildings have been assessed and harm to their setting or significance was not identified.
219. The Grade I listed tower of All Hallows Staining and the Grade II listed Lambe's Chapel Crypt lie within the site. These listed buildings and their settings are discussed in preceding paragraphs. The proposal is considered to positively enhance the significance and setting of both listed buildings.
220. In particular, the new public square will create an appropriate setting to the tower along with the provision of new views from Fenchurch Street with the restrained glazed facades of the development providing an appropriate backdrop to the tower in views from the square.

### **Impact on the significance of conservation areas**

221. The site is in close proximity to a number of conservation areas. The proposal also would affect more distant conservation areas within and outside the City. These include conservation areas in other Boroughs, in particular, the London Boroughs of Southwark and Tower Hamlets. The impact of the proposal on nearby conservation areas within the City is set out below:

### Leadenhall Market

222. The proposal will appear in views south eastwards from numerous locations on the southern end of this Conservation Area. This particular Conservation Area is characterized by a backdrop of tall towers to the north, east and south and the proposal will be viewed alongside 20 Fenchurch Street and the consented 130 Fenchurch Street development. In this respect, the proposal is not considered to harm the character and appearance of this Conservation Area .

### Bank Conservation Area

223. The proposal will be seen as a tower on the skyline in numerous locations from within this Conservation Area, especially along Lombard Street. In these views it will be seen alongside the 20 Fenchurch Street tower and 20 Gracechurch Street which are established backdrop elements in these views .

### Lloyd's Avenue Conservation Area

224. The proposal will appear as a prominent backdrop element in views westwards out of this Conservation Area. However, these views are already characterized by a backdrop of tall buildings such as 40 Leadenhall Street, The Gherkin, 20 Fenchurch Street and others in the City Cluster. In this respect, the proposal will not harm the character and appearance of the Conservation Area.

### Fenchurch Street Station Conservation Area

225. This small conservation area lies to the south of the site and is centred on Fenchurch Street Station and earlier buildings to its south. In the forecourt of Fenchurch Street Station, the proposal will appear as a prominent feature on the skyline to the west. This view is already characterised by the 20 Fenchurch Street tower and other consented major developments in the City Cluster. As such, the proposal is not considered to harm the character and appearance of the Conservation Area.

### Trinity Square Conservation Area

226. The proposal will appear in the backdrop of the former PLA building on Trinity Square and in other views looking north westwards. The backdrop of these views includes the large number of existing and consented towers of the City Cluster and as such the proposal is not considered to harm the character and appearance of the Conservation Area.

### Eastcheap Conservation Area

227. The proposal will appear in the backdrop of views looking north eastwards from this Conservation Area. These views are characterised by the backdrop of 20 Fenchurch Street and other consented towers in the City Cluster such as 40 Leadenhall Street. As such, the proposal does not harm the character and appearance of this Conservation Area

### Archaeology and Non-designated Heritage Assets

228. The site is in an area of high archaeological potential with remains from the Roman, medieval and later medieval periods recorded on the site and its immediate area. There is negligible survival below the double basements of the existing buildings and low or moderate survival below the single basement areas. Survival below Star Alley is uncertain as the route has altered over time. There is high and significant survival, including human burials, on the remainder of the site which includes the Grade I listed Tower and remains of All Hallows Staining Church, the Grade II listed Lambe's Chapel Crypt, the former churchyard of All Hallows Staining, a non-designated heritage asset, and the open space fronting Mark Lane. An Historic Environment Assessment reports of two phases of archaeological evaluation and Statements of Significance have been submitted with the application.
229. There is high potential for significant Roman remains to survive. The site is to the north of the main east-west Roman road and occupation and structural remains from the early Roman to the late Roman period have been recorded on adjacent and nearby areas.
230. There is moderate potential for early medieval remains, including evidence of occupation such as pits and wells.
231. There is high potential for later medieval remains, including remains of the Church of All Hallows, the churchyard and burials as well as evidence of buildings located to the south of the main street leading out of the City at Aldgate. The Shearmens' Hall is first recorded in the 15<sup>th</sup> century.
232. There is high potential for significant remains from the later medieval to post medieval periods, including human burials and associated remains, including burial vaults and for evidence of the church demolished in the late 19<sup>th</sup> century. The former churchyard of All Hallows Staining is a non-designated heritage asset and has high archaeological, evidential, historic and communal significance. It is representative of an entire City parish in use from the 12<sup>th</sup> century establishment of the church to the mid nineteenth century when it was closed for burials and it has not been built on in that time. As a parish burial ground, it would largely be composed of members of the parish population. It may have been greater in size at one time as burials survive below the tower of the church and have been recorded in Star Alley. There is potential for burials to survive to a depth of 1.75m or greater and the number of burials is estimated to be in the range of 1500-2000. Survival of medieval burials, which may have been affected by later graves, would be highly significant. The churchyard

has strong archaeological, historic and communal significance, in its own right, and through to its long historical connection and physical link with the Church of All Hallows Staining.

233. The results of archaeological evaluation on the site has provided additional information on the character, date and survival of archaeological deposits, including burials and burial vaults and has enabled an estimate to be made of the potential depth and extent of burials. There is potential for archaeological remains, including burials, later medieval and Roman remains to survive up to a depth of four metres.
234. The proposed scheme would have an impact on and would remove all archaeological remains on the site, including the entire churchyard, burials and associated features such as burial vaults, burials and remains below the Tower, remains of the church and any earlier church and underlying Roman and early medieval remains. The proposals would cause less than substantial harm to the heritage assets. National guidance on burial grounds states that 'Where possible, avoidance of disturbance is the best option' and that 'any harm that might be done to that heritage asset by a development must be carefully weighed against the public benefits of that development'.
235. Due to the high archaeological significance of the churchyard and burials as a non-designated heritage asset and its high archaeological, evidential, historic and communal significance, Statements of Significance have been submitted with the applications. The recording, excavation and analysis of a significantly high number of burials has potential to provide new data, including evidence of burial practices over time, details of individuals and family groups, and characteristics such as how changing environments, health, impact of urbanisation, mobility and migration affected peoples' lives. It would advance knowledge and understanding of an entire City parish and supplement documentary evidence. The analysis, publication and archiving of a programme of archaeological work would add to existing knowledge and data from excavations of the small number of burial grounds in the City and in London. It would contribute to the proposed publicly accessible exhibition space, proposed landscaping and enhanced setting for the Tower, church and churchyard footprints and reveal the history and archaeology of the site.
236. The proposed scheme would provide public benefit and better reveal the significant archaeological and historic context of the site and the significant close association with The Clothworkers Company. The public benefit is considered to outweigh the harm caused to the heritage assets.
237. Conditions are attached to cover site investigation and archaeological evaluation, a programme of archaeological work and foundation and piling design.

## **Transport, Servicing, Parking and Impact on Public Highways**

238. The proposed development is car free in that there is no private vehicle parking provision at the development.

### **Servicing Arrangements**

239. The office, retail and livery hall would be serviced from a dedicated servicing yard at the south-western corner of the site. The servicing yard would be accessed from Mincing Lane and Dunster Court. The servicing yard would provide two 8m servicing bays and space for vehicles to manoeuvre to allow access and egress in a forward gear. Servicing and delivery vehicles would enter and exit Dunster Court from Mincing Lane.
240. Physical consolidation is required to ensure the servicing yard provides enough capacity to service the development and this would be secured through the S106 agreement. The maximum number of deliveries each day will be 115 and this will be secured through the S106 agreement. Deliveries would be prohibited during peak pedestrian hours of 0700 – 1000, 1200 – 1400 and 1600 – 1900.
241. Occasional infrequent deliveries by larger vehicles for events at the Clothworker's Hall are anticipated, which would take place off the public highway on Dunster Court. A final delivery and servicing plan, detailing the exact consolidation arrangements and the frequency of these larger deliveries as well as the delivery and servicing management procedures will be secured through the S106 agreement.

### **Cycle Parking**

242. The proposal provides 1,248 long-stay cycle parking spaces at basement levels 1 and 3 for all the proposed uses. Of the 1,248 spaces, 126 are proposed to be folding bicycle lockers and 60 are proposed to be non-standard / adaptable cycle spaces. The cycle parking would be accessed via a lift and staircase with wheeling ramps from a dedicated entrance from Dunster Court. Associated shower and locker facilities are proposed at first floor level. 125 showers would be provided, equating to one shower per 10 cycle parking spaces which is acceptable. 1248 lockers would be provided.
243. The London Plan and draft London Plan require a development of this scale to provide 50 and 72 spaces respectively for visitors to the office and retail uses and the Clothworker's Hall. 42 short-stay cycle parking spaces are proposed in the public realm in the form of 21 Sheffield stands.
244. The proposed long-stay cycle parking provision accords with policies DM16.3 of the Local Plan, 6.9B(a) of the London Plan and T5 A(2) of the draft London Plan. The proposed level of short-stay cycle parking is not compliant with policy 6.9B(a) of the London Plan and draft London Plan policy T5 A(2), however it is considered an acceptable provision



when balancing the competing needs for the design of the public realm to reflect the historic environment, provide places to dwell, and areas for movement through the site.

### Public Transport and Pedestrian Movement

245. The site is highly accessible by public transport, with national rail services from Fenchurch Street station 200m from the site and Cannon Street and Liverpool Street within walking distance. Services on the Northern, Central, District, Circle, Metropolitan, Hammersmith and City and Docklands Light Railway and from 2021 the Elizabeth Line available at Bank, Monument and Liverpool Street stations, all within walking distance of the site. Within 640m of the site 23 bus services are available. As such the site records the highest possible Public Transport Accessibility Level (PTAL) of 6b. There are no cycle hire docking stations immediately adjacent to the site, the nearest being available approximately 300m away on Great Tower Street and Crosswall.
246. A pedestrian comfort level (PCL) assessment has been undertaken to understand the impacts of the development on pedestrian movement through the area. The development would provide additional space for pedestrians under the colonnade along the southern Fenchurch Street footway. The PCL assessment concludes this additional space would improve the PCL from D to B. The recommended minimum level for all areas in the City is B+. The additional footway capacity provided by the colonnade is restricted in areas due to the large columns and in these areas the PCL would remain at level D which is considered very uncomfortable. The applicant has agreed to improvements to the footways surrounding the site on Fenchurch Street, Mark Lane and Mincing Lane as part of the S278 agreement and footway widening to improve pedestrian comfort levels will be explored as part of these works.
247. Following the proposed introduction of a new, improved north-south link pedestrian route from Fenchurch Street station north into the cluster through the new public square and under the building it is considered the pedestrian experience in the area would be considerably improved. The extent of new public realm will represent a significant uplift on the existing area. The introduction of new crossings and improvements to existing crossings along Fenchurch Street to facilitate this north south pedestrian movement will be explored and implemented through the S278 agreement.

### Stopping Up

248. A stopping up order would be needed to stop up small areas of Fenchurch Street, Mark Lane, Mincing Lane and Star Alley that would be built upon if the development was implemented. This includes the livery hall lightwell in the southern leg of Star Alley, which would then become, as a result, two short cul-de-sacs. To ameliorate the obvious disbenefits to public movement that this interruption to Star Alley as a

pedestrian thoroughfare would create, 24-hour public access is proposed to be secured over the whole of the proposed new public realm through an appropriate planning obligation, which would allow the public to walk at any time around the lightwell to its north (this being the principal desire line from the west to and from London Street and therefore Fenchurch Street Station) and also to the south of the church tower.

249. The Court has authorized the Town Clerk to make stopping up orders that are not opposed, and he has delegated this authority to the Director of the Built Environment. Opposed stopping up orders are, however, reported to your Committee to determine.
250. The developer has proposed stopping up the whole of Star Alley (not just those parts where the lightwell is located), so that it would be owned, insured and managed within the same regime as the surrounding privately-owned public realm. It is understood that the applicant envisage the acquisition of the part of Star Alley which is owned by the City Corporation and several other small areas to enable delivery of the scheme. Officers are not currently satisfied that the stopping up of the whole of Star Alley would be fully compliant with policy aimed at safeguarding rights of access (Local Plan Policy D.M.16.2), but acknowledge that there are countervailing public benefits which will in due course need to be weighed in the balance. As part of the separate process of stopping up there will need to be an assessment of whether it would meet the statutory test of necessity. However, this matter would be for separate determination in the event of a stopping-up application being received. It is open to your Committee to agree the recommendation notwithstanding the City's initial reservations regarding a potential stopping-up application in respect of the whole of Star Alley.

#### Waste Management Arrangements

251. A single waste store is proposed at basement level which all building occupants will have access to and be required to use. Tenants or facilities management will be responsible for transporting waste from the office floors, retail units and the Clothworkers' Hall to the waste store. Facilities management will be responsible for transporting the waste to the service yard immediately prior to collection. Two waste compactors are proposed in the loading bays, where waste collection would take place. The waste management arrangements have been reviewed by the City's Cleansing officers who have no objection.

#### Environmental Impact of Proposals on Surrounding Area

##### **Wind Microclimate**

252. The Wind Microclimate Guidelines, which was adopted in August 2019, requires that for schemes over 100m in height, Early Stage Massing Optimization should be undertaken, to include Wind Tunnel Testing

and/or Computational Fluid Dynamics (CFD) Simulations. Wind conditions have been fully assessed with two wind tunnel workshops taking place as well as CFD simulations.

253. The baseline assessment established the wind conditions in the presence of both existing and cumulative scheme surroundings and for both 'worst season' and summer season scenarios.
254. The massing arrangement of the proposed development reduces wind at pedestrian level. The taller portion of the proposed development would be similar in height to 20 Fenchurch Street from which it would be sheltered from the prevailing westerly wind. The massing of the proposed development would shelter the proposed ground level public realm from the westerly and south westerly winds.
255. Early testing influenced the landscape proposals within the public realm at ground floor level and the public terrace at level 10. At ground level a 2.5m hedge would be incorporated on the southern perimeter and back screens would be installed on the bench seating (solid, 1.5m in height). The landscape proposals include 10m tall trees. These are not wind mitigation but would have a beneficial effect. At level 10 the landscape proposals include 'seedlings', which are planted structures between 4.2m and 5m tall and 1.5m screens incorporated into the bench seating.
256. Wind conditions at ground level would be suitable for the intended uses and no significant effects would occur (both in the proposed and cumulative scenarios). No significant effects would occur for off-site receptors where conditions would generally remain similar to existing and are suitable for intended pedestrian access use. In some locations conditions would be windier by one category but would remain suitable for intended pedestrian access. The effects in these locations are assessed to be moderate adverse but no mitigation is required. At all upper level locations assessed (the proposed roof terrace at Level 10 and the public terrace of 120 Fenchurch Street), wind conditions were assessed to be suitable for the intended uses. It is concluded that no significant effects would occur.
257. The Proposed Development is therefore considered to accord with the guidance in the Sustainable Design and Construction SPG, London Plan policy 7.6, Local Plan policy DM10.1 and the City's Wind Microclimate Guidelines.

### **Daylight and Sunlight**

258. An assessment of the impact of the development on daylight and sunlight to surrounding buildings and public amenity spaces has been undertaken in accordance with the Building Research Establishment (BRE) guidelines and considered having regard to policies 7.6 and 7.7

of the London Plan and policy DM 10.7 of the Local Plan. These include residential buildings at 67 Fenchurch Street (the East India Arms Public House), New London House and 3 Hart Street (the Ship Public House); and the public amenity spaces of Fenchurch Place, Fen Court Garden and the public roof terrace at 120 Fenchurch Street.

### Daylight

259. There are 22 windows serving nine residential rooms within the identified residential buildings.
260. The rooms in 67 Fenchurch Street (the East India Arms Public House) and New London House would experience alterations which, in accordance with the BRE guidelines, would not be noticeable to the occupants.
261. 3 Hart Street (the Ship Public House) is located to the south of the proposed development and has one residential unit on the second floor. The site facing room is understood to be a living room and has a bay window with eight panes of glass. Two of the eight panes would meet the BRE guidelines VSC (vertical sky component) reduction criteria. Of the six panes which would exceed the VSC criteria, two would experience reductions which are considered to be minor and not significant. The remaining four panes would experience reductions considered to be moderate-major. When looking at the results to these four panes which experience greater reduction in more detail, the existing daylight values are already very low at 2.78% to 5.18% VSC in comparison to the recommended BRE guidelines criteria of 27%. Therefore, even a small reduction is likely to result in a large percentage reduction.
262. One window at 3 Hart Street does not satisfy No Sky Line (NSL) analysis, which is greater than 40%, Nevertheless, as the existing living room enjoys a NSL to 48% of the room's area, in comparison to the recommended level of 80% in accordance with the BRE guidelines, it is considered to be a disproportionate percentage reduction

### Sunlight

263. There are 11 windows orientated within 90 degrees of due south which serve 7 residential rooms within the identified receptors. The sunlight assessment concludes that both 67 Fenchurch Street and New London House will experience alterations which are in accordance with the BRE Guidelines and will not be noticeable to the occupants and the effects are therefore considered negligible.

### Overshadowing to the roof garden at 120 Fenchurch Street

264. Generali who run the roof garden at 120 Fenchurch St have objected to the application, raising concern that the proposal would overshadow the roof garden during opening hours. The roof garden at 120 Fenchurch Street is open Mondays to Friday, from 10am to 9pm in the

summer (1<sup>st</sup> April-30<sup>th</sup> September) and from 10am to 6:30pm in the winter (1<sup>st</sup> October-31<sup>st</sup> March).

265. BRE guidance recommends that a space should receive two hours of direct sunlight to 50% of the space on 21<sup>st</sup> March. The applicant's submission concludes that "in terms of transient overshadowing, although the proposed development will cast a much larger shadow than the existing development, this will cause minimal impacts during the year. Additional shadowing sweeping over the public amenity spaces would occur between 10am and 2pm in March and September. Overall, the effect of the proposed development in terms of overshadowing to the public amenity spaces throughout the year is considered to be minor adverse and therefore not significant...".
266. This conclusion is disputed by the objectors, who have carried out their own assessment. They have noted that the BRE guidance recommends that "if a particular space is only used at certain times of day or year (e.g. café, outdoor performance area or school playground) it is instructive to plot shadows for those specific times" and argue that the overshadowing of the roof garden should be assessed during the hours of operation. GIA, who assessed the overshadowing on behalf of the objectors, have concluded that only 38.91% of the space would receive direct sunlight on 21<sup>st</sup> March and consequently the BRE guidelines would not be achieved.
267. The applicant has responded to this objection. Point 2, who assessed the overshadowing on behalf of the applicant, argue that GIA's assessment is not based on the implemented roof garden layout, but is based on an earlier design, from a previous planning application. The assessment submitted as part of this application, carried out by Point 2 is based on the implemented layout.
268. Point 2 have assessed the impact on the roof garden at 120 Fenchurch Street, looking only at the areas where people could dwell when the roof garden is open to the public. They conclude that 52.6% of the space would receive two hours of sunlight on 21<sup>st</sup> March, which would meet the BRE guidelines.
269. During the winter months there is likely to be reduction in the amount of direct sunlight to the roof garden at 120 Fenchurch Street but it is considered that this is outweighed by the provision of the new roof garden, which includes a winter garden that could be used by the public all year round.
270. On June 21 (the summer solstice), during the public opening hours, the reduction of area at 120 Fenchurch Street which would receive two hours of direct sunlight is 109sq.m. It is considered that this is outweighed by the 636sq.m of new roof garden that would receive two hours of direct sunlight.

271. Whilst it is accepted that the proposed development would reduce the amount of sunlight received by the roof garden at 120 Fenchurch Street, this needs to be balanced against the public benefit the proposed roof garden and public realm would create. The proposed roof garden would be open to the public for significantly longer hours than the roof garden at 120 Fenchurch Street and due to the inclusion of a winter garden would provide a facility that could be enjoyed by the public all year round, in any weather. The proposed roof garden would include promenade around the building allowing 360-degree, sheltered views. It is considered that this public benefit outweighs the harm caused to the roof garden at 120 Fenchurch Street.

## **Energy and Sustainability**

### **Energy Consumption**

272. The Energy Statement shows that this development has been designed to achieve a carbon reduction of 27% compared to a Building Regulations compliant building. This has been achieved through extensive amounts of vertical greening to reduce solar heat gain, a closed cavity façade system to maximise daylight and limit solar gain, and efficient lighting, heating and cooling plant. Draft New London Plan policy SI 2:C requires all major development to be net zero carbon. The shortfall must be offset through a carbon offsetting contribution secured through the S106 agreement. Initial calculations based on the BRUKL assessments as designed provided in the Energy Strategy indicate that this will be in the region of £2.4 Million.
273. It should be noted that this new net zero-carbon requirement for commercial buildings will come into effect on final publication (i.e. adoption) of the London Plan. The date of publication is currently uncertain due to a recent intervention by the Secretary of State but is expected to be within the next few months. Neither the Examination in Public Panel nor the Secretary of State have objected to Draft London Plan Policy SI 2 and major developments should therefore be planning to achieve net zero-carbon.
274. The City Corporation's intention to apply net zero carbon policies was highlighted to Members in December 2019. As a result, all applications received after the London Plan Panel Report was published 21<sup>st</sup> October 2019 are being assessed against the zero carbon policies in the emerging London Plan.
275. A condition is recommended requiring a revised energy strategy to be submitted and approved to demonstrate there would be a 35% carbon reduction achieved on site.

### **BREEAM**

276. The Sustainability Statement prepared by the Applicant includes a BREEAM pre-assessment which indicates that this development has been designed to achieve a BREEAM rating of "Excellent" for the office areas. For the City's priority credits the BREEAM pre-assessment

shows that high credits have been achieved for Water, Pollution and Materials with a lower score for Energy. The City is an Air Quality Management Area and an area of water stress therefore the high scores in these areas are welcome. Every effort should be made to achieve the remaining credits in the energy category. The scope of work for the Clothworkers' Hall accommodation is shell only and as such a pre-assessment for this space has not been undertaken.

277. A post construction BREEAM assessment is required by condition with the aim of maximising BREEAM credits for the City's priorities: Energy, Materials, Water and Pollution.

### Security

278. Security proposals to protect the building and the new areas of public realm have been developed in consultation with the City of London Police's Counter Terrorism team, who will continue to be involved as the final proposals are agreed. As detailed plans for security around the public realm develop, impacts on pedestrians will be considered and any necessary footway widening will be secured through the S278 agreement.
279. The applicant is required to enter a separate security S106 agreement for security works to the wider City Cluster area. Conditions are recommended to secure appropriate measures within and adjacent to the site.

### Flood Risk and Drainage

280. The submitted Flood Risk Statement, prepared by ARUP, considers several different sources of flooding, including fluvial, artificial sources, tidal, groundwater and pluvial. The Site is not considered to be at risk from these sources of flooding.
281. The Drainage Strategy has been developed with consideration to both on-site and off-site flooding potential. SuDS features are proposed, and it is estimated that this would result in a 95% reduction of the estimated brownfield runoff rate, which would represent a significant betterment at the Site and achieve the Thames Water discharge rate requirements.
282. Due to the overall very low flood risk posed to the proposed development, no specific flood risk mitigation is proposed.
283. The Lead Local Flood Authority and Thames Water have raised no objections but have recommended conditions.

### Air Quality

284. The Environmental Statement includes an assessment of the likely changes in air quality as a result of the construction and operational phases of the development and has been considered having regard to policies 7.14 of the London Plan and CS15 of the Local Plan.

285. During construction dust emissions would increase and would require control through the implementation of good practice mitigation measures in the Construction Method Statements to be approved under conditions attached to the planning permission.
286. An Air Quality Neutral Assessment has been undertaken. The proposed development is Air Quality Neutral in terms of building and transport emissions.
287. The proposed development does not include the provision of any car parking spaces. The traffic generation associated with the operation of the proposed development is likely to mainly relate to taxis and servicing vehicles.
288. It is proposed that three 1.15MW boilers are installed. The Efflux velocities for the boiler flues used in the assessment are 3.1 and 5.5 m/s, which is significantly below the City's requirement for a minimum efflux velocity of 15m/s for appliances that are larger than 1MW.
289. The City's Air Quality Officer has no objections.

#### Noise and Vibration

290. The Environmental Statement assesses the impact from noise and vibration on the surrounding area, including noise and vibration from enabling works, demolition and construction; noise from the proposed development during operation; and noise associated with increases in road traffic, which could be attributed to the development.
291. In most City redevelopment schemes most noise and vibration issues occur during demolition and early construction phases. Noise and vibration mitigation, including control over working hours and types of equipment to be used would be included in a Construction Management Plan to be secured by condition, and freight movements would be controlled through the Construction Logistics Plan, secured by condition.
292. During the operational phase of the development, as no parking is to be provided it is predicted that the vehicular trip generation for the development would be low and would have a negligible impact on road traffic noise.
293. Noise levels from mechanical plant in the completed development would need to comply with the City of London's standard requirements on noise levels and approved under planning conditions to ensure that there would not be an adverse effect on the surrounding area.

#### Planning Obligations

294. The proposed development would require planning obligations to be secured in a Section 106 agreement to mitigate the impact of the development to make it acceptable in planning terms. The proposal would also result in payment of the Community Infrastructure Levy (CIL) to help fund the provision of infrastructure in the City of London.



295. These contributions would be in accordance with Supplementary Planning Documents (SPDs) adopted by the Mayor of London and the City.
296. From 1 April 2019 Mayoral CIL 2 (MCIL2) supersedes the Mayor of London's CIL and associated section 106 planning obligations charging schedule. This change removes the Mayor's planning obligations for Crossrail contributions. Therefore, the Mayor will be collecting funding for Crossrail 1 and Crossrail 2 under the provisions of the Community Infrastructure Levy regulations 2010 (as amended). CIL contributions and City of London Planning obligations are set out below:

#### MCIL2

<b>Liability in accordance with the Mayor of London's policies</b>	<b>Contribution</b>	<b>Forwarded to the Mayor</b>	<b>City's charge for administration and monitoring</b>
<b>MCIL2 payable</b>	£14,134,940	£13,569,542	£565,398

#### City CIL and S106 Planning Obligations

<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 CIL	£5,723,250	£5,437,087	£286,163
City Planning Obligation Affordable Housing	£1,526,200	£1,510,938	£15,262
City Planning Obligation Local, Training, Skills and Job Brokerage	£228,930	£226,641	£2,289
Section 278 Design and Evaluation	£100,000	£100,000	-
Security S106 Design and Evaluation	£50,000	£50,000	-
City Planning Obligation Monitoring Charge	£4,500	-	£4,500
<b>Total liability in accordance with the City of London's policies</b>	<b>£7,632,880</b>	<b>£7,324,666</b>	<b>£308,214</b>

### City's Planning Obligations

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

- Highway Reparation and other Highways obligations
- Delivery and Servicing Management Plan
- Consolidation
- Travel Plan (including Cycling Promotion Plan)
- Local Training, Skills and Job Brokerage Strategy (Demolition & Construction, including Fit-Out)
- Local Procurement Strategy
- Carbon Offsetting
- Section 278 Agreement
- Security S106 Agreement
- Legible London Contribution
- Free public access to the roof terrace and winter garden during specified hours
- Visitor Management Plan for the public roof garden, winter garden and the Lambe's Chapel Crypt Public Exhibition
- Free Public access to Lambe's Chapel Crypt and the associated exhibition space during specified hours
- Free public access to the new public square and ground level of the Tower of All Hallows Staining Church
- A Conservation and Management Plan for the Tower of All Hallows Staining, to include a maintenance and conservation regime (including any displays and interpretation)
- A Conservation and Management Plan for the Lambe's Chapel Crypt and Exhibition, to include a maintenance and conservation regime (including displays, objects and artefacts)
- Utility Connections to the development

298. I request that I be given delegated authority to continue to negotiate and agree the terms of the proposed obligations as necessary and enter into the S106 and S278 agreement.

### Monitoring and Administrative Costs

299. A 10-year repayment period would be required whereby any unallocated sums would be returned to the developer 10 years after practical completion of the development. Some funds may be set aside for future maintenance purposes.

300. The applicant will pay the City of London's legal costs and the Chief Planning Officer's administration costs incurred in the negotiation, execution and monitoring of the legal agreement and strategies.

### CIL/Site Specific Mitigation

301. The City will apply CIL towards infrastructure to support the development of the City's area. In some circumstances, it may be necessary additionally to seek site specific mitigation to ensure that a development is acceptable in planning terms.

### Conclusions

302. The proposal has been assessed in accordance with the relevant statutory duties and having regard to the development plan and other relevant policies and guidance, SPDs and SPGs and relevant advice including the NPPF, the draft London Plan and the draft Local Plan and considering all other material considerations.
303. The scheme is of a high-quality design and features a number of innovative features including extensive urban greening. It provides a significant increase in office floorspace meeting one of the primary objectives of the City's Local Plan and London Plan policies. It results in some loss of retail on a Retail Link but this is considered acceptable when taking into account the nature of the development and the other benefits of the scheme.
304. It provides an increase and significant enhancement of the public realm through the widening of pavements, the creation of a widened route from Fenchurch St, the provision of a new high quality public space around the listed Tower and a new free to visit roof level space at level 10 of quality, affording views, seating and promenading space and a winter garden accessed off it. The extent of new public realm (at 3,045 sqm) will represent 36 times the existing area of public realm (at 95 sqm).
305. The scheme carries out conservation work to the listed Tower and the relocation of the listed Lambe's Chapel Crypt and the provision of a public exhibition space to which public access is provided which are a significant cultural heritage benefit of the scheme.
306. The scheme provides a new Livery Hall for the Clothworkers' Company, which is their 7th on the Site which meets their requirements and provides the incorporation of a number of important artefacts associated with the Company including their Gates.
307. The impact on neighbouring buildings and spaces has been considered. The scheme would not result in unacceptable environmental impacts in terms of noise, air quality, wind, daylight and sunlight and overshadowing. The impact on daylight and sunlight/ overshadowing has been thoroughly tested. Whilst the loss of aspect and the overshadowing of the public roof garden at 120 Fenchurch St has a detrimental impact it is not considered that the impacts would cause unacceptable harm such as to warrant a refusal of planning permission in that a further high quality roof level space is being provided with aspect and amenity. The proposal would be in compliance with Local Plan Policies DM 10.7 and DM21.3 and policies 7.6 and 7.7 of the London Plan.

308. The scheme would make optimal use of the capacity of a site with high levels of public transport accessibility and would be car free. The proposal would require deliveries to be consolidated and would reflect servicing measures sought for other major developments in the City. The servicing logistics strategy would be incorporated in the Delivery and Servicing Management Plan. The proposal would be in compliance with Local Plan Policies DM16.1, DM16.5 and 6.13 of the London Plan.
309. 1248 long term bicycle spaces would be provided with associated shower and locker facilities. The number of short-term spaces at 42 would not be compliant with requirements but need to be balanced against the other public realm benefits. This apart the scheme is in compliance with Local Plan Policy 16.3 and London Plan Policy 6.9.
310. The scheme would provide CIL which would be applied towards infrastructure to support the development of the City's area. That payment of CIL is a local finance consideration which weighs in favour of the scheme. In addition to the general planning obligations there would be site specific measures secured in the S106 Agreement. Together these would go some way to mitigate the impact of the proposal.
311. Planning of the City Cluster has sought to safeguard the immediate setting of the Tower of London in accordance with guidance and to step the height of development away from the Tower so that it rises to a peak some way from the Tower. This scheme immediately to the south of the eastern cluster introduces a taller element closer to the Tower of London which sits comfortably with the Eastern Cluster.
312. In relation to the listed Tower of All Hallows, the listed Lambe's Chapel Crypt and the non-designated heritage assets on the site, and in forming a balanced judgement as required by paragraphs 193-197 the NPPF, it is considered that the scale of harm would be outweighed by the public benefits of an enhanced presentation of the listed buildings and the opportunity to better reveal the significant archaeological and historic context of the site.
313. Virtually no major development proposal is in complete compliance with all policies and in arriving at a decision it is necessary to assess all the policies and proposals in the plan and to come to a view as to whether in the light of the whole plan the proposal does or does not accord with it. The Local Planning Authority must determine the application in accordance with the development plan unless other material considerations indicate otherwise.
314. In this case, while the proposals are considered in compliance with a number of policies, they are not considered to be in compliance with the development plan as a whole due to non-compliance with the retail policies identified above.
315. Paragraph 8 of the NPPF sets out that there is a presumption in favour of sustainable development.

316. Paragraph 131 of the NPPF sets out that great weight should be given to outstanding and innovative designs which help raise the standard of design more generally in the area.
317. As set out in paragraph 193 of the NPPF, great weight should be given to the conservation of designated heritage assets. The world heritage site status and its Grade I listing places the Tower of London at the very highest level and as a result greater weight should be given to the asset's conservation.
318. The proposal has been assessed in accordance with the definition of the Outstanding Universal Value and significance of the World Heritage Site as set out in the Tower of London World Heritage Site Management Plan (2016). In addition, the proposal has been assessed in terms of the guidance set out in the Tower of London Local Setting Study (2010) and the London Views Management Framework SPG. The proposal has been assessed in accordance with other relevant SPGs, SPDs and guidance notes listed in the report. The proposed development was not found to harm the Outstanding Universal Value or significance of the Tower of London World Heritage Site.
319. Taking all material matters into consideration, the application is recommended to you subject to all the relevant conditions being applied and section 106 obligations being entered into in order to secure the public benefits and minimise the impact of the proposal.

## **Background Papers:**

### Internal

Email, City Surveyors, 6<sup>th</sup> January 2020

Memo, Air Quality Officer, 17<sup>th</sup> January 2020

Memo, Environmental Health Officer, Department of Markets and Consumer Protection, 11<sup>th</sup> February 2020

### External

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Letter, City of Westminster, 7<sup>th</sup> January 2020

Letter, Rev'd Arani Sen, Rector St Olave's Hart Street, 13<sup>th</sup> January 2020

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## **Appendix A**

### **REASONED CONCLUSIONS ON SIGNIFICANT EFFECTS**

#### **Reasoned Conclusions**

Following examination of the environmental information a reasoned conclusion on the significant effects of the proposed development on the environment has been reached and is set out in the report as summarised in the Conclusions section of the report.

#### **Monitoring Measures**

If planning permission were granted, it is considered that monitoring measures should be imposed to secure compliance with the cap on servicing trips and other elements of the Delivery and Servicing Management Plan as well as other measures to ensure the scheme is acceptable, which will be monitored by the S106 and recommended conditions.

## **Appendix B**

### **London Plan Policies**

The following policies from the London Plan (2016) are considered relevant:

Policy 2.10 Enhance and promote the unique international, national and London wide roles of the Central Activities Zone (CAZ) and as a strategically important, globally oriented financial and business services centre.

Policy 2.11 Ensure that developments proposals to increase office floorspace within CAZ include a mix of uses including housing, unless such a mix would demonstrably conflict with other policies in the plan.

Policy 4.1 Promote and enable the continued development of a strong, sustainable and increasingly diverse economy; Support the distinctive and crucial contribution to London's economic success made by central London and its specialist clusters of economic activity;  
Promote London as a suitable location for European and other international agencies and businesses.

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 4.5 Support London's visitor economy and stimulate its growth, taking into account the needs of business as well as leisure visitors and seeking to improve the range and quality of provision.

Policy 5.2 Development proposals should make the fullest contribution to minimising carbon dioxide emissions.

Policy 5.3 Development proposals should demonstrate that sustainable design standards are integral to the proposal, including its construction and operation. Major development proposals should meet the minimum standards outlined in supplementary planning guidance.

Policy 5.5 (Decentralised Energy Networks) Development proposals should prioritise connections to existing or planned decentralised energy networks where feasible.

Policy 5.6 Development proposals should evaluate the feasibility of Combined Heat and Power (CHP) systems, and where a new CHP system is appropriate also examine opportunities to extend the system beyond the site boundary to adjacent sites.

Policy 5.7 Major development proposals should provide a reduction in carbon dioxide emissions through the use of on-site renewable energy generation, where feasible.

Policy 5.9 Reduce the impact of the urban heat island effect in London and encourage the design of places and spaces to avoid overheating and excessive heat generation, and to reduce overheating due to the impacts of climate change and the urban heat island effect on an area wide basis.

Policy 5.10 Promote and support urban greening, such as new planting in the public realm (including streets, squares and plazas) and multifunctional green infrastructure, to contribute to the adaptation to, and reduction of, the effects of climate change.

Policy 5.11 Major development proposals should be designed to include

roof, wall and site planting, especially green roofs and walls where feasible.

Policy 5.13 Development should utilise sustainable urban drainage systems (SUDS) unless there are practical reasons for not doing so.

Policy 5.18 Encourage development waste management facilities and removal by water or rail transport.

Policy 6.3 Development proposals should ensure that impacts on transport capacity and the transport network are fully assessed.

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 6.10 (Walking) encourages new developments to “ensure high quality pedestrian environments and emphasise the quality of the pedestrian and street space.”

Policy 6.13 The maximum standards set out in Table 6.2 should be applied to planning applications. Developments must:  
ensure that 1 in 5 spaces (both active and passive) provide an electrical charging point to encourage the uptake of electric vehicles  
provide parking for disabled people in line with Table 6.2  
meet the minimum cycle parking standards set out in Table 6.3  
provide for the needs of businesses for delivery and servicing.

Policy 7.1 Development should be designed so that the layout, tenure, mix of uses interface with surrounding land will improve people’s access to social and community infrastructure (including green spaces), the Blue Ribbon Network, local shops, employment opportunities, commercial services and public transport.

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 7.5 London's public spaces should be secure, accessible, inclusive, connected, easy to understand and maintain, relate to local context, and incorporate the highest quality design, landscaping, planting, street furniture and surfaces.

Policy 7.6 Buildings and structures should:

- (a) be of the highest architectural quality
- (b) be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm
- (c) comprise details and materials that complement, not necessarily replicate, the local architectural character
- (d) not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. This is particularly important for tall buildings
- (e) incorporate best practice in resource management and climate change mitigation and adaptation
- (f) provide high quality indoor and outdoor spaces and integrate well with the surrounding streets and open spaces
- (g) be adaptable to different activities and land uses, particularly at ground level
- (h) meet the principles of inclusive design
- (i) optimise the potential of sites.

Policy 7.7 Tall and large buildings should be part of a plan-led approach to changing or developing an area by the identification of appropriate, sensitive and inappropriate locations. Tall and large buildings should not have an unacceptably harmful impact on their surroundings. Applications for tall or large buildings should include an urban design analysis that demonstrates the proposal is part of a strategy that will meet the criteria set out in this policy.

Policy 7.8 Development should identify, value, conserve, restore, re-use and incorporate heritage assets, conserve the significance of heritage assets and their settings and make provision for the protection of archaeological resources, landscapes and significant memorials.

Policy 7.10 Development in World Heritage Sites and their settings, including any buffer zones, should conserve, promote, make sustainable use of and enhance their authenticity, integrity and significance and Outstanding

Universal Value.

Policy 7.11 (London View Management Framework) Manage the impact of development on key panoramas, river prospects and townscape views.

Policy 7.12 New development should not harm and where possible should make a positive contribution to the characteristics and composition of the strategic views and their landmark elements identified in the London View Management Framework. It should also, where possible, preserve viewers' ability to recognise and to appreciate Strategically Important Landmarks in these views and, where appropriate, protect the silhouette of landmark elements of World Heritage Sites as seen from designated Viewing Places.

Policy 7.14 Implement Air Quality and Transport strategies to achieve reductions in pollutant emissions and minimise public exposure to pollution.

Policy 7.15 Minimise existing and potential adverse impacts of noise on, from, within, or in the vicinity of, development proposals and separate new noise sensitive development from major noise sources.

#### 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.

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1. To resist the demolition of listed buildings.

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

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

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.

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

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

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

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

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

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

4. Innovative sustainability solutions will be encouraged to ensure that the City's buildings remain at the forefront of sustainable building design. Details should be included in the Sustainability Statement.
5. Planning conditions will be used to ensure that Local Plan assessment targets are met.

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

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

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

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

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

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

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

1. Developers will be required to consider the impact of their developments on the noise environment and where appropriate provide a noise assessment. The layout, orientation, design and use of buildings should ensure that operational noise does not adversely affect neighbours, particularly noise-sensitive land uses such as housing, hospitals, schools and quiet open spaces.
2. Any potential noise conflict between existing activities and new development should be minimised. Where the avoidance of noise conflicts is impractical, mitigation measures such as noise attenuation and restrictions on operating hours will be implemented through appropriate planning conditions.
3. Noise and vibration from deconstruction and construction activities must be minimised and mitigation measures put in place to limit noise disturbance in the vicinity of the development.
4. Developers will be required to demonstrate that there will be no increase in background noise levels associated with new plant and equipment.

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

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

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

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

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

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

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

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

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

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

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

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



4. The replacement of a route over which pedestrians have rights, with one to which the public have access only with permission will not normally be acceptable.
5. Public access across private land will be encouraged where it enhances the connectivity, legibility and capacity of the City's street network. Spaces should be designed so that signage is not necessary and it is clear to the public that access is allowed.
6. The creation of new pedestrian rights of way will be encouraged where this would improve movement and contribute to the character of an area, taking into consideration pedestrian routes and movement in neighbouring areas and boroughs, where relevant.

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

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

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

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

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

1. Developments in the City should be car-free except for designated Blue Badge spaces. Where other car parking is exceptionally provided it must not exceed London Plan's standards.
2. Designated parking must be provided for Blue Badge holders within developments in conformity with London Plan requirements and must be marked out and reserved at all times for their use. Disabled parking spaces must be at least 2.4m wide and at least 4.8m long and with reserved areas at least 1.2m wide, marked out between the parking spaces and at the rear of the parking spaces.
3. Except for dwelling houses (use class C3), whenever any car parking spaces (other than designated Blue Badge parking) are provided, motor cycle parking must be provided at a ratio of 10 motor

cycle parking spaces per 1 car parking space. At least 50% of motor cycle parking spaces must be at least 2.3m long and at least 0.9m wide and all motor cycle parking spaces must be at least 2.0m long and at least 0.8m wide.

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

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

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

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

### ***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.

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

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

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

1. The design of the surface water drainage system should be integrated into the design of proposed buildings or landscaping, where

feasible and practical, and should follow the SuDS management train (Fig T) and London Plan drainage hierarchy.

2. SuDS designs must take account of the City's archaeological heritage, complex underground utilities, transport infrastructure and other underground structures, incorporating suitable SuDS elements for the City's high density urban situation.
3. SuDS should be designed, where possible, to maximise contributions to water resource efficiency, biodiversity enhancement and the provision of multifunctional open spaces.

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

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

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

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

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

### ***DM20.2 Retail links***

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

### ***DM20.4 Retail unit sizes***

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

## SCHEDULE

APPLICATION: 19/01307/FULEIA

**Site Bounded By Fenchurch Street, Mark Lane, Dunster Court And Mincing Lane. London EC3M 3JY**

**i) Demolition of 41-43 Mincing Lane, 40-54 Fenchurch Street, former church hall and the Clothworkers' Hall and its redevelopment to provide a new building comprising four levels of basement (including a basement mezzanine level), ground, mezzanine, plus part 9, 31 and 35 storeys plus plant containing offices (B1) and flexible shop/financial and professional services/cafe and restaurant uses (A1/A2/A3) at ground floor level; and flexible shop/cafe and restaurant/drinking establishment uses (A1/A3/A4) at levels 10 and 11, including winter garden (Sui Generis); ii) Reprovision of the Clothworkers' accommodation (Sui Generis) within part ground, part first, part second and part third floors and four levels of basement (including a basement mezzanine level); iii) Creation of ground level public access to level 10 roof garden and basement level 1 to Grade II Listed crypt; iv) Dismantling, relocation and reconstruction of the Lambe's Chapel Crypt to basement level 1 and associated exhibition accommodation (Sui Generis) (listed Grade II); v) Alterations to and conservation of the Grade I Listed Tower of All Hallows Staining; vi) Provision of new hard and soft landscaping and other associated works.**

**(The total proposed floor area of the new building is 94,336sq.m GIA, comprising 88,064sq.m of office floorspace, 289sq.m of flexible retail floorspace (A1/A2/A3), 550sq.m of flexible retail floorspace (A1/A3/A4), 789sq.m of livery hall floorspace, 214sq.m of crypt floorspace and 430sq.m of winter garden floorspace. The building would rise to a maximum height of 149.6m when measured from the lowest office ground floor level, 165.1m AOD.)**

**This application is accompanied by an Environmental Statement which is available for inspection with the planning application. Copies of a CD containing the Environmental Statement may be obtained from Gerald Eve LLP, 7 Welbeck Street, London, W1G 0AY.**

## CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
REASON: To ensure compliance with the terms of Section 91 of the Town and Country Planning Act 1990.
- 2 The development shall incorporate such measures as are necessary within the site to resist structural damage arising from an attack with a road vehicle or road vehicle borne explosive device, details of which

must be submitted to and approved in writing by the Local Planning Authority before any construction works hereby permitted are begun.

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

- 3 The development shall provide such measures as are necessary to protect the approved new public realm from an attack with a road vehicle or road vehicle borne explosive device, details of which must be submitted to and approved in writing by the Local Planning Authority before any construction works hereby permitted are begun.

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

- 4 Before any works including demolition are begun a site survey and survey of highway and other land at the perimeter of the site shall be carried out and details must be submitted to and approved in writing by the local planning authority indicating the proposed finished floor levels at basement and ground floor levels in relation to the existing Ordnance Datum levels of the adjoining streets and open spaces. The development shall be carried out in accordance with the approved survey unless otherwise agreed in writing by the local planning authority.

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

- 5 Details of facilities and methods to accommodate and manage all freight vehicle movements to and from the site during the demolition and construction of the building(s) hereby approved shall be submitted to and approved by the Local Planning Authority in writing prior to the commencement of work. The details shall be completed in accordance with the Mayor of London's Construction Logistics Plan Guidance dated July 2017, and shall specifically address the safety of vulnerable road users through compliance with the Construction Logistics and Community Safety (CLOCS) Standard. The Plan must demonstrate how Work Related Road Risk is to be managed. No demolition or construction shall be carried out other than in accordance with the approved details and methods.

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

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

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

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

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

- 8 Prior to the commencement of development the developer/construction contractor shall sign up to the Non-Road Mobile Machinery Register. The development shall be carried out in accordance with the NRMM Regulations and the inventory of all NRMM used on site shall be maintained and provided to the Local Planning Authority upon request to demonstrate compliance with the regulations.  
REASON: To reduce the emissions of construction and demolition in accordance with the Mayor of London Control of Dust and Emissions during Construction and Demolition SPG July 2014. Compliance is required to be prior to commencement due to the potential impact at the beginning of the construction
- 9 Before the development hereby permitted is begun a detailed site investigation shall be carried out to establish if the site is contaminated and to determine the potential for pollution of the water environment. The method and extent of this site investigation shall be agreed in writing with the Local Planning Authority prior to commencement of the work. Details of measures to prevent pollution of ground and surface water, including provisions for monitoring, shall then be submitted to and approved in writing by the Local Planning Authority before the development commences. The development shall proceed in strict accordance with the measures approved.  
REASON: To prevent pollution of the water environment in accordance with the following policy of the Local Plan: DM15.8. These details are required prior to commencement in order that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.
- 10 No development other than demolition shall take place until the detailed design of all wind mitigation measures has been submitted to and approved in writing by the Local Planning Authority. These details shall include the size and appearance of any features, the size and appearance of any planting containers, trees species, planting medium and irrigation systems. No part of the building shall be occupied until the approved wind mitigation measures have been implemented unless the Local Planning Authority agrees otherwise in writing. The said wind mitigation measures shall be retained in place for the life of the building unless otherwise agreed by the Local Planning Authority.  
REASON: In order to ensure that the proposed development does not have a detrimental impact on the amenities of the area in accordance with the following policies of the Local Plan: DM10.1, DM16.1, DM16.2. These details are required prior to construction in order that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.
- 11 Geotechnical Site Investigation and archaeological recording 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.

- 12 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.

- 13 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.

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

- 14 No work except demolition to basement slab level shall take place until an investigation and risk assessment has been undertaken to establish if the site is contaminated and to determine the potential for pollution in accordance with the requirements of DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

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

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

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



condition are incorporated into the development before the design is too advanced to make changes.

- 15 No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure and subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.  
REASON: The proposed works will be in close proximity to underground water utility infrastructure and underground sewerage infrastructure. Piling has the potential to impact on local underground water utility infrastructure and significantly impact / cause failure of local underground sewerage utility infrastructure.
- 16 Before any piling or construction of basements is commenced a scheme for the provision of sewer vents within the building shall be submitted to and approved in writing by the local planning authority. Unless otherwise agreed in writing by the local planning authority the agreed scheme for the provision of sewer vents shall be implemented and brought into operation before the development is occupied and shall be so maintained for the life of the building.  
REASON: To vent sewerage odour from (or substantially from) the development hereby permitted and mitigate any adverse air pollution or environmental conditions in order to protect the amenity of the area in accordance with the following policy of the Local Plan: DM10.1. These details are required prior to piling or construction work commencing in order that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.
- 17 No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works.  
REASON: The proposed works will be in close proximity to underground strategic water main, utility infrastructure. The works has the potential to impact on local underground water utility infrastructure.
- 18 Construction works shall not begin until a Construction Logistics Plan to manage all freight vehicle movements to and from the site during construction of the development has been submitted to and approved in writing by the Local Planning Authority. The Construction Logistics

Plan shall be completed in accordance with the Mayor of London's Construction Logistics Plan Guidance dated July 2017, and shall specifically address the safety of vulnerable road users through compliance with the Construction Logistics and Community Safety (CLOCS) Standard. The Plan must demonstrate how Work Related Road Risk is to be managed. The development shall not be carried out otherwise than in accordance with the approved Construction Logistics Plan or any approved amendments thereto as may be agreed in writing by the Local Planning Authority.

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

- 19 Before any construction works hereby permitted are begun a detailed assessment of further on-site measures to reduce carbon dioxide emissions by 35% shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

REASON: To minimise carbon emissions and provide a sustainable development in accordance with the following policy of the Local Plan: DM15.1, DM15.3. These details are required prior to construction work commencing in order that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.

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

(a) Fully detailed design and layout drawings for the proposed SuDS components including but not limited to: attenuation systems, rainwater pipework, flow control devices, design for system exceedance, design for ongoing maintenance; surface water flow rates shall be restricted to no greater than 4.3 l/s when combined from no more than two distinct outfalls, provision should be made for an attenuation volume capacity capable of achieving this, the use of pumping to discharge surface water to the sewer shall be minimised;

(b) Full details of measures to be taken to prevent flooding (of the site or caused by the site) during the course of the construction works.

(c) Evidence that Thames Water have been consulted and consider the proposed discharge rate to be satisfactory.

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

- 21 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) details of a typical bay of the development;
  - (d) details of ground floor elevations;
  - (f) details of the ground floor office entrance(s);
  - (g) details of the flank wall(s) of the proposed new building;
  - (h) details of windows and external joinery;
  - (i) details of soffits, hand rails and balustrades;
  - (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.
- 22 Details of the construction, planting irrigation and maintenance regime for the proposed green wall(s)/roof(s) shall be submitted to and approved in writing by the local planning authority before any works thereby affected are begun. The development shall be carried out in accordance with those approved details and maintained as approved for the life of the development unless otherwise approved by the local planning authority.
- REASON: To assist the environmental sustainability of the development and provide a habitat that will encourage biodiversity in accordance with the following policies of the Local Plan: DM18.2, DM19.2.
- 23 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 works pursuant to this consent shall be carried out in accordance with the approved details:
- (a) recording of the positions of all grave ledger stones and markers, their dismantling, secure storage and reinstatement in their original locations,
  - (b) the recording and re-siting of grave ledger stones and markers recovered within the site of All Hallows Staining Church and Churchyard
- REASON: In the interests of amenity and to maintain the historic and cultural history of the site in accordance with the following policies of the Local Plan: CS12, DM12.4

- 24 Before any works thereby affected are begun, the decorative gates, gate piers and overthrow to the west end of Dunster Court, the decorative feature from the previous Livery Company Hall at first floor, south elevation shall be carefully removed prior to demolition commencing, stored for the duration of building works, reinstated and retained for the life of the building on the new development in accordance with detailed specifications and method statements including locations and fixing details which shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the works affected thereby.  
REASON: In the interest of visual amenity and to maintain the historic and cultural interest of the site in accordance with the following policy of the Local Plan: DM12.1.
- 25 Before any works thereby affected are begun, details of the marking out in the paving of the alignment and route of Star Alley, between Fenchurch Street and Mark Lane, including materials, finishes and inscription recording the route and its history shall be submitted to and approved in writing by the Local Planning Authority.  
REASON: In the interest of visual amenity and to maintain the historic and cultural interest of the site in accordance with the following policy of the Local Plan: DM12.1.
- 26 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 works pursuant to this consent shall be carried out in accordance with the approved details:
- a) recording of the standing structures of the Tower and remains of All Hallows Staining Church;
  - b) details of a condition and structural survey of the Tower and remains of All Hallows Staining Church and any proposals arising from the surveys including details of cleaning, conservation, repair or consolidation work identified;
  - c) details of monitoring equipment, a monitoring regime and programme, including review of results and potential actions identified during monitoring, to be placed on the Tower and remains of All Hallows Staining Church, during the pre-demolition, demolition, temporary and permanent foundation works, construction and post-construction phases of development;
  - (d) details of temporary and permanent structural support, (including scaffolding) of the Tower and remains of All Hallows Staining Church including a programme of work, a method statement and drawings to a scale of not less than 1:20
  - e) details of a method statement for the demolition of modern structures and safeguarding of archaeological remains adjacent to the Tower and remains of All Hallows Staining Church;
  - f) details of protection measures to the Tower and remains of All Hallows Staining Church, including any protective measures to the East and South arches for the duration of the implementation of the scheme;

g) details of protection measures to the Tower and remains of All Hallows Staining Church including any protective measures to the East and South Tower arches following completion of the development;  
(h) details of the marking out of the footprint of the Church and Churchyard of All Hallows Staining in the open space adjacent to Mark Lane and Dunster Court;  
(i) details of interpretation and display of the results of a programme of archaeological work to explain the archaeology, history and context of the site, including the Clothworkers Company, the Church, churchyard, parish and burials of All Hallows Staining, Lambe's Chapel Crypt;

(j) details of directional signs, information panels and interpretation of the Church and Churchyard of All Hallows Staining, its history and the history of the site.

REASON: To ensure the protection of the significance and setting of the listed building and that the Local Planning Authority may be satisfied with the detail of the proposed works and to ensure a satisfactory external appearance in accordance with the following policies of the Local Plan: CS12, DM12.4.

27 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 works pursuant to this consent shall be carried out in accordance with the approved details:

- (a) recording of all areas of the standing structure of Lambe's Chapel Crypt;
- (b) details of a condition survey of Lambe's Chapel Crypt and any proposals arising from the surveys including details of cleaning, conservation and consolidation work identified;
- (c) details of a method statement for demolition of modern structures and safeguarding of archaeological remains adjacent to Lambe's Chapel Crypt;
- (d) details of a method statement for dismantling Lambe's Chapel Crypt, to include recording of dismantling, protection and labelling of individual elements, secure storage and details of materials not to be reused in the reconstruction;
- (e) details of a method statement for the reconstruction of Lambe's Chapel Crypt to include details of materials to be reused, details of materials not to be reused, particulars and samples of any new materials, mortar samples and details of materials of all upper and external surfaces of the reconstruction;
- (f) details of basement level, materials and finishes, interpretation, all floor and wall surfaces in the new exhibition space
- (g) details of the marking out of the footprint and 'lost bays' of Lambe's Chapel Crypt in the new exhibition space of office Basement Level 1

(h) details of exhibition and display cases to a scale of not less than 1:5, including location, materials and interpretation material, to include the history of Lambe's Chapel Crypt, its relocation from Monkwell Street, its associations with the Clothworker's Company, conservation

and interpretation relating to its dismantling and relocation from the site of the Tower and remains of All Hallows Staining Church to the new exhibition space;

(i) details of interpretation and display, to explain the archaeology, history and context of the site, including Lambe's Chapel Crypt, the Clothworkers Company, the Church, churchyard, parish and burials of All Hallows Staining, to include artefacts, and the results of a programme of archaeological work;

(j) details of directional signs and information from the highway and public realm to the Lambe's Chapel Crypt and Exhibition space.

REASON: To ensure the protection of the significance and setting of the listed building and that the Local Planning Authority may be satisfied with the

detail of the proposed works and to ensure a satisfactory external appearance in accordance with the following policies of the Local Plan: CS12, DM12.4.

- 28 Before any works thereby affected are begun, details of the materials, design, fixing and positioning of the railings to the north of the Tower of All Hallows Staining shall be submitted to and approved in writing by the Local Planning Authority.

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

- 29 Unless otherwise approved in writing by the Local Planning Authority, before any works thereby affected are begun, details of the provision to be made in the building's design to enable the discreet installation of street lighting on the development, including details of the location of light fittings, cable runs and other necessary apparatus, shall be submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.

REASON: To ensure provision for street lighting is discreetly integrated into the design of the building in accordance with the following policy of the City of London Local Plan: DM10.1.

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

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

- 31 Prior to any plant being commissioned and installed in or on the building an Air Quality Report shall be submitted to and approved in writing by the Local Planning Authority. The report shall detail how the finished development will minimise emissions and exposure to air pollution during its operational phase and will comply with the City of London Air Quality Supplementary Planning Document and any

submitted and approved Air Quality Assessment. The measures detailed in the report shall thereafter be maintained in accordance with the approved report(s) for the life of the installation on the building.  
REASONS: In order to ensure the proposed development does not have a detrimental impact on air quality, reduces exposure to poor air quality and in accordance with the following policies: Local Plan policy DM15.6 and London Plan policy 7.14B.

- 32 (a) The level of noise emitted from any new plant shall be lower than the existing background level by at least 10 dBA. Noise levels shall be determined at one metre from the window of the nearest noise sensitive premises. The background noise level shall be expressed as the lowest LA90 (10 minutes) during which plant is or may be in operation.  
(b) Following installation but before the new plant comes into operation measurements of noise from the new plant must be taken and a report demonstrating that the plant as installed meets the design requirements shall be submitted to and approved in writing by the Local Planning Authority.  
(c) All constituent parts of the new plant shall be maintained and replaced in whole or in part as often is required to ensure compliance with the noise levels approved by the Local Planning Authority.  
REASON: To protect the amenities of neighbouring residential/commercial occupiers in accordance with the following policies of the Local Plan: DM15.7, DM21.3.
- 33 The proposed office development sharing a party element with non-office premises shall be designed and constructed to provide resistance to the transmission of sound. The sound insulation shall be sufficient to ensure that NR40 is not exceeded in the proposed office premises due to noise from the neighbouring non-office premises and shall be permanently maintained thereafter.  
A test shall be carried out after completion but prior to occupation to show the criterion above have been met and the results shall be submitted to and approved in writing by the Local Planning Authority.  
REASON: To protect the amenities of occupiers of the building in accordance with the following policy of the Local Plan: DM15.7.
- 34 Prior to first occupation confirmation shall be provided that either:- all water network upgrades required to accommodate the additional flows to serve the development have been completed; or a housing and infrastructure phasing plan has been agreed with Thames Water to allow occupation. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.  
REASON: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development

- 35 Before any retail units are occupied 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) A signage strategy for the retail units within the development shall be submitted.
  - (b) The signage relating to the public viewing terrace and any retail units accessed from this level shall also be included within the overall strategy.
- REASON: To ensure that the Local Planning Authority may be satisfied with the detail of the proposed development and to ensure a satisfactory external appearance in accordance with the following policies of the Local Plan: DM10.1, DM10.5, DM10.8, DM12.1, DM12.2, DM15.7.
- 36 Within five working days of any site contamination being found when carrying out the development hereby approved the contamination must be reported in writing to the Local Planning Authority and an investigation and risk assessment must be undertaken in accordance with the requirements of DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'. Where remediation is necessary a detailed remediation scheme to bring the site to a condition suitable for the intended use must be submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority the remediation scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing of the Local Planning Authority.
- REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the Local Plan DM15.8. These details are required prior to commencement in order that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.
- 37 Before any works thereby affected are begun, a scheme shall be submitted to and approved in writing by the Local Planning Authority which specifies the fume extract arrangements, materials and construction methods to be used to avoid noise and/or odour penetration to the upper floors from the Class A use. Flues must terminate at roof level or an agreed high level location which will not give rise to nuisance to other occupiers of the building or adjacent buildings. The details approved must be implemented before the Class A use takes place.



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

- 38 All unbuilt surfaces shall be treated in accordance with a landscaping scheme to be submitted to and approved in writing by the Local Planning Authority before any landscaping works are commenced. All hard and soft landscaping works shall be carried out in accordance with the approved details not later than the end of the first planting season following completion of the development. Trees and shrubs which die or are removed, uprooted or destroyed or become in the opinion of the Local Planning Authority seriously damaged or defective within 5 years of completion of the development shall be replaced with trees and shrubs of similar size and species to those originally approved, or such alternatives as may be agreed in writing by the Local Planning Authority.

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

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

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

- A full description of how the system would work, its aims and objectives and the flow control arrangements;
- A Maintenance Inspection Checklist/Log;
- A Maintenance Schedule of Work itemising the tasks to be undertaken, such as the frequency required and the costs incurred to maintain the system.

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

- 40 Prior to the occupation of any part of the building, the land between the existing building lines and the face of the proposed new building shall be brought up to street level, paved and drained in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall not be fenced or otherwise enclosed or obstructed.

REASON: To ensure compliance with building lines and to ensure a satisfactory treatment at ground level in accordance with the following policies of the Local Plan: DM10.1, DM10.8, DM16.2.

- 41 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: CS15, DM15.1, DM15.2.

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

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

- 43 The threshold of all vehicular access points shall be at the same level as the rear of the adjoining footway.

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

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

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

- 45 The pass door shown adjacent to or near to the main entrance on the drawings hereby approved shall remain unlocked and available for use at all times when the adjacent revolving doors are unlocked.

REASON: In order to ensure that people with mobility disabilities are not discriminated against and to comply with the following policy of the Local Plan: DM10.8.

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

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

- 47 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.

- 48 A clear unobstructed headroom of 5m must be maintained for the life of the buildings in the refuse skip collection area and a clear unobstructed headroom of 4.5m must be provided and maintained in all other areas (including access ways) to be used for loading and unloading.  
REASON: To ensure satisfactory servicing facilities in accordance with the following policy of the Local Plan: DM16.5.
- 49 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.
- 50 Except as may be approved in writing by the Local Planning Authority the loading and unloading areas must remain ancillary to the use of the building and shall be available at all times for that purpose for the occupiers thereof and visitors thereto.  
REASON: To ensure that satisfactory servicing is maintained in accordance with the following policy of the Local Plan: DM16.5.
- 51 Goods, including fuel, delivered or collected by vehicles arriving at or departing from the building shall not be accepted or dispatched unless the vehicles are unloaded or loaded within the curtilage of the building.  
  
REASON: To avoid obstruction of the surrounding streets and to safeguard the amenity of the occupiers of adjacent premises, in accordance with the following policies of the Local Plan: DM16.1, DM16.5, DM21.3.
- 52 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 1248 pedal cycles. The cycle parking provided on the site must remain ancillary to the use of the building and must be available at all times throughout the life of the building for the sole use of the occupiers thereof and their visitors without charge to the individual end users of the parking.  
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.
- 53 Unless otherwise agreed in writing by the Local Planning Authority a minimum of 125 showers and 1248 lockers 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.

- 54 The loading bay doors shall be kept shut when not in use.  
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 policy of the Local Plan: DM10.1.
- 55 The internal floorspace at level 10 shall be retained as retail (Class A1/A3/A4) for the life of the development.  
REASON: To ensure that there is no further loss of retail in accordance with the following policies of the Local Plan: CS20 and DM20.2.
- 56 The development shall provide:
- 88,064 sq.m of office floorspace (Class B1);
  - 289 sq.m of retail floorspace (Class A1/A2/A3 at ground floor);
  - 550 sq.m of retail floorspace (Class A1/A3/A4 at level 10);
  - 4,789 sq.m of floorspace associated with the Clothworkers' Hall (sui generis);
  - 1,283 sq.m of publicly accessible roof garden (sui generis);
  - 430 sq.m of publicly accessible winter garden (sui generis); and
  - 214 sq.m of floorspace associated with the Lambe's Chapel Crypt (sui generis).
- REASON: To ensure the development is carried out in accordance with the approved plans.
- 57 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: dwg nos. EPA-HIS-05-1-047 Rev P00, EPA-HIS-05-1-048 Rev P00, EPA-HIS-05-1-049 Rev P00, EPA-HIS-05-1-070 Rev P00, EPA-HIS-05-2-050 Rev P00, EPA-HIS-05-2-051 Rev P00, EPA-HIS-05-2-052 Rev P00, EPA-HIS-05-2-053 Rev P00, EPA-HIS-05-2-070 Rev P00, EPA-HIS-05-3-070 Rev P00, EPA-HIS-05-3-071 Rev P00, EPA-HIS-05-1-348 Rev P00, EPA-HIS-05-1-349 Rev P00, EPA-HIS-05-1-370 Rev P00, EPA-HIS-05-1-351 Rev P00, EPA-HIS-05-3-370 Rev P01, EPA-HIS-05-3-371 Rev P01, EPA-HIS-05-1-448 Rev P00, EPA-HIS-05-1-449 Rev P00, EPA-HIS-05-1-470 Rev P00, EPA-HIS-05-2-451 Rev P00, EPA-HIS-05-2-453 Rev P00, EPA-HIS-05-2-070 Rev P00, EPA-HIS-05-3-470 Rev P01, EPA-HIS-05-3-471 Rev P01, EPA-HIS-05-1-001 Rev P00, EPA-HIS-05-1-095 Rev P01, EPA-HIS-05-1-096 Rev P00, EPA-HIS-05-1-097 Rev P00, EPA-HIS-05-1-098 Rev P01, EPA-HIS-05-1-099 Rev P01, EPA-HIS-05-1-100 Rev P01, EPA-HIS-05-1-101 Rev P01, EPA-HIS-05-1-102 Rev P01, EPA-HIS-05-1-103 Rev P01, EPA-HIS-05-1-109 Rev P00, EPA-HIS-05-1-110 Rev P02, EPA-HIS-05-1-111 Rev P01, EPA-HIS-05-1-112 Rev P00, EPA-HIS-05-1-114 Rev P00, EPA-HIS-05-1-121 Rev P00, EPA-HIS-05-1-122 Rev P00, EPA-HIS-05-1-123 Rev P00, EPA-HIS-05-1-125 Rev P00, EPA-HIS-05-1-130 Rev P00, EPA-HIS-05-1-131 Rev P00, EPA-HIS-05-1-132 Rev P00, EPA-HIS-05-1-133 Rev P00, EPA-HIS-05-1-134 Rev P00, EPA-HIS-05-1-135 Rev P00, EPA-HIS-05-1-136 Rev P00, EPA-HIS-05-1-137 Rev P00,

EPA-HIS-05-1-200 Rev P00, EPA-HIS-05-2-100 Rev P01, EPA-HIS-05-2-101 Rev P01, EPA-HIS-05-2-102 Rev P00, EPA-HIS-05-2-103 Rev P01, EPA-HIS-05-2-110 Rev P01, EPA-HIS-05-2-113 Rev P00, EPA-HIS-05-2-120 Rev P01, EPA-HIS-05-2-121 Rev P01, EPA-HIS-05-2-122 Rev P00, EPA-HIS-05-2-123 Rev P00, EPA-HIS-05-2-200 Rev P00, EPA-HIS-05-3-100 Rev P00, EPA-HIS-05-3-101 Rev P01, EPA-HIS-05-3-110 Rev P00, EPA-HIS-05-3-111 Rev P00, EPA-HIS-05-5-110 Rev P00, EPA-HIS-05-5-113 Rev P00, EPA-HIS-05-5-130 Rev P00, EPA-HIS-05-5-131 Rev P00, EPA-HIS-05-5-132 Rev P00, EPA-HIS-05-5-140 Rev P00, EPA-HIS-05-5-141 Rev P00, EPA-HIS-05-5-142 Rev P00, EPA-HIS-05-5-011 Rev P00, EPA-HIS-05-1-301 Rev P00, EPA-HIS-05-1-298 Rev P00, EPA-HIS-05-1-200 Rev P01, EPA-HIS-05-1-311 Rev P00, EPA-HIS-05-1-401 Rev P00, EPA-HIS-05-1-399 Rev P01, EPA-HIS-05-1-437 Rev P00, EPA-HIS-05-2-200 Rev P00, EPA-HIS-05-3-410 Rev P00, and EPA-HIS-05-3-411 Rev P00.

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

## INFORMATIVES

- 1 In dealing with this application the City has implemented the requirements of the National Planning Policy Framework to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in dealing with planning applications in the following ways:
  - detailed advice in the form of statutory policies in the Local Plan, Supplementary Planning documents, and other written guidance has been made available;
  - a full pre application advice service has been offered;
  - where appropriate the City has been available to provide guidance on how outstanding planning concerns may be addressed.
- 2 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.
- 3 The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-yourdevelopment/Working-near-or-diverting-our-pipes>.

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

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

Office £185 sq.m  
Retail £165 sq.m  
Hotel £140 sq.m  
All other uses £80 per sq.m

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

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

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

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

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

- 5 Ventilation for any kitchens will need to be provided to roof level. Planning permission will be required for any ducts, vents or plant that would materially affect the external appearance of the building. It cannot be assumed that ductwork will be permitted on the exterior of the building.
- 6 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.

7 No doors, gates or windows at ground floor level shall open over the public highway.

REASON: In the interests of public safety

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

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

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

(c) The need for a projection licence for works involving the construction of any retaining wall, foundation, footing, balcony, cornice, canopy, string course, plinth, window sill, rainwater pipe, oil fuel inlet pipe or box, carriageway entrance, or any other projection beneath, over or into any public way (including any cleaning equipment overhanging any public footway or carriageway). You are advised that highway projection licences do not authorise the licensee to trespass on someone else's land. In the case of projections extending above, into or below land not owned by the developer permission will also be required from the land owner. The City Surveyor must be consulted if the City of London Corporation is the land owner. Please contact the Corporate Property Officer, City Surveyor's Department.

(d) Bridges over highways

(e) Permanent Highway Stopping-Up Orders and dedication of land for highway purposes.

(f) Declaration, alteration and discontinuance of City and Riverside Walkways.

(g) The provision of City Walkway drainage facilities and maintenance arrangements thereof.

(h) Connections to the local sewerage and surface water system.

(i) Carriageway crossovers.

(j) Servicing arrangements, which must be in accordance with the City of London Corporation's guide specifying "Standard Highway and Servicing Requirements for Development in the City of London".