

6-8 Bishopsgate/150 Leadenhall Street

in the City of London

planning application no.15/00443/FULMAJ

Strategic planning application stage 1 referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

The proposal

The demolition of existing buildings and redevelopment of the site to provide a new building comprising lower ground and basement levels (including part basement mezzanine), ground and mezzanine levels plus part 8, part 20 and part 40 storeys (plus plant) to a height of 185.1 metres AOD

The development will provide office (Class B1) use (70,053 sq.m. GEA), flexible shop/cafe and restaurant (Class A1/ A3) uses (418 sq.m. GEA) at part ground floor and mezzanine levels and flexible shop/cafe/restaurant/office (A1/ A3/B1) uses (235 sq.m. GEA) at part of the ground floor and mezzanine levels; and a publicly accessible roof top pavilion at level 40 (sui generis) (795 sq.m. GEA) at level 40; and the provision of hard and soft landscaping (totalling 71,501 sq.m. GEA).

The applicant

The applicant is **MEC London Property (General Partner)/MEC London Property/ MEC London Property 2**, and the agent is **Gerald Eve** and the Architect is **Wilkinson Eyre**.

Strategic issues

The application raises issues in relation to **off-site affordable housing, design, London View Management Framework/ World Heritage Sites, access, energy and transport**.

Recommendation

That the City Corporation be advised that while the application is generally acceptable in strategic planning terms the application does not comply with the London Plan, for the reasons set out in paragraph 83 of this report; but the possible remedies set out in that paragraph could address these deficiencies.

Context

1 On 15 May 2015 the Mayor of London received documents from the City Corporation notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor has until 25 June 2015 to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.

2 The application is referable under Category 1c of the Schedule to the Order 2008:

"Development which comprises or includes the erection of a building of one or more of the following descriptions: (b) the building is more than 150 metres high and is in the City of London."

3 Once the City Corporation has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.

4 The environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 has been taken into account in the consideration of this case.

5 The Mayor of London's statement on this case will be made available on the GLA website www.london.gov.uk.

Site description

6 The development site is currently occupied by two office buildings and occupies an area of approximately 0.466 hectares on the corner of Bishopsgate and Leadenhall Street. The first building is 150 Leadenhall Street was completed in the 1970s is 8 storeys with 5,296 sq.m of office floorspace with a frontage to Leadenhall Street and Bishopsgate. The second building is 6-8 Bishopsgate completed in 1980 and is 20 storeys with a frontage to Bishopsgate and entirely let to Deutsche Bank to June/December 2015.

7 The site is bounded to the south by Leadenhall Street, to the west by Bishopsgate, to the north by the 38 (now 22) Bishopsgate site ('The Pinnacle') and to the east by existing commercial uses and the 122 Leadenhall Street development site ('The Cheesegrater'). The Cheesegrater has been completed, whilst development of the Pinnacle site has started but been postponed indefinitely, with a revised planning application anticipated in Summer 2015.

8 Bishopsgate forms part of the A10 and is part of the Transport for London Road Network (TLRN), for which TfL is the highway authority. The site is highly accessible by public transport, with underground services on the Central, District, Circle, Metropolitan and Hammersmith & City lines available at Bank, Monument and Liverpool Street stations, all within a five minute walk from the site. National rail services are also available at Liverpool Street as well as Moorgate, Fenchurch Street and Cannon Street stations within a 12 minute walk from the site. Within 640 metres of the site (an eight minute walk), 28 bus services are also 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 300 metres away to the north, east and west, and all are oversubscribed at peak times.

Details of the proposal

9 The proposal involves the demolition of existing buildings at 150 Leadenhall Street and 6-8 Bishopsgate and redevelopment to provide a new building comprising lower ground and basement levels (including part basement mezzanine), ground and mezzanine levels plus part 8, part 20 and part 40 storeys plus plant to a height of 185.1 metres AOD. In comparison the heights of the completed buildings in the eastern tall buildings cluster are Cheesegrater (239.4 metres), Gherkin (195 metres), Walkie Talkie (177 metres) with the Pinnacle site (proposed 304 metres), Heron Tower (217 metres), Heron Tower (217 metres) and Tower 42 (199 metres).

10 The development will provide office (Class B1) use (70,053 sq.m. GEA), flexible shop/cafe and restaurant (Class A1/ A3) uses (418 sq.m. GEA) at part ground floor and mezzanine levels and flexible shop/cafe/restaurant/office (A1/ A3/B1) uses (235 sq.m. GEA) at part ground floor and mezzanine levels; and a publicly accessible roof top pavilion at level 40 (sui generis) (795 sq.m. GEA) at level 40; and the provision of hard and soft landscaping (totalling 71,501 sq.m. GEA). Key features of the development design are as follows:

- A floorplan that fits the full extent of the site with tallest portion of the building located on the northern boundary and it steps down to the southern edge;
- Four overlapping volumes of different character;
- A building that reinforces the overall composition of the Eastern tall building cluster where the rectilinear appearance balances with buildings of similar height and form either side of the Leadenhall building and planned Pinnacle;
- Cantilevering blocks on the west elevation with the facades of each volume are orientated so as not to be parallel or align with those to the blocks either directly above or directly below;
- A pavilion located above the upper level block set back on the southern side;
- A lower corner on the southern block that in height, scale and appearance aims to fit with the context of existing surrounding buildings; and
- A stepping form that incorporates roof terraces at levels 9 and 21.

Case history

11 The application proposals were subject to the GLA pre-application meeting and a report (D&P/3469/JA pre-app) was issued on 7 October 2014.

Strategic planning issues and relevant policies and guidance

12 The relevant issues and corresponding policies are as follows:

- | | |
|------------------------|---|
| • Mix of uses | <i>London Plan</i> |
| • Employment | <i>London Plan; Land for Industry and Transport SPG</i> |
| • Economic development | <i>London Plan; the Mayor's Economic Development Strategy; Employment Action Plan</i> |
| • World city role | <i>London Plan; London Planning Statement</i> |
| • Urban design | <i>London Plan;</i> |
| • Tall buildings/views | <i>London Plan, London View Management Framework SPG</i> |
| • Historic Environment | <i>London Plan; World Heritage Sites SPG;</i> |

- Access *London Plan; Accessible London: achieving an inclusive environment SPG;*
- Regeneration *London Plan; the Mayor's Economic Development Strategy*
- Transport *London Plan; the Mayor's Transport Strategy*
- Crossrail *London Plan; Mayoral Community Infrastructure Levy; Crossrail SPG*
- Parking *London Plan; the Mayor's Transport Strategy*
- Sustainable development *London Plan; Sustainable Design and Construction SPG; Mayor's Climate Change Adaptation Strategy; Mayor's Climate Change Mitigation and Energy Strategy; Mayor's Water Strategy*

13 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is The City of London Local Plan (January 2015) and The London Plan Consolidated with Alterations Since 2011 (March 2015).

14 The following are also relevant material considerations:

- The National Planning Policy Framework and Technical Guide to the National Planning Policy Framework
- Draft Minor Alterations to the London Plan (2015)

Principle of development

15 The development site is currently occupied by two office buildings 150 Leadenhall Street (5,296 sq.m) and 6 -8 Bishopsgate (13,645 sq.m.) which have a total of 18,941 sq.m. of office and ancillary floorspace. The proposed scheme intends to substantially increase the office floorspace by c51,000 sq.m to 70,053 sq.m. (GEA) with additional ancillary ground floor retail floorspace and a top floor viewing deck.

Table 1: Floorspace use mix

	Existing GIA (sq.m.)	GIA (sq.m.) lost	Total GIA proposed	Net additional GIA
Office (B1a)	31,809	31,809	67,080	35,271
Class A1/A3	0	0	399	399
Class A1/A3/B1	0	0	227	227
Sui Generis	0	0	746	746
	31,809	31,809	68,452	36,643

16 London Plan policies 4.2 and 2.11 support office rejuvenation within the Central Activities Zone to improve the quality and flexibility of office stock so that it may meet the distinct needs of the central London office market, and to promote the Capital's role as a "World City ". Whilst, London Plan Policy 2.10 seeks to support and improve the retail offer of the Central Activities Zone.

17 City Corporation Core Strategy policy CS1 offices seeks to strengthen the City of London through additional office development of the highest quality to meet demand from long term employment growth and strengthen the beneficial cluster found in and near the City that contribute to London's role as the world's leading international and business centre. The plan seeks to increase office floorspace by 1,150,000 sq.m. gross during the period 2011-2026. A

pipeline of at least 750,000 sq.m. gross floorspace with planning permission but not yet commenced will be maintained to provide office occupier choice.

18 The site location falls under Local Plan policy CS7 Eastern Cluster (which is identified as one of five key City places) which states *‘the Eastern Cluster can accommodate a significant growth in office floorspace and employment, while balancing the accommodation of tall buildings, transport, public realm and security and spread the benefits to surrounding area of the City.’* The policy has seven aims which include

“Increasing the provision of sustainable, energy-efficient, attractive, high quality office floorspace in a range of accommodation types, that meet the varied needs of office occupiers and achieve modernisation of office stock.”

19 It also aims to promote the Eastern Cluster for inward investment; deliver tall buildings on appropriate sites that enhance the appearance of the cluster on the skyline; and enhance streets spaces and the public realm for pedestrians.

20 The principle of an office floorspace led development with ancillary retail use is strongly supported as the proposals not only substantially increase the existing site office floorspace provision and number of office jobs on site from c2,650 to c5,590 gross (GLA estimation), but also deliver a high quality building that intelligently responds to the location whilst enhancing ground floor activation and surrounding public realm.

Mixed use/ affordable housing

21 London Plan Policy 4.3 promotes mixed use development, including housing, to support increases in office floorspace and states that where an increase in office floorspace is proposed and where this increase is above a justified local threshold, which is 500 sq.m. (GIA) in the City of London, as a general principal, applicants should be required to provide housing and other uses on-site or nearby to create mixed use neighbourhoods.

22 Within the CAZ and the City of London, the London Plan approach allows for a degree of flexibility with respect to the provision of mixed uses and provision of housing and exempts the City from providing mixed uses on-site, if it compromises broader objectives such as sustaining important clusters of business activity. Under such circumstances, contributions to off-site housing provision are sought as a planning obligation.

23 In this instance a commuted sum of £732, 860 (applicant’s draft s106 obligations Heads of Terms) is being proposed by the applicant in relation to housing provision through a financial contribution towards affordable housing (equivalent of 60% on site) in accordance with the City Planning obligations SPD 2014. It is accepted in this instance given the proposed development design quality and location within the core Eastern City tall buildings cluster that this approach is acceptable. But before stage 2 referral further details should be provided on the finalised commuted sum towards affordable housing and this financial commitment should be secured in the Corporation’s s106 Heads of Terms.

Urban design

24 The proposed scheme is of the highest design quality and has been carefully considered in context of its site location.

Site Layout

25 The ground floor provides active frontage to both Bishopsgate and Leadenhall Street by locating the generous foyer and retail unit facing the public realm. The retail unit is particularly welcomed as it will provide a more varied and active streetscape than only having one large foyer. The architects are encouraged to ensure this unit is accessed directly from the street so it can function independently to the rest of the buildings occupiers. The provision of a separate public lift core to the viewing platform is also strongly supported as this will add a third use to the ground floor of the building further adding to the variety of uses on the public realm.

26 Since the pre-application stage the applicant has worked on the north-western corner of the building and, where this will adjoin the proposed neighbouring Pinnacle site to the north. The previous blind corner to the north is now the location of the public access foyer to the 40th floor roof top viewing platform with a display area.

27 The arrangement of service access to the rear of the building is welcomed, preventing this from undermining the quality of the public realm. At the pre-application stage there was concern that locating the entrance to the bicycle parking to the rear under-croft of the building undermined its legibility and the safety of cyclists. The entrance layout has since refined to provide a purpose built entrance from Leadenhall Street for cyclists (with lift) adjacent to the pedestrian entrance and this is welcome.

Height and massing

28 The height and massing of the building is appropriate for its context and therefore presents no strategic concern and is strongly supported. The buildings envelope has been carefully crafted through the stepping back of offset volumes in consideration of surrounding tall buildings. The set back and overhanging of the buildings separate volumes provide a strong character defining element of the building massing and provides a high quality contrasting with curved and triangulated forms of 122 Leadenhall Street (The Cheesegrater), 30 St Mary Axe (The Gherkin) and 20 Fenchurch Street (Walkie-Talkie), whilst contributing the quality of the Tall Building cluster. Whilst the stalled 'Pinnacle' site to the north has consent and will continue to be the tallest tower in the cluster, emerging replacement designs appear to align comfortably with this scheme and vice versa.

Appearance & articulation

29 The building facade and articulation place a strong emphasis on defining the different volumes of the building, these are:

- Stone building facade: Located on the ground to level 6 of the corner building is stone facade with hand set appearance, deep reveals to express depth of material with bronze cladding to 2-sides and double solar coated windows.
- Braced box facade: located in the central box on levels 5- 20 of the main tower and comprises a double skin facade with ventilated double skin, framed external panels with solar coating, double glazed internal panel and projecting fins of natural anodised colour.
- Glass box facade: located on levels 21 – 39 on the main tower and is used on levels 7-8 on corner building, it comprises ventilated double skin facade, high frameless external panels with solar reflective coating, double glazed internal panel (3 metre venetian blind in cavity).

- Pavilion facade: located on levels on top of the main tower element consisting of: external ventilated double skin façade and external panels with solar reflective coating with 2 metre venetian blind in the cavity.

30 The appearance of the building is supported as the design effectively articulates the difference between each of the stacked offset elements so that it becomes the defining characteristic of the building and can be easily perceived as such.

Viewing deck

31 The proposals include a public accessible rooftop-viewing pavilion on Level 40. This will consist of ground floor entrance lobby accessed from Bishopsgate, two dedicated lifts to the pavilion and the pavilion/viewing Gallery itself which, includes back of house facilities, toilet, restroom and three bookable meeting rooms for the building tenants.

32 The applicant has agreed to set out a viewing gallery management plan with the agreement of the City Corporation, that will set out hours during which public access will be free of charge and a retail kiosk maybe provided. Outside the hours when the gallery is open to the public, it will be available for private hire.

33 GLA offices welcome the progress made on the provision of the Viewing Gallery since the pre-application stage, which is considered an important 'public benefit' for taller buildings in the City. The final agreed management plan should be secured in the s106 agreement.

Retention of architect

34 Given the high profile and prominent location the architect should be retained or consulted with through building delivery to ensure quality of the building is compliant with the supported design – this is especially important in the case of this building where it is highly reliant on the appearance of the outer skin. Reflective quality is all important and a fundamental feature in the quality of design. The retention of the architect should be through s106 agreement or condition, the request for this clause has been used most recently for the One Blackfriars application and for The Shard consents in Southwark.

Tall buildings / views/ heritage assets

LVMF

35 London Plan (2011) policy 7.7, which relates to the specific design issues associated with tall and large-scale buildings, are of particular relevance to the proposed scheme. This policy sets out specific additional design requirements for tall and large-scale buildings, which are defined as buildings that are significantly taller than their surroundings and/or have a significant impact on the skyline and are larger than the threshold sizes set for the referral of planning applications to the Mayor. Policies 7.10 and 7.11, which set out the Mayor's approach to protecting the character of strategic landmarks as well as London's wider character, are also important considerations.

36 The site is considered appropriate for a tall building and the high quality design has responded to specific strategic and local historic views constraints, however the development has the potential to impact on the following strategic panoramic views:

- London Panorama from Assessment Point 1A.1 – Alexander Palace: viewing terrace
- London Panorama from Assessment Point 2A.1 – Parliament Hill

- London Panorama from Assessment Point 3A.1 – Kenwood: the viewing gazebo
- London Panorama from Assessment Point 4A.1 – Primrose Hill

37 The TVIA provided by that applicant includes Accurate Visual Representations (AVRs) of the proposals as seen from each of these views. The AVRs demonstrate that, in each instance the building is assimilated into the skyline of the existing cluster (and future emerging cluster) of tall buildings in the City of London. The impact of the proposals on riverside and Royal Parks viewpoints have also been assessed:

- LVMF Point 26A.1 – St James Park Footbridge: No change to the viewpoint because the building is not visible.
- LVMF Point 15B.1 – Waterloo Bridge: downstream (close to the northern end) and LVMF Point 15B.2 – Waterloo Bridge: downstream (at the centre of the bridge): The building is discernible as it overlaps/obscures the 30 St Mary Axe (The Gherkin) with a minor impact.
- LVMF Point 16B.2 – The South Bank: Gabriel’s Wharf (centre of north-east rail): The proposed building will sit centrally on the River Thames with the forming part of the City tall buildings cluster well to the right of St Pauls Cathedral with minor impact.

Historic environment- designated heritage assets/World Heritage Sites OSUV

38 London Plan Policy 7.8 ‘Heritage Assets and Archaeology’ states that development should identify, value, conserve, restore, re-use and incorporate heritage assets where appropriate. The proposal in its immediate vicinity will have a potential impact on designated assets in the form of the Grade I listed St Andrew Undershaft Church, St Helen’s Bishopsgate Church (St Helen’s Place Conservation Area), Lloyds of London and Grade II listed 139 Leadenhall Street and 144 Leadenhall Street and the Leadenhall Conservation Area.

39 In the wider area it will also have an impact the Tower of London World Heritage Site (WHS)/Outstanding Universal Value (OUV), as well as St Paul’s Cathedral (and Conservation Area), Bank Conservation Area, Fleet Street Conservation Area and Guildhall Conservation Area.

40 The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the tests for dealing with heritage assets in planning decisions. In relation to listed buildings, all planning decisions should *“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”* and in relation to conservation areas, *special attention must be paid to “the desirability of preserving or enhancing the character or appearance of that area”*.

41 The NPPF states that when considering the impact of a proposal 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. Significance is the value of the heritage asset because of its heritage interest, which may be archaeological, architectural, artistic or historic, and may derive from a heritage asset’s physical presence or its setting. Where a proposed development will lead to ‘substantial harm’ to or total loss of the significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Where a development will lead to ‘less than substantial harm’, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

42 The applicant has provided an Environmental Statement, which includes a Townscape and Visual Impact Assessment (TVIA), including wirelines and fully rendered views.

The Tower of London WHS

43 London's World Heritage Sites SPG accepts that 'New development in the backdrop of the Tower of London reflects its location in the heart of the Capital' and the SPG goes on to state *'The presence of the City Skyline and more recently, the growth of offices at Southwark in the London Bridge Opportunity Area have changed the relationship so that visitors to the Tower are very aware of a rapidly evolving skyline.'*

44 The applicant has provided in its Environmental Statement Townscape and Visual Impact Assessment (TVIA), including wirelines and fully rendered views of views relating to Tower of London WHS. These are riverside panoramic LVMF Point 10A.1 – Tower Bridge (upstream) and views from with the WHS: Inner Ward -Byward Tower entrance and Inner Ward –Inner Wall east of Devereux Tower.

45 The riverside view from Tower Bridge show the building at the western edge of the tall building cluster its location away from the WHS means a minimal/moderate impact. The views from within the WHS show the building adjacent to the Leadenhall Building (The Cheese Grater) forming a lower denser part of the City Tower cluster. LVMF Point 25A.1 –The Queen's Walk to City Hall shows the building appearing to the left of the Leadenhall building obscuring Tower 42, located well to the left of the WHS and has a minor impact as it consolidates the distinctive tall building cluster with a new high quality addition. Whilst LVMF Point 11B.2 – London Bridge downstream (close to the South Bank): the proposed development will appear between the Leadenhall building and Tower 42 well to the west of the WHS with minimal impact.

46 The identified impacts fit within the definition in the WHS SPG relating to The Tower of London and the dynamic that has evolved between the historic building and evolving City of London, the overall impact of the proposal is moderate/minor in context of the established and evolving tall building cluster.

Bank Conservation Area

47 View from Bank Junction: behind the Grade 1 Royal Exchange, the building sits in front of the Leadenhall Building which with the Pinnacle site development and 38 and 22 Bishopsgate will accumulatively define the backdrop of the tall building cluster. It is however a shame that the profile of Leadenhall building has been lost, but this is understandable given the building alignment is required to avoid overbearing impact on St Paul's Cathedral from Fleet Street.

Fleet Street Conservation Area

48 The sequential (kinetic) views show that application proposals, due to the development massing, will not impact on the views along Fleet Street to St Paul's Cathedral. This is because the massing steps back to fit within the silhouette of 122 Leadenhall St (Cheese Grater building) and respect the established air-space set back from St Paul's Cathedral.

Leadenhall Conservation Area/ St Helen's Conservation Area

49 For the most part Grade I listed St Andrew Undershaft Church and St Helen's Bishopsgate Church (St Helen's Place Conservation Area) are small buildings (by current measure) already surrounded by tall buildings that already establish the context for their setting. The proposal is a further addition to the existing built environment and has a minor impact.

50 The Grade II listed 139 Leadenhall Street and 144 Leadenhall Street are stone built 1920s buildings that have been responded to at street level through intelligent design of lower corner turning six floors of the lower volume that consists of stone with handset set appearance. This is

demonstrated in street views and can be seen as beneficial compared to the existing street composition.

Conclusion

51 The applicant has provided sufficient analysis of LVMF views, heritage impacts and on the Tower of London WHS to enable an assessment and acceptability of the impact of the proposals as being reasonable. It is clear that there are substantial benefits associated with these proposals, including the delivery of an outstanding high quality design that contributes to the public realm through increased pedestrian realm, provides for a free public viewing facility and provides an active frontage with office and retail uses. The applicant has intelligently responded to the challenges of the site with the clever simplified offset box form where each element effectively contributes to resolving complex challenges. The benefits of the proposal outweigh minor or moderate less than substantial harm caused to historic assets.

Access

Public realm

52 The application proposals include an increase in the public realm coverage on the corner of Bishopsgate and Leadenhall Street through the removal of the existing road island. This is a welcome intervention as it will improve the directness of the crossing point. The design of the landscaping and the public realm is crucial to how inclusive the development is for many people. Paragraph 6.37 of the London Plan emphasises the importance of providing “safe and attractive routes that are easy to navigate”, and paragraph 6.38 explains that “Walking issues should be addressed in development proposals, to ensure that walking is promoted and that street conditions, especially safety, security and accessibility for disabled people, are enhanced.” The applicant has included in the design the following features:

- Decluttering of the pedestrian routes along Bishopsgate and Leadenhall Street.
- Drop off and accessible parking spaces are located in building undershaft.
- The floor levels at ground level respond to the street level to ensure level access is achieved to all entrances and level change in the building is dealt with subtly without the need for steps and handrails.
- Level changes required to lifts are inclines no steeper than 1:21.

53 The applicant should confirm whether disabled persons parking bays incorporate a 2.6 metre vertical clearance both in the access route to it and for the area taken up by the parking bay as this allows free range of movement for wheelchair users accessing a modified car. It should also ensure the public realm seating should include seating with backrests.

Cycle store

54 The applicant has demonstrated how the cycle storage area will be accessible to disabled cyclists, including the provision of accessible changing/shower facilities and storage for adapted bikes and/or recumbent bikes. This achieved by:

- Cycle entrances have a level threshold for both disabled and non-disabled users.
- As the ramp is too steep for some disabled cyclists a dedicated lift has been provided from Leadenhall Street.
- 10% of total cycle parking are accessible spaces and 5% of total shower provision is accessible (8 Showers).

Sustainable development

Energy

55 The applicant has broadly followed the energy hierarchy and sufficient information has been provided to understand the proposals as a whole. Further revisions and information are required before the proposals can be considered acceptable and the carbon dioxide savings verified.

56 A range of passive design features and demand reduction measures are proposed to reduce the carbon emissions of the proposed development. Both air permeability and heat loss parameters will be improved beyond the minimum backstop values required by building regulations. Other features include waste water heat recovery, chiller heat recovery for water heating and low energy lighting and controls.

57 The demand for cooling will be significantly minimised through external blinds integrated within the triple glazed units, the specification of low g value glazing and low energy lighting and controls. The applicant should clarify why the BRUKL sheet shows that some of the areas within the building still significantly exceed the solar gains limits set in Part L 2013 despite the fact that overall the cooling demand is considerably lower than the notional building. The development is estimated to achieve a reduction of 402 tonnes per annum (28%) in regulated carbon dioxide emissions compared to a 2013 Building Regulations compliant development.

58 The applicant has identified that the Citigen district heating network is within the vicinity of the development however is not proposing to connect to the network. Connection to the network should continue to be prioritised and evidence of correspondence with the network operator should be provided. Should communication with Citigen demonstrate that connection is not possible at this stage, the applicant should commit to ensuring that the development is designed to be ready for connection to district heating in the future. Evidence of how this will be achieved should be provided e.g. location of communal plant room, what demands would be served. The design should allow for the majority of heat demands to be served by district heating in the future.

59 The applicant has investigated the feasibility of CHP. However, due the intermittent nature of the heat load, CHP is not proposed. This is accepted in this instance.

60 The applicant has investigated the feasibility of a range of renewable energy technologies and is proposing to install: a closed loop ground source heat pump (GSHP) for some ancillary rooms in the lower part of the building and 400 sq.m. of solar PV on the roof (a roof plan has been provided). Further information should be provided on the size and location of the GSHP and the proportion of demands that it is expected to meet. Information should also be provided on how this will not interfere with future proofing the development for connection to district heating.

61 Further information should be provided on the calculation to estimate the carbon savings associated with the PV array as there appear to be some inconsistencies, with the text stating that the array will be installed at a 60 degree pitch while Addendum 1 referring to 30 degrees. Enough information should be provided to support the carbon savings claimed. A reduction in regulated carbon dioxide emissions of 26 tonnes per annum (2%) is claimed through this third element of the energy hierarchy.

62 Based on the energy assessment submitted at stage I a reduction of 428 tonnes of carbon dioxide per year in regulated emissions compared to a 2013 Building Regulations compliant development is claimed, equivalent to an overall saving of 30%. The comments above should be addressed before the carbon savings can be verified. While it is accepted that there is little further

potential for carbon dioxide reductions onsite, in liaison with the City Corporation the developer should ensure the short fall in carbon dioxide reductions is met off-site.

Flood Risk/ surface water run-off

Flood Risk

63 The site is within Flood zone 1 and is not shown to be affected by surface water flood risk, therefore the proposals are considered acceptable in terms of London Plan policy 5.12.

Surface Water Run-off

64 The Sustainability Assessment states that some rainwater attenuation of 9 m³ will be provided to ensure that the development does not increase run-off under climate change projections of increased storm intensity. However, the London Plan Policy 5.13 requires all developments to seek to achieve greenfield run-off rates, and Sustainable Design and Construction SPG sets a minimum of a 50% reduction on current discharge rates.

65 The development should be readily capable of reducing surface water discharge via green roofs and landscaped areas which are specifically designed to maximise rainwater storage and use.

66 Therefore the applicant should re-consider the approach to rainwater management for the proposals as the current approach does not comply with London Plan Sustainable Drainage policy 5.13.

Transport

Trip Generation and Transport Capacity

67 TfL have some concerns over the trip generation methodology, details of which were included in the initial response to the City. It is understood that the applicant is preparing a sensitivity test to determine what impact a higher trip rate could have. Subject to the outcome of this test, TfL accepts that this development would not generate sufficient trips to significantly impact upon highway or public transport capacity.

Access Strategy

68 The access strategy for the site is generally well considered, with cycle access being via the vehicle ramp on Undershaft and a separate lift access from Leadenhall Street. TfL agrees that the principle of the primary cycle access being from the east is appropriate, but has some concerns over the quality of Undershaft as a route for cyclists given its heavy use by service vehicles. It is however understood that the City Corporation has aspirations to better control access into Undershaft which could be implemented in tandem with streetscape improvements.

69 The application proposes the removal of the existing left turn slip lane on Bishopsgate. Whilst TfL accepted this in principle at the pre-application stage, tracking diagrams to demonstrate that a bus could continue to make the left turn were requested. These have been provided and will need to be assessed by TfL. Traffic modelling of the new junction layout has also been provided and demonstrates that the removal of the left turn slip does result in a small increase in delay at the junction, although the overall junction performance is still within acceptable limits.

70 Should the new layout prove acceptable, agreement will need to be reached with the applicant and the City Corporation on highway maintenance issues, both in terms of the materials used and maintenance boundaries. Some further information on this has been submitted by the

applicant and is being considered by TfL. It is also noted that the applicant is proposing a relocation of the existing bus stop adjacent to the site on Bishopsgate to the north, which TfL have expressed some concerns over. This will require further discussion.

Car and Cycle Parking

71 It is intended that the site will be car free with the exception of three blue badge spaces located at basement level, one of which will be provided with an electric vehicle charging point. This level of provision is supported by TfL. It is also welcomed that the level of cycle parking proposed has been increased to meet London Plan 2015 standards, and that a range of cycle parking types will be provided to cater for all types of bike. Showers and lockers, as well as additional short stay cycle parking within the footway on Bishopsgate are also proposed, which is supported.

Pedestrian Environment

72 The application incorporates a comprehensive assessment of the pedestrian environment around the site, including footway capacity. This demonstrates existing capacity issues with the signalised pedestrian crossings over Gracechurch Street and Leadenhall Street that TfL feels are exacerbated by the proposed development, although the applicant has stated that they believe the impact of the proposals on these crossings is limited. Further discussions will need to take place on this issue to ensure that the pedestrian infrastructure can cope with the amount of anticipated future demand.

Cycle Hire

73 The development will also result in an increase in cycle demand, which is already high in the area. With both this and other developments anticipated TfL are strongly of the view that new cycle hire provision must be made in the Bishopsgate area, whether through new docking stations secured within development sites or extensions to existing sites. This issue should be discussed between TfL, the City Corporation and the applicant with a view to identifying new or extended sites and funding (either through section 106 or CIL) to deliver these.

Delivery & Servicing

74 The proposed basement servicing area has been designed to accommodate vehicles up to 8 metres in length, which is consistent with other developments in the area. This does however mean that some deliveries made via larger vehicles would need to take place from street. It is also noted that service vehicle trip generation has been based on a site that can accommodate larger vehicles, and the requirement to use more, smaller vehicles may result in a greater number of servicing trips. The servicing arrangements for the site would need to be formalised through a Delivery and Servicing Plan (DSP) secured by condition on any consent.

75 It should be noted that dialogue is ongoing between TfL, the City Corporation and the owners of the neighbouring 22 Bishopsgate site over whether an off-site consolidation centre could be used in connection with their forthcoming development proposals. This would also prove beneficial for this application, in particular through the controls on vehicle type and arrival times that consolidation would allow for. TfL would be interested in discussing this further with the applicant.

Construction Logistics and Management

76 Construction arrangements were discussed extensively at pre-application stage, and should be formalised through a Construction Logistics Plan to be secured on any consent and approved prior to the commencement of works on site. The applicant should also note that whilst their early engagement on construction is welcomed, dependent on the timescales for a new application at 22 Bishopsgate being brought forward there may be a requirement for changes to proposals to ensure that the two neighbouring sites can be developed at the same time. The City Corporation may want to consider formalising a working group to promote collaboration between neighbouring developers, as is currently the case for schemes around Aldgate.

Travel Plan

77 A framework Travel Plan has been submitted with the application and is of a good quality. This Travel Plan should be secured through the Section 106 agreement for the site.

Community Infrastructure Levy/obligations

78 The City Corporation adopted its Community Infrastructure Levy (CIL) charging schedule in July 2014. A full charging schedule is available from the council, but both office and retail uses are charged at £75 per square metre. The Regulation 123 list identifies that this levy can be spent on 'transport improvements'. TfL would be keen to explore the possibility of using some of the CIL money collected to relieve pressure on the cycle hire network and for the introduction of step free access from the Metropolitan line platforms at Liverpool Street station.

79 In addition, in accordance with London Plan policy 8.3 the Mayor commenced CIL charging for developments on 1st April 2012. Within the City of London, the charge is £50 per square metre. The site is also in the area where section 106 contributions for Crossrail will be sought in accordance with London Plan Policy 6.5 and the associated Supplementary Planning Guidance (SPG) 'Use of planning obligations in the funding of Crossrail' (April 2013). In these situations, the Mayoral CIL will be treated as a credit towards the section 106 Crossrail liability and this should be reflected in the wording of the section 106 agreement. The charge under the SPG that should be secured through the section 106 is £5,005,630.

Local planning authority's position

80 Unknown at time of drafting report.

Legal considerations

81 Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 of the Order to refuse the application, or issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application (the next bit is optional) and any connected application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's statement and comments.

Financial considerations

82 There are financial considerations to be resolved in relation to payment in lieu affordable housing contributions.

Conclusion

83 London Plan policies on CAZ, mixed use development and offices, urban design, LVMF & World Heritage Sites, access, sustainable energy, floodrisk/ surface water run-off and transport are relevant to this application. The application complies with some of these policies but not with others, for the following reasons:

- **Principle of development:** The principle of an office floorspace led development with ancillary retail use is strongly supported.
- **Mixed use/affordable housing:** The applicant has made a commitment to provide off-site affordable housing through a payment in lieu to ensure housing mix requirement has been met as required London Plan policy 4.3 mixed use development. But before stage 2 referral further details should be provided on the commuted sum towards affordable housing and this financial commitment should be secured in the Corporation's s106 Heads of Terms.
- **Urban design:** The proposed scheme is of the highest design quality and has been carefully considered.
- **LVMF/WHS:** The applicant has undertaken a full analysis of impact on LVMF viewpoints and the minor/moderate impacts are acceptable.
- **Heritage/WHS:** The applicant has provided sufficient analysis of heritage impacts and on the Tower of London WHS to accept the assessed minor/moderate impact of the proposals as reasonable.
- **Access:** The applicant should confirm whether disabled persons parking bays incorporate a 2.6 metre vertical clearance both in the access route to it and for the area taken up by the parking bay as this allows free range of movement for wheelchair users accessing a modified car. It should also ensure the public realm seating should include seating with backrests.
- **Sustainable energy:** The energy assessment submitted at stage 1 claims an overall 30% carbon dioxide saving. Whilst it is accepted that there is little further potential for carbon dioxide reductions onsite, in liaison with City Corporation the developer should ensure the short-fall in carbon dioxide reductions is met off-site. The applicant should also respond in full to the request for additional verification information. Details of the carbon dioxide off-set and verification information should be provided before stage 2 referral.
- **Flood risk/ surface water run-off:** The applicant should re-consider the approach to rainwater management for the proposals as the current approach does not comply with London Plan Sustainable Drainage policy 5.13.
- **Transport:** TFL require further clarification on trip generation and transport capacity and require further discussion on cycle access, Bishopsgate junction modifications, public realm proposals, cycle higher provision and delivery service plan.

for further information, contact GLA Planning Unit (Development & Projects Team):

Colin Wilson, Senior Manager – Development & Projects

020 7983 4783 email colin.wilson@london.gov.uk

Justin Carr, Strategic Planning Manager (Development Decisions)

020 7983 4895 email justin.carr@london.gov.uk

Jonathan Aubrey, Case Officer

020 7983 5823 email jonathan.aubrey@london.gov.uk