

From: [McNicol, Rob](#)
To: [Planning Policy Consultations](#)
Cc: [Andrews, Gudrun](#)
Subject: FW: City Plan 2040
Date: 23 May 2024 17:05:06
Attachments: [FR Response to City Plan 2040 re 11 Heritage and Tall Buildings.docx](#)

Please see the attached response from Fred Rogers.

Kind regards,
Rob



Rob McNicol | Assistant Director (planning policy and strategy)
Environment Department | City of London | Guildhall | London EC2V 7HH

[Redacted] | www.cityoflondon.gov.uk

From: [Redacted]
Sent: Thursday, May 23, 2024 4:48 PM
To: [Redacted]
Cc: [Redacted]
Subject: Re: City Plan 2040

THIS IS AN EXTERNAL EMAIL

Sorry Rob. Any better?

Fred Rodgers

[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

> On 23 May 2024, at 16:27, McNicol, Rob [Redacted] wrote:
>
> Hi Fred,
> There's no attachment I'm afraid. Could you re-send please?

>

> Kind regards,

> Rob

>

>

>

>

>

>

> Rob McNicol | Assistant Director (planning policy and strategy)

> Environment Department | City of London | Guildhall | London EC2V 7HH

> [REDACTED]

> [REDACTED] | www.cityoflondon.gov.uk

>

>

> -----Original Message-----

> From: [REDACTED]

> Sent: Thursday, May 23, 2024 4:14 PM

> To: [REDACTED]

> [REDACTED]

> Subject: City Plan 2040

>

> THIS IS AN EXTERNAL EMAIL

>

>

> Hi Rob,

>

> Attached, as part of my response to the public consultation, is a verbatim Word version of the draft Plan in respect of Heritage and Tall Buildings in Chapter 11. Kindly acknowledge receipt.

>

> Best regards,

>

> Fred

>

> Fred Rodgers

> [REDACTED]

> [REDACTED]

> [REDACTED]

> [REDACTED]

> [REDACTED]

> [REDACTED]

> [REDACTED]

>

>

> THIS E-MAIL AND ANY ATTACHED FILES ARE CONFIDENTIAL AND MAY BE LEGALLY

PRIVILEGED. If you are not the addressee, any disclosure, reproduction, copying, distribution or other dissemination or use of this communication is strictly prohibited. If you have received this transmission in error please notify the sender immediately and then delete this e-mail. Opinions, advice or facts included in this message are given without any warranties or intention to enter into a contractual relationship with the City of London unless specifically indicated otherwise by agreement, letter or facsimile signed by a City of London authorised signatory. Any part of this e-mail which is purely personal in nature is not authorised by the City of London. All e-mail through the City of London's gateway is potentially the subject of monitoring. All liability for errors and viruses is excluded. Please note that in so far as the City of London falls within the scope of the Freedom of Information Act 2000 or the Environmental Information Regulations 2004, it may need to disclose this e-mail. Website: <http://www.cityoflondon.gov.uk>

Fred Rodgers - Response to draft City Plan 2040 in respect of 11 – 11.5.16, Heritage and Tall Buildings

The text of the Plan is in black with corrections and alterations in red. My response is in blue italics.

11. Heritage and Tall Buildings

“Heritage” is “now”. By the time anyone has spoken the word, it’s in the past!

11.1 Strategic Policy S11: Historic Environment

Plan text:

The City’s historic environment will be protected, celebrated and positively managed by:

Response:

The failure of CoLC to either publish a list of Non-Designated Heritage Assets (NDHA) or the criteria used for identifying NDHA challenges the claims of its treatment of Heritage Assets in SPS11. CoLC’s 2017/18 “Assessment” for the then proposed Barbican and Golden Lane Conservation Area (BGLCA) identified Ironmongers’ Hall as NDHA – it was listed Grade II in 2023 – but apart from being mentioned as one of several livery halls in the area, Barber-Surgeons’ Hall (BSH) wasn’t acknowledged with any description.

Recently, in recommending approval of CoLC’s planning application 23/01304/FULEIA, CoLC’s Director of Planning and Development (DPD) refused to identify Bastion House, the Museum of London or the Rotunda (LWW) as NDHA. According to page 13 of the Second Addendum to his report to Committee, under “Additional Representations received – Consultation responses:

Comment

“Query regarding what in the Historic England (HE) Local Heritage Listing – Historic England’s Guidance Note 7 supports the City Corporation’s failure to identify the three buildings in LWW as Non Designated Heritage Assets (NDHAs).

Officer Response

HE Advice Note 7 makes clear, identification of non-designated heritage assets (NDHAS) is a matter for local planning authorities and their communities. The criteria set out in Table 1 is a suggested basis for identifying such assets for inclusion on a local list; officers consider these criteria serve equally well as a framework for assessing sites for potential NDHA status as part of planning applications, and have employed the criteria consistently to this end. While officers consider it best practice to adopt Historic England criteria for this, the final assessment of whether a site merits NDHA status is a matter for the local planning authority.”

Whilst, as above, reasons were offered, including reference to the guidelines for local listing, the underlying reason was that identification is entirely at the discretion of

CoLC's Planning and Development Division and "Communities" but without any definition of the latter. However, his report to Committee gratuitously identified BSH as NDHA but in recommending approval, two weeks later, for Alban Gate (23/01115/FULL) - which adjoins BSH - there was no mention, at all, of BSH in his report to Committee!

Since July 2015, LWW has been subject to successive Certificates of Immunity from Listing (COIL) with CoLC having made an application in November 2023 to renew the COIL expiring in August 2024. Despite CoLC apparently having a continuing fear of LWW being listed, it isn't prepared to identify LWW as DNHA. In 2021, CoLC granted itself planning permission (20/0099/FULEIA) to destroy seven NDHA, all of which were subject to COIL, So, CoLC has no problem with identifying buildings as NDHA at the same time as requesting COIL status for them and ultimately destroying them.

In respect of LWW, Tavernor Consultancy, on behalf of CoLC's City Surveyor, emailed CoLC's Planning and Development Division on 18 March 2022 with a copy of Historic England's COIL report and plans, adding "Let me know if you would like me to discuss". That email was followed up with another email on 01 April 2022 attaching a copy of Ken Powell's report submitted with the first COIL application in 2014. The second paragraph of that email is:

"I hope you find this helpful in undertaking your own assessment on whether [CoLC] considers the buildings to form [NDHA]. Please let me know when [CoLC] will be able to give us their conclusions on this and do let me know if you'd like to have another discussion."

That last phrase seems to confirm the fact that the Planning and Development Division completely failed to consider LWW as NDHA - or at all - when carrying out its "Assessment" for the BGLCA. Otherwise, it would have responded positively and immediately to the request from Tavernor Consultancy on 18 March 2022, let alone sometime after 01 April 2022.

Even then, the question of LWW being identified as NDHA was raised by Land Use Consultants:

"The Applicant is to clarify whether potential NDHA were considered and outline discussions with the Authority and conclusions in the ES. They should also outline the impact the loss of these buildings will have on the setting of the surrounding Heritage Assets"

The first part of response from Tavernor Consultancy was:

"In pre-application discussions the LPA confirmed that Bastion House and the former Museum of London were not considered by the CoLC to be NDHAs. In 2022 the Barbican CA was reviewed and updated and the buildings remained excluded from the conservation area designation. No NDHA were identified by the CoLC for inclusion in the assessment"

As CoLC has confirmed, there was neither review nor update of the BGLCA in 2022 or at all. The date of the Tavernor Consultancy response isn't known but it appeared on the planning portal in February 2024, less than two months before the report to Committee including the novel claim of HE guidance.

In view of the above, CoLC should publish both the criteria on which it will identify NDHA in the future and a list of the buildings currently identified as such. Obviously, this should be following the usual public consultation.

Plan text:

1. Celebrating the City's heritage for its contribution to the quality of life and promoting public enjoyment of, and access to, heritage assets;

Response:

1. *Perhaps one of the best-known heritage assets is the Monument. Unfortunately, public access is very limited, with daylong closures during school holidays. According to a recent email from an officer – "Since 2002, the Monument has been operated by "staff from the Tower Bridge team, whose governance now comes under the City Bridge Foundation Board while the Monument itself remains under the governance of [CoLC's] Culture, Heritage and Libraries Committee. As a result, there is a lack of funding that has led to officers actively working to develop a sustainable option for the future management and operation of the Monument. In the meantime, CoLC officers are liaising "with the Tower Bridge team to find short-term solutions to ensure the opening of the Monument to the public". It seems that the Monument was closed on 88 days in the last 12 months, denying an estimated 32,000 visitors and forgoing almost £130,000 in lost revenue.*

Perhaps worse though is the Billingsgate Roman House and Baths, Lower Thames Street, which is only accessible to the public by pre-booked guided tours on Saturdays between April and November. Of course, other heritage assets are more easily accessible but that should be expected rather than praised.

Plan text:

2. Conserving and enhancing heritage assets and their settings; opportunities will be sought for development proposals to make a positive contribution to, and better reveal the significance of, heritage assets and reflect and enhance local character and distinctiveness;

Response:

2. *Identification of NDHA is a fundamental element of this policy. The "positive contribution" must be much better than access times of both the Monument and Billingsgate Roman House and Baths. Here, City Wall and the Roman Amphitheatre are very good examples but the Temple of Mithras, as worthy as the intentions of the developer may have been, is closed on Mondays.*

However, it is concerning that "development proposals" are still being considered as at all beneficial, let alone beneficial to heritage assets. Certainly, preservation of heritage

should not be the driver enabling abuse of the need to achieve Net Zero in the Square Mile. That the recent public meeting on City Plan 2040 and heritage was addressed by two architects and a developer presenting three recently consented schemes which will produce over 300,000 tonnes of embodied carbon says it all.

Plan text:

3. Seeking wider social, cultural, economic and environmental benefits by:
 - (a) placing heritage at the heart of placemaking and delivering high quality buildings and spaces which enrich and enhance the settings of heritage assets;
 - (b) encouraging the beneficial, continued use of heritage assets through sensitive adaptation that is consistent with their conservation and enhancement, including those on HE's Heritage at Risk Register;
 - (c) encouraging heritage-led regeneration by identifying opportunities to draw on the contribution made by the historic environment to the character and identity of place;
 - (d) encouraging sensitive sustainable retrofit of designated as well as non-designated heritage assets and improvements that would benefit climate resilience and adaptation;
 - (e) encouraging sites adjacent to and near heritage assets to work collaboratively with owners and operators of heritage assets to seek improvements to environmental performance, accessibility or other aspects of the functioning of heritage assets that are challenging to address;
 - (f) Seeking enhanced public access and interpretation of the City's cultural and heritage assets, ensuring that opportunities to experience and enjoy the City's heritage and culture is available to a wide and diverse audience in a way that is socially and economically inclusive;

Response:

3. *None of the above would be an issue were the same the case in practice. NDHA are mentioned in (d) but it is all rather covert since CoLC deems itself the sole arbiter of what it should so identify. It would be difficult to find a development, enhancement or retrofit that is an exemplar of any of the above. Barber-Surgeons' Garden is a good example of (f) being ineffective. The physic garden there, part of the whole garden, including the meadow, was, apparently, one reason why the DPD identified it as a NDHA. However, the while garden is inaccessible to wheelchair users and buggy pushers, even for the more able, the physic garden access gate remains closed against a spring to protect the plants from dogs and vice versa. The Clerk has been asked to put a "push" sign on the gate – all to no avail, so far – as well as restoring the bench – the only seat in the whole garden – following its removal on his instructions last year.*

Plan text:

4. Protecting and promoting the assessment and evaluation of the City's ancient monuments and archaeological remains and their settings, including the interpretation, archiving and publication of archaeological investigations; and

Response:

4. *This is welcome but, within CoLC's Environment Department, is it given the importance and resources it needs. Does CoLC even have a dedicated Heritage Officer?*

Plan text:

5. Preserving and seeking to enhance the Outstanding Universal Value (OUV), architectural and historic significance, authenticity and integrity of the **UNESCOWHS** and its setting.

Response:

- 5 *Again, this is welcome although, of course, the Tower, itself, is outside the City boundary. However, CoLC's previous vociferous support for the "Tulip" – 20 Bury Street (18/01213/FULEIA) casts doubt on what "preserving and seeking to enhance the" OUV etc actually means in practice. However, the contribution of the Resident Governor of the Tower, at the recent public City Plan 2040 event, was refreshing and more could be done by both parties to enhance the public experience of the area between All Hallows by the Tower and the Tower itself.*

The Resident Governor mentioned the processional route between the Tower and Westminster and another contributor – a London Guide – mentioned the number of Grade 1 listed churches either on or close by that route. The 15 bus runs along the processional route from the Tower to Trafalgar Square. Recently an original privately operated Routemaster has been added to this route and it could well be the means of promoting the processional route. A small point but residents of LB Tower Hamlets can visit the Tower for £1 each. That benefit isn't available to City residents, nor to anyone with Tempo Time Credits although it seems there will be a 2for1 offer to City residents but whether this will be permanent isn't known. However, the adult entrance fee is £34.80 with £17.40 the fee for 5-15 year olds.

Reason for the policy

Plan text:

- 11.1.0 The City of London is the historic centre of London and has a rich and varied historic environment that reflects this. The City's heritage assets contribute to its unique identity, adding to its character, attractiveness and competitiveness. This is of benefit to all the City's communities, workers, residents, **students** and visitors.

Response:

- 11.1.0 *Agreed but, by its very nature, the active promotion of economic growth challenges, if not destroys, that benefit to a larger or lesser extent. There has to be a hierarchy of policies. Students are becoming a growing group in the City. Although the Romans arrived and created Londinium in 47-50 AD, However, it shouldn't be forgotten that*

there is evidence of the Belgic Catuvellauni having settled in the area well before the Romans arrived.

Plan text:

11.1.1 There are a large number of designated heritage assets in the City, with over 600 listed buildings and many structures such as statues, monuments and sculptures. Listed buildings range from a 17th century home on Cloth Fair, the unique early 18th century Bevis Marks Synagogue, and Wren's iconic St Paul's Cathedral and churches, to modern buildings by renowned architects, such as the **Barbican** and the Lloyds Building. As well as listed buildings there are **28** conservation areas, 48 scheduled monuments and **four** historic parks and gardens. Furthermore, the City provides part of the backdrop and setting for the **UNESCOWHS**.

Response:

11.1.1 Noticeably, there is no reference to the number of NDHA.

Plan text:

11.1.2 The City has a rich archaeological heritage including many designated and non-designated monuments visible in the townscape and surviving as buried remains below buildings and streets. The whole of the City is regarded as having archaeological potential.

Response:

11.1.2 As mentioned above, does CoLC have the resources, as well as the intention, not only to protect but also to sensitively exploit that archaeological potential? If the "whole City is regarded as having archaeological potential", why is it not one large conservation area?

Plan text:

11.1.3 The City contains a rich variety of architectural styles and materials, a medieval street pattern and a long history as a centre for commerce and trade. The diversity of the buildings and townscape creates a rich juxtaposition between the historic and the modern. This and the dense nature of development helps to differentiate the City of London from other global commercial centres and makes the City a unique place to live, work and visit.

Response:

11.1.3 The rhetoric has no relationship to reality. Where the "rich variety of architectural styles and materials, a medieval street pattern and a long history as a centre for commerce and trade" isn't being destroyed, it is not being protected as heritage assets, whether or not designated, nor through the creation and/or extension of conservation areas.

CoLC is responsible for the vast majority of post WW2 planning consents – several having been approved by the relevant minister or other authorities, especially before boundary extensions. That those buildings rarely enjoy protection against

destruction because of age and taste seems hypocritical to the fact of consent. At the recent public City Plan 2040 event the Chair of CoLC's Planning and Transportation Committee (P&TC) mentioned the Grade I listing of the Lloyds Building and the Grade II listing of 1 Poultry. However its record seems to be as an opponent of listing, particularly post WW2 buildings and its perverse attitude to the identification of NDHA. Actually, how many listings and how many COIL applications has CoLC made in the last 25 years?*

Plan text:

11.1.4 The City's rich heritage contributes to the City's primary function as a business centre, its cultural role, as a home to its small residential population and increasingly its roles as a visitor destination and providing student accommodation. Approximately two thirds of the City's listed buildings have a commercial use, including offices, retail, and hotels and provide vital small and medium-sized office space. Heritage assets significantly contribute to London's economy, providing valuable office space suitable for small to medium-sized occupants as well as creative industries, and providing potential space for hotels and retail uses. In order to build upon the wider social, cultural and economic benefits of the historic environment, public access to, and experience of, the City's heritage will be sought as part of development proposals in line with the wider policies in this Plan.

Response:

11.1.4 *It's difficult to appreciate a correlation between the "City's rich heritage" and "it's primary role as a business centre" when the latter has very little use of the former. Where are the banking halls and the like? Doesn't Milan do this better for example? Reference to "in line with the wider policies in this Plan" sums up the attitude of CoLC to the City's heritage and reveals a hierarchy of policies. Infinite redevelopment is simply incompatible with that heritage.*

Plan text:

11.1.5 The re-use, refurbishment and retrofitting of the City's historic building stock is important for mitigating climate change impacts and reducing carbon emissions. Heritage assets must adapt to meet changing needs and environments while preserving their heritage significance. The City Corporation will require development proposals to find sensitive retrofitting solutions to reduce carbon emissions; enhance climate resilience; and improve access and environmental performance of historic buildings. Retrofitting historic buildings will be supported where a sensitive and tailored approach to design and specification is taken, in line with the City Corporation's Heritage Buildings Retrofit Toolkit.

Response:

11.1.5 Presumably, the reduction in carbon emissions relates to operational ones as any interventions will add embodied carbon emissions. “Heritage assets must adapt to meet changing needs and environments while preserving their heritage significance” is too generalised to have any real meaning. However, the failure to indicate NDHA is unhelpful particularly with regard to CoLC’s judgement as regards “a sensitive and tailored approach to design and specification”, especially if it has to be in line with the arbitrary and micromanaging Toolkit! Incidentally, Old Spitalfields Market isn’t even in the City but, of course, the image at Fig 38 in the toolkit is of Smithfield Market.

How the policy works

Plan text:

11.1.6 Applicants will be required to undertake a comprehensive heritage assessment proportionate to the scale of their site and heritage asset(s) to understand ways in which their proposal could contribute towards the enhancement and enjoyment of the historic environment. This should include considering innovative approaches that extend beyond conventional conservation practices to promote wider social, cultural and environmental benefits associated with heritage conservation.

Response:

11.1.7 “This should include considering Innovative approaches that extend beyond conventional conservation practices to promote wider social, cultural and environmental benefits associated with heritage conservation” appears to be at odds with the prescriptive nature of the Toolkit. In any event, this policy is putting development ahead of the environment, historic or otherwise.

11.2 Policy HE1: Managing Change to the Historic Environment

Plan text:

Development proposals that affect heritage assets or their settings **must** be supported by a Statement of Heritage Significance (SHS) and a Heritage Impact Assessment (HIA). **These should ensure that** any **impact** of the proposals on the significance of heritage assets or their settings have been fully assessed and **addressed**. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

Response:

What does “proportionate to the assets’ importance” mean and how is it to be ascertained and who will ascertain it? Is it related to the grade of listing or what? Also “should be ensured” is very awkward but assessing and understanding means very little where the proposal is harmful.

Plan text:

Proposals should meet the following criteria:

Plan text:

1. Development should preserve and where possible enhance and better reveal the special architectural or historic interest and the significance of heritage assets and their settings;

Response:

1. *This is all subjective and it would be difficult for CoLC to produce any examples which weren't challenged before being consented. Also "better reveal" shouldn't be interpreted as justification for development.*

Plan text:

2. There will be a presumption against heritage harm and development causing harm to, or total loss of, the significance of designated heritage assets will be refused unless it is clearly demonstrated that the heritage and/or wider public benefits outweigh that harm or loss. Applicants should clearly demonstrate that all reasonable efforts have been made to sustain the existing use, find new appropriate uses, or mitigate the extent of the harm to the significance of the asset; and whether the works proposed are the minimum required to secure the long-term use of the asset;

Response:

2. *The need to define – or, at least, offer CoLC's understanding what is meant by – "wider public benefits" are. This should be supported by a survey of what the public considers to be "benefits", wider or otherwise. It's also difficult to appreciate a scenario where harm to heritage assets can be a benefit to heritage*

Plan text:

3. Change of use of heritage assets should be consistent with their long-term conservation and should help to retain and enhance the asset, particularly those which have been identified as at risk;

Response:

3. *There seems to be no justification for this policy. First there should be no at risk heritage assets in the City but what does CoLC see as being at risk? It's appreciated that the Grade II* Crescent House might still be "at risk" but that is down to CoLC's neglect. It's ironic though that perhaps the best example of a renovated heritage asset is one CoLC fought and, partly because of its own neglect, lost to have significantly destroyed. Whither London Museum without that neglect?*

Plan text:

4. Development must not cause the loss of routes and spaces that contribute to the character and historic interest of the City. The reinstatement of historic routes and the creation of new routes will be sought.

Response:

4. *Is the price of hundreds of thousands of tonnes of more embodied carbon worth paying for the reinstatement of historic routes? And how is the creation of “new routes” relevant to preserving heritage?*

Plan text:

5. Where proposals would result in harm to, or the loss of, a non-designated heritage asset, the City Corporation will have regard to the scale of any harm or loss, the significance of the heritage asset and the wider public benefits proposed.

Response:

5. *Where the identification of NDHA is arbitrary in the hands of CoLC, it's a reasonable assumption that any assessment will be as well. Certainly, this is a dangerous policy in the hands of CoLC without a definition of “wider public benefit”.*

Plan text:

6. Development in conservation areas should preserve, and where possible, enhance and better reveal the character, appearance and significance of the conservation area and its setting. The buildings and features that contribute to the character, appearance, setting or significance of a conservation area should be conserved and opportunities to enhance conservation areas should be considered;

Response:

6. *This simply underlines the failure of CoLC to carry out its obligations to preserve heritage rather than protect development in the creation of the BGLCA. The new Creechurch Conservation Area (CCA) is another example. Although the Assessment was more professional the choices for inclusion and exclusion certainly weren't and it must be the only conservation area (CA) to include a building in the course of construction.*

Plan text:

7. Development in the defined immediate setting of Bevis Marks Synagogue and The Monument should preserve, and where possible, enhance the elements of setting that contribute to the significance of these heritage assets;

Response:

7. *Despite the significance of both heritage assets, there are other Grade 1 listed heritage assets that warrant similar treatment, from St Paul's Cathedral downwards. It must not be forgotten, as far as Bevis Marks is concerned, that the DPD recommended approval of the subsequently refused planning application (20/00848/FULEIA) and the current P&TC Chair and his Deputy were in the minority of Members voting for approval.*

Plan text:

8. Development should encourage the appreciation of the City's historic roofscapes and should not impact the setting of an asset from high-level locations.

Response:

8. *Appreciation of the City's historic roofscapes should prevent development.*

Reason for the policy

Plan text:

- 11.2.0 The City of London's historic environment is of one its greatest assets. The special character that the City derives in large part is from the concentration and significance of its heritage assets, many of which are nationally and internationally renowned. Given their immense contribution to the character, economy and quality of life of the City, it is important that change to the historic environment is sensitively and carefully managed in ways appropriate to its significance and that makes it an integral part of the surrounding context.

Response:

- 11.2.0 *It is not accepted "change to the historic environment" should be permitted, whether or not "sensitively and carefully managed".*

Plan text:

- 11.2.1 The City Corporation has identified 'immediate setting' areas around the Monument and Bevis Marks Synagogue, both of which are Grade I listed heritage assets in the City and require special consideration and protection, given their outstanding architectural and historic significance and, for these particular buildings, the critical contribution of elements of setting to that significance.

Response:

- 11.2.1 *As mentioned in 7 above, these aren't the only Grade I listed heritage assets and there is no justification for the same "requiring special consideration and protection, given their outstanding architectural and historical significance". Certainly, it's doubtful either are of outstanding architectural significance but the recent creation of the CCA suggests CoLC were late to the party as regards the obvious outstanding historical significance which existed when the 26th CA was created in 2007. Even now the Monument stands on its own without CA protection. Perhaps a Monument Street CA incorporating the western section of Monument Street, the southern section of Pudding Lane and St Magnus the Martyr, if not a Citywide CA?*

How the policy works:

Plan text:

11.2.2 Applicants **must** provide a clear and comprehensive understanding of the heritage significance of a building including any contribution made by **its** setting. The level of detail should be proportionate to the nature and scale of the proposed development. This may require detailed archival research to understand the historical evolution of the building in order to inform the proposals as well as the impact of the development on the heritage asset.

Response:

11.2.2 *How is “proportionate to the nature and scale of the proposed development to be assessed”?*

Plan text:

11.2.3 National policy applies different tests to development proposals that would result in substantial harm to (or total loss of) the significance of a designated heritage asset and proposals that would cause less than substantial harm. Where the harm is less than substantial, it should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. National policy indicates that 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.

Response:

11.2.3 *The grading of listing obviously suggests an importance ranking of heritage assets but CoLC seems to be creating a hierarchy within listings with the intention, presumably protecting the assets it wishes to protect whilst leaving the others at the mercy of perceived “public benefit”.*

Plan text:

11.2.4 Where a development proposal would affect a non-designated heritage asset, national policy requires a balanced judgement to be made having regard to the scale of harm and the significance of the asset. The City Corporation will aim to identify non-designated heritage assets at the earliest stage in the planning process, with reference to current national criteria. This may be supported by additional research or investigations as appropriate and be based on a clear understanding of the building, structure, open space or archaeological remains, including group value.

Response:

11.2.4 *A list of NDHA would avoid the need to identify buildings as such during the planning process when the identification might be less objective than as it would be in the absence of development proposals. The guidance from the Department of Levelling Up, Communities and Housing and the Ministry of Housing,*

Communities and Local Government (DLUH&C), of 10 April 2014 recommends creating such a list:

“What are [NDHAs]?”

NDHAs are buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions but which do not meet the criteria for designated heritage assets.

A substantial majority of buildings have little or no heritage significance and thus do not constitute heritage assets. Only a minority have enough heritage significance to merit identification as non-designated heritage assets.

Paragraph: 039 Reference ID: 18a-039-20190723 Revision date: 23 07 2019

How are [NDHAS] identified?

There are a number of processes through which non-designated heritage assets may be identified, including the local and neighbourhood plan-making processes and conservation area appraisals and reviews. Irrespective of how they are identified, it is important that the decisions to identify them as [NDHAs] are based on sound evidence.

Plan-making bodies should make clear and up to date information on non-designated heritage assets accessible to the public to provide greater clarity and certainty for developers and decision-makers. This includes information on the criteria used to select [NDHAS] and information about the location of existing assets.

It is important that all [NDHAs] are clearly identified as such. In this context, it can be helpful if local planning authorities keep a local list of [NDHAS], incorporating any such assets which are identified by neighbourhood planning bodies. (See the Historic England website for advice on local lists) They should also ensure that up to date information about [NDHAS] included in the local historic environment record.

In some cases, local planning authorities may also identify [NDHAS] as part of the decision-making process on planning applications, for example, following archaeological investigations. It is helpful if plans note areas with potential for the discovery of [NDHAS] with archaeological interest. The historic environment record will be a useful indicator of archaeological potential in the area. Paragraph: 040 Reference ID: 18a-040-20190723 Revision date: 23 07 2019.”

Plan text:

- 11.2.5 The designation of conservation areas carries with it the statutory duty to consider how an area or areas can be preserved and enhanced. The City Corporation will take the opportunity presented by development proposals within a conservation area to strengthen the special character of that

conservation area and its setting. Applicants should consider the significance and special character of conservation areas, informed by the Character Summary and Management Strategy Supplementary Planning Documents.

Response:

11.2.5 *After over a decade of not creating new CAs, City Corporation created two in six years. Unfortunately, it applied its own criteria in each case and its "Assessments" of the two could not be more different in both tone and content, even though specific buildings were also omitted from the most recent. This is the link to the Assessment for BGLCA -<https://tinyurl.com/3vrpnfd4> on pages from 154 to 183 (inclusive) and this is the link to the assessment for the CCA - <https://tinyurl.com/3vu2sjzp>. Only Bridgewater Square, Barbican Wildlife Garden and the excluded area of the Barbican Grade II* registered landscape were added to the former after public consultation, the responses to which, in the main, were ignored. After public consultation on the CCA assessment, significant changes were made with the inclusion of several buildings although others remained excluded. CoLC must confirm a Citywide CA.*

Plan text:

11.2.6 In the design of new buildings or the alteration of existing buildings, developers **must** have regard to **and respect for** the character of conservation areas and their settings. This includes the size and shape of historic building plots, existing street patterns and the alignment and the width of frontages, materials, vertical and horizontal emphasis, layout and detailed design, bulk and scale, including the effects of site amalgamation on scale, and hard and soft landscaping. Regard should be paid to the richness, variety and complexity of the architectural form and detailing of buildings and to the broader character of the area.

Response:

11.2.6 *It is simply not enough for planning applications to be box-ticking exercises. The respect given to third party comments in support must be balanced with respect for third party comments in objection, including bodies such as HE, Victorian Society, Georgian Group, SAVE and 20th Century Society. CoLC's own Conservation Area Consultation Committee, if to be seen to be credible in its comments must be both transparent in its composition, including election of its members, and accountable in its comments.*

Plan text:

11.2.7 Many buildings in conservation areas, make a significant contribution to the character of these areas. Proposals for the **deconstruction** of a non-listed building will be considered in terms of the building's significance, its contribution to the character or appearance of the area and the level of potential harm.

Response:

11.2.7 *What is a “significant contribution”? Using the example of the BGLCA, buildings not making, in the subjective opinion of CoLC, weren’t considered for inclusion. On the contrary CoLC sought reasons for exclusion using the same bar as HE uses for recommending listing status.*

Plan text:

11.2.8 Even minor changes to listed buildings can have a significant impact on their character and appearance. Listing descriptions are unlikely to refer to every feature of significance and buildings’ interiors and plan forms are also of importance. Inspections of listed buildings will be necessary to identify the special interest and significance of the building and its curtilage.

Response:

11.2.8 *This seems to presume that listings can be interpreted with flexibility, obviously with the determination of “balance of harm” being loaded in favour of the proposal. This presumption is completely st odds to the tactics CoLC uses to seek COIL.*

Plan text:

11.2.9 Extensions to listed buildings should be of an appropriate scale and character and will be acceptable where the overall impact on the building does not harm its significance. The bulk, height, location and materials of roof extensions will be particularly important and should be appropriate to the period and style of the building and its setting. Where listed buildings are no longer used for their original or previous purpose, it is important to find alternative uses that safeguard their future, while being compatible with the character of the building.

Response:

11.2.9 *This policy seems contradictory as regards the need to find alternative uses for listed building and the way the same can be adapted to safeguard their future. Pre-determination and, particularly cost of the bulk, height, location(!) and materials of roof extensions may prevent the feasibility of any future safeguarding.*

Plan text:

11.2.10 The pattern of streets, lanes, alleyways and other open spaces, such as squares and courts, is a distinctive element of the City’s townscape and is of historic significance in itself. The City Corporation will seek to maintain the widths and alignments of streets, lanes and other spaces where these have historic value or underpin the character of a location or their surroundings. Some historic routes have been lost to the detriment of the City’s historic townscape. Where possible, the City Corporation will seek to re-open or reintroduce such routes when the opportunity arises.

Response:

11.2.10 *Unfortunately, the width and shared use of many streets, lanes, alleyways” etc a contributing factor to making walking in the City uncomfortable. The previous, current and proposed development between Chiswell Street and London Wall via Silk Street, Milton Street, Moor Lane, Finsbury Street and Moorfields is a good example of the conflicts between walking and otherwise. Reopening narrow long-lost routes will only add to the problems as well as begging the question of why CoLC approved the closure of the same in past.*

Plan text:

11.2.11 In the design of new buildings or the alteration of existing buildings, developers **must** have regard to the character of conservation areas and their settings. This includes the size and shape of historic building plots, existing street patterns and the alignment and the width of frontages, materials, vertical and horizontal emphasis, layout and detailed design, bulk and scale, including the effects of site amalgamation on scale, and hard and soft landscaping. Regard should be paid to the richness, variety and complexity of the architectural form and detailing of buildings and to the broader character of the area.

Response:

11.2.11 *And, taking all the above into account, what then? There has to be more than “regard to” – e.g. “respect”; “respond to”; or “protect”?*

Plan text:

11.2.12 Applicants will be required to provide supporting information describing the significance of any heritage assets where fabric or setting would be affected, along with the contribution made by their setting to their significance and the potential impact of the proposed development on that significance. A heritage asset’s significance can be evidential, historic, aesthetic or communal. The information provided should be proportionate to the level of change or impact a proposal will have on the heritage asset or assets. Applicants **must** refer to guidance by Historic England, Good Practice Advice Note in Planning 3: The Setting of Heritage Assets.

Response:

11.2.12 *Who determines that “the information provided should be proportionate to the level of change or impact a proposal will have on the heritage asset or asset”?*

Plan text:

11.2.13 The City Corporation’s Character Areas Study (**CAS**) provides an overview of the City’s overall significance including a Statement of Significance for key strategic assets, like St Paul’s Cathedral; The Monument; and the Tower of London. It identifies the principle attributes that contribute to the significance of these heritage assets and their settings, which should be

protected, enhanced, better revealed or celebrated. The study also divides the City into nine character areas having shared characteristics, and provides a thorough assessment of the core heritage typologies in these areas, highlighting the key aspects that contribute to their significance. Applicants should draw reference to the Character Areas Study to understand their site's significance and the key attributes of significance that they should consider.

Response:

11.2.13 Bevis Marks is absent here and the Tower of London is outside the City boundary. The CAS doesn't appear to be available online, so it's not possible to comment further.

11.3 Policy HE2: Ancient Monuments and Archaeology

Plan text:

1. The City Corporation will preserve, protect, safeguard and enhance archaeological monuments, remains and their settings, seeking enhancement, inclusive access to, public display and interpretation where appropriate.

Response:

1. *Although the Billingsgate Roman House and Bath may have been preserved and is being preserved, the extremely limited – Saturdays between April and November and with guided tours only – public access hardly seems proper access. At the same time, public access to the Monument depends on the whim of the Tower Bridge staff – despite it being outside the City boundary – and only by having access to the internet is it possible to ascertain when it's open to the public. A meaningful opening strategy is required.*

Plan text:

2. Development proposals which involve excavation or works affecting sites of archaeological potential must be accompanied by an archaeological assessment and evaluation of the site, addressing the impact of the proposed development, mitigation of harm and identification of enhancement opportunities.

Response:

2. *Expert supervision of any excavation or works affecting such sites should be mandatory.*

Plan text:

3. Significant, substantive archaeological features on major development sites must be preserved in-situ and, where feasible, exposed to public view. Significant archaeological artefacts on major development sites must be retained and exhibited on site. Where it can be demonstrated that found archaeological features or artefacts are of lesser significance or substance,

proper investigation and recording of archaeological remains will be required as an integral part of a development programme, including timely publication and archiving of results to advance understanding.

Response:

3. *Who is to determine significance and/or lack of significance?*

Reason for the policy

Plan text:

11.3.0 The archaeological potential of the City is of national and international significance and continues to shed new light on the Roman world in Britain, as well as considerable detail of life in later periods. Although there has been considerable redevelopment and excavation within the City, there remains much potential for the City's archaeology to reveal information about and deep understanding of period in its history spanning two thousand years. Some of the archaeology is still visible – such as the remains of the Roman and medieval City wall exposed above ground or revealed in development sites, or the remains of the Amphitheatre below the Guildhall.

Response:

11.3.0 *“Archaeology” is the study of objects and not the actual objects which are understood from applying archaeologic knowledge. As mentioned, the Romans, though, weren't the first for archaeologic study though.*

Plan text:

11.3.1 The City's rich archaeological heritage has a major role to play in the Destination City programme and a strong contribution to make to the City's cultural offer. Accordingly, the City Corporation will, whilst adhering to the highest standards of scholarly research, investigation and recording, proactively seek opportunities to reveal and celebrate this archaeological heritage.

Response:

11.3.1 *As mentioned, public access to Billingsgate Roman House and Bath is severely limited and that to the Monument more miss than hit. These facts are hardly of assistance to “Destination City”.*

How the policy works

Plan text:

11.3.2 The City Corporation will indicate the potential of a site, its significance and relative importance and the likely impact on archaeology at an early stage so that the appropriate assessment, evaluation and design development can be undertaken.

Response:

11.3.2 *Surely, the policy requires a developer to provide a professional assessment of the potential or otherwise of a site. Certainly, there is no evidence of CoLC being pro-active in this respect.*

Plan text:

11.3.3 Planning applications that involve excavation or ground works must be accompanied by an archaeological assessment and evaluation of the site, including the impact of the proposed development. An evaluation should include trial work in agreed specific areas of the site to provide more information and to inform consideration of the development proposals by the City Corporation.

Response:

11.3.3 *This is contrary to 11.3.2.*

Plan text:

11.3.4 In some cases, a development may reveal archaeological features or artefacts which could either be displayed on the site, or reburied. Their treatment would depend on their level of significance and their substantiveness.

Response:

11.3.4 *What's the benefit of reburial? Again, how are "significance" and "substantiveness" to be ascertained?*

Plan text:

11.3.5 Undesignated archaeological features equivalent in significance and substance to a scheduled ancient monument will be treated accordingly following consultation with HE.

Response:

11.3.5 *What criteria will be used to merit consultation with HE?*

Plan text:

11.3.6 On sites where significant, substantial archaeological features exist, development must be designed to enhance physical preservation and avoid disturbance or loss. This can be done by the sympathetic design of basements, raising ground levels, site coverage, and the location of foundations to avoid or minimise archaeological loss and securing their preservation for the future.

Response:

11.3.6 *Surely the biggest threat is in deconstruction and construction whatever the "sympathetic design of basements, raising ground levels, site coverage, and the location of foundations"?*

Plan text:

11.3.7 The interpretation and presentation to the public of a visible or buried monument and enhancement of its setting should form part of development

proposals and agreement will be sought, where appropriate, to achieve public access. Successful exemplars of this are the Roman Wall exhibition at Vine Street, the Roman amphitheatre in the Guildhall Art Gallery or the Temple of Mithras at Bloomberg.

Response:

11.3.7 *The Temple of Mithras isn't a particularly good example here.*

Plan text:

11.3.8 On sites where significant archaeological artefacts are discovered, there would be a presumption to retain them on site and display them in the most optimal place for appreciation by the public. This would be undertaken following the conclusion of any programme of research and study.

Response:

11.3.8 *Presumably this would be conditioned but how is the "optimal place" to be determined?*

Plan text:

11.3.9 Development proposals should provide an adequate assessment of a site and make any provision for the incorporation, safeguarding or preservation of significant features or remains, or which would harm or adversely affect those features or remains. Where display features or of archaeological remains would harm the heritage asset or make it vulnerable and reburial is necessary, there should be interpretation to widen knowledge and contribute to the interest of the townscape.

Response:

11.3.9 *What is "adequate" and how is this determined? Presumably "interpretation", especially before any reburial, in particular will include documented details and images of those remains?*

Plan text:

11.3.10 A programme of archaeological work for investigation, excavation and recording and publication of the results to a predetermined research framework and by an approved organisation **must** be submitted to and approved by the City Corporation, prior to development. This will be conditioned and will ensure the preservation of those remains by record. The programme of archaeological work should 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 including the post-excavation analysis, publication and archiving of the results.

Response:

11.3.10 *Noted but "preservation by record" suggests the destruction or re-concealment of those remains.*

11.4 Policy HE3: Setting of the Tower of London World Heritage Site

Plan text:

1. Development proposals affecting the setting of the **UNESCOWHS must** preserve and seek to enhance the **OUV**, architectural and historic significance, authenticity and integrity of the **UNESCOWHS**. Applicants will be required to submit a **HIA** along with the planning application.

Response:

1. *Should CoLC be the arbiter, especially in view of the Tulip, of the affect of a proposal affecting a UNESCOWHS in another Borough? The case of 1 Golden Lane (22/00202) is relevant here in that objections from LB Islington were patronisingly dismissed out of hand by the DPD.*

Plan text:

2. Development proposals within the defined Local Setting Area of the **UNESCOWHS must** seek opportunities to enhance the immediate surroundings of the **UNESCOWHS**, through improvements to the public realm and connectivity.

Response:

2. *Agreed but CoLC should not be determining development proposals independently of its neighbour.*

Plan text:

3. Development proposals in the vicinity of the **UNESCOWHS** will be **required** to enhance pedestrian and cycle routes, including signage and wayfinding in the area that is appropriate and contributes to the importance of setting of the Tower by improving its public accessibility and visibility.

Response:

Again, agreed but CoLC should not be determining development proposals independently of its neighbour.

Reason for the policy

Plan text:

- 11.4.0 **While** the Tower itself is within the London Borough of Tower Hamlets, part of the defined Local Setting Area is within the City and is shown on the Policies Map. The local setting of the Tower comprises the spaces from which it can be seen from street and river level, and the buildings that enclose or provide definition to those spaces. The area around the Tower includes some streets with heavy traffic flows, and there is scope for improvements to be made to the public realm and to safety and accessibility for people walking and cycling.

Response:

- 11.4.0 *Agreed but, again, CoLC should not be determining development proposals independently of its neighbour.*

How the policy works

Plan text:

- 11.4.1 Any potential impacts on the setting of the **UNESCOWHS** need to be considered in the relevant documents accompanying planning applications, such as in **HIA**, Heritage Statements, Townscape and Visual Impact Assessments **and** Transport Assessments.

Response:

- 11.4.1 *Consideration isn't enough but, again, CoLC should not be determining development proposals independently of its neighbour.*

Plan text:

- 11.4.2 The Tower of London World Heritage Site Management Plan 2016, the Mayor of London Supplementary Planning Guidance 'World Heritage Sites – Guidance and Settings 2012' and the Tower of London 'Local Setting Study 2010', provide guidance on how the setting of the **UNESCOWHS** can be positively managed, protecting its OUV, while accommodating change. The International Council on Monuments and Sites (ICOMOS) publication 'Guidance on Heritage Impact Assessments for Cultural World Heritage Properties' offers guidance on the process of commissioning **HIAs** for World Heritage **P**roperties and also outlines the methodology to be used to evaluate the impact of potential development on the OUV of properties.

Response:

- 11.4.2 *Any potential development must also be considered jointly and equally with LB of Tower Hamlets.*

Plan text:

- 11.4.3 The **CAS** contains a **SHS** for the **Tower** outlining the key attributes that contribute to the OUV of the **Tower** and its setting which should be protected, enhanced or better revealed. Applicants should refer to the **SHS** to fully understand the significance of the Tower and its setting.

Response:

- 11.4.3 *Although the SHS is available online, as mentioned in response to 11.2.13 above, there appears to be no link to the CAS for the Tower or, indeed, any of the other buildings.*

Plan text:

- 11.4.4 The City Corporation is also undertaking a **HIA** to assess the potential impacts of the tall building areas on the OUV of the **UNESCOWHS**.

Response:

- 11.4.4 *Is this still the case or has the HIA been completed?*

11.5 Strategic Policy S11: Tall Buildings

Plan text:

Definition

1. Tall buildings within the City of London are defined as buildings over 75m above Ordnance Datum (AOD).

Response:

1. *This definition is unacceptable since it's arbitrary and the policy can only be applied on a subjective basis. A more appropriate policy would be to enable the height of a building to be determined by other policies and remove Strategic Policy S11. This would enable all proposed buildings to be considered under identical policies rather than having an exception policy depending on proposed height.*

Plan text:

Location and heights

2. The tall building areas identified on the Policies Map and Figure 14 are areas where tall buildings may be appropriate, subject to the requirements in this and other relevant policies.

Response:

2. *At some point, the space available for tall buildings would be exhausted but would that permit proposed buildings of less than 75 metres? If so, by how many metres?*

Plan text:

3. The maximum permissible tall building heights within the identified tall building areas are depicted as contour rings on Policies Maps C and D and Figure 15. Tall buildings should not exceed the height of the relevant contour rings. In areas between the contour rings, tall buildings should be designed to successfully mediate between the contour ring heights and should not exceed the next higher contour. Tall buildings should not necessarily be designed to maximise height; instead they should be thoughtfully designed to create built form that contributes positively to the skyline and townscape character, creating a coherent cluster form and a varied and animated skyline, and should have architectural integrity.

Response:

3. *There is a difference between "maximum permissible" and "should not exceed". The former should prevail and "must" is preferable to "should" in the next sentence. The problem with buildings being "thoughtfully designed to create built form that contributes positively to the skyline and townscape character, creating a coherent cluster form and a varied and animated skyline, and should have architectural integrity" is that whilst being subjective, it is an open invitation to maximise mass through additional width and depth.*

Plan text:

4. The height and form of tall buildings must take account of strategic and local views.

Response:

4. *And then?*

Plan text:

5. The suitability of sites for tall buildings within the identified areas and their design, height, scale and massing should take into consideration local heritage assets and other localised factors relating to townscape character and microclimate.

Response:

5. *And then?*

Plan text:

6. Applicants will be required to submit accurate three-dimensional **digital** models to support the analysis of their proposals. Accurate Visual Representations (AVRs) should be submitted as part of the application.

Response:

6. *What is the purpose of this unless it's to be used meaningfully and not just as box ticking?*

Plan text:

7. Applicants will be required to ensure that any cross-boundary impacts of proposed schemes are fully addressed.

Response:

7. *Isn't this the responsibility of CoLC in requesting comments from other borough consultees?*

Impacts

Plan text:

8. **Proposals for tall buildings** must have regard to:
- the potential effect on the City skyline, the wider London skyline and historic skyline features;
 - the character and amenity of their surroundings, including the relationship with existing and consented tall buildings;
 - the significance of heritage assets and their immediate and wider settings;
 - the environmental impact on the surrounding buildings and public realm, including daylight and sunlight, solar glare, solar convergence, overshadowing and wind shear, and the capacity of the City's streets and spaces to accommodate the development. Consideration **must** be given to how the design of tall buildings can assist with the dispersal of air pollutants;
 - The potential impact on telecommunications operations. Tall buildings **must** not interfere with telecommunications and provide appropriate mitigation where this is not feasible;

Response:

8. *Having "regard to" hardly meets the need to respond to the above in proposals, not ignore the effects.*

Plan text:

9. Tall buildings must not adversely affect the operation of London's airports, nor exceed the Civil Aviation Authority's maximum height limitation for tall buildings in central London.

Response:

9. *This must be a given.*

Design and public access

Plan text:

10. The design of tall buildings must:
- achieve exemplar standard of architectural quality and sustainable and accessible building design;
 - enhance the City skyline and views;
 - provide adequate levels of daylight and sunlight within the new development;
 - make a positive contribution to the townscape character;
 - make a positive contribution to the quality of public realm, incorporate active frontages at ground floor and create a positive pedestrian experience;
 - maintain adequate distance between buildings to ensure high quality experience at the street level;
 - enhance permeability by providing the maximum feasible amount of publicly accessible open space at street level;
 - incorporate publicly accessible open space within the building and its curtilage, including free to enter, publicly accessible elevated spaces at upper levels, which may include culture, retail, leisure or education facilities, open spaces including roof gardens or public viewing galleries;
 - provide consolidation of servicing and deliveries to reduce potential vehicle movements;
 - mitigate adverse impacts on the microclimate and amenity of the site and surrounding area and avoid the creation of building canyons; and
 - demonstrate consideration of public safety requirements as part of the overall design.

Response:

10. *Don't the above also apply to all proposed buildings?*

Reason for the policy

Plan text:

- 11.5.0 London Plan Policy D9 (Tall Buildings) requires Development Plans to define what is considered to be a tall building and determine if there are locations where tall buildings may be an appropriate form of development, identifying locations and appropriate tall building heights. Guidance issued by the Design Council/CABE and Historic England also encourages local planning

authorities to consider the scope for tall buildings as part of strategic planning and to identify locations where they are, or are not, appropriate.

Response:

11.5.0 *It seems inappropriate for there to be any distinction here. The guidance issued by the Design Council and Historic England, which isn't referenced, must relate to all buildings and not just the arbitrarily designated "Tall" buildings.*

Plan text:

11.5.1 Tall buildings in the City are defined as those exceeding 75m AOD in height. The City Corporation's Ordnance Survey data on building heights indicates much of the City is between 50-75m above Ordnance Datum (AOD), or between 15-21 storeys; and only small pockets of the City have building heights at or around 6 storeys or 18m high. These areas include relatively small parts of Smithfield, Fleet Street and the Temples or along the lanes and alleys off Bank junction, which mostly comprise conservation areas. The City has a varied character with a striking spatial contrast. Given its small geographical area, it is not considered appropriate to prescribe a granular approach to a definition of tall buildings, but instead to have a single definition for tall buildings across the area. A definition of 75m ensures consistency with the City Corporation's longer-term strategic approach and – given prevailing heights across much of the City – is a level where buildings may have significant visual implications and could result in a significant change to the skyline.

Response:

11.5.1 *There seems to be a missing 57 metres/9 storeys. Why is that the case? In any event, most of the buildings in the four main residential estates, other than the four Barbican towers, Great Arthur House and Petticoat Tower, are well under 15 storeys tall, but over 6.*

Plan text:

11.5.2 The City contains many tall buildings. In particular, the eastern part of the City has a concentration of tall buildings including iconic skyscrapers such as the Gherkin, 22 Bishopsgate, and the Leadenhall building. Tall buildings impart the City of London's World City status to compete globally and to be a place where businesses seek to locate. Strategically planning for tall buildings in clusters can bring economic as well as townscape benefits. Clusters of tall buildings allow for concentration and agglomerations of businesses and related economic activity while they also provide higher densities and contribute towards creating a more defined impact on the overall City skyline. The eastern cluster forms a distinctive skyline with the highest density of commercial activity within the City and is required to accommodate a significant proportion of the City's future growth in office

floorspace. Capacity modelling demonstrates that the two clusters of tall buildings are required if the City is to meet objectively assessed need for office capacity over the lifetime of this Plan.

Response:

11.5.2 *Referring to the three skyscrapers as “iconic” is entirely subjective, doing nothing to merit mention. “Impact” isn’t necessarily a benefit and certainly not in the creation and expansion of clusters, especially where the only end result is two overdeveloped and underused monuments constructed from masses of embodied carbon. Extending the cluster area won’t ameliorate the problem, in fact, it will just do the opposite.*

Plan text:

11.5.3 Tall building development can have transformational impacts upon **place** and they should be located in sustainable locations where they don’t undermine the character of **place**, or intrude into, and undermine cherished views of landmarks or urban skylines. They can also cause adverse environmental impacts such as reduction in daylight and sunlight, wind shear and overshadowing. It is therefore critical to determine appropriate areas and heights for tall buildings in order to respond to the opportunities appropriately to the issues that they may create.

Response:

11.5.3 *Adverse environmental impacts also include embodied carbon and both air and noise pollution. In any event, it’s difficult to see, where within the Square Mile, tall buildings or even smaller buildings wouldn’t “undermine the character of place, or intrude into, and undermine cherished views of landmarks or urban skylines”.*

Plan text:

11.5.4 The tall building areas identified are the City Cluster and Fleet Valley areas. A comprehensive analysis of the character of the City informed the location of these tall building areas. The study found that, given its historic nature, and the prominence in local and wider strategic views, all parts of the Square Mile are sensitive or very sensitive to tall buildings. The City Cluster and Fleet Valley areas are the only broad areas found to be less sensitive and less constrained relative to other areas. Outside the identified tall building areas, tall buildings would be likely to very significant impacts on heritage assets and on protected views from places within and outside the Square Mile, and could significantly undermine the prevailing townscape and character of the area.

Response:

11.5.4 *Perhaps it’s now time to accept that space in the City is finite and, instead of trying to cram in more buildings, preservation of existing space should be the overriding policy, not just for the sake of the City’s heritage but also its*

environment. After all every new tall building will produce at least 100,000 tonnes of embodied carbon. Restricting growth of the City wouldn't reduce the economic viability of London but would increase the value of existing buildings. That the level of "sensitivity" is viewed subjectively is of concern in any event.

Plan text:

11.5.5 Different parts of the City have different characteristic features that make them distinct from each other. New development should be designed to fit in well within the existing context and have form, massing and height that positively responds to the townscape character.

Response:

11.5.5 *Any new development, which isn't a retrofit will involve destroying an existing building or buildings with the replacement being taller, wider and deeper. How then can this be "within the existing context" particularly when having "form, massing and height that positively responds to the townscape character", whatever that means?*

Plan text:

11.5.6 The heights of the buildings in the City Cluster and Fleet Valley areas were determined through extensive three dimensional modelling and mapping, informed by a detailed assessment of how the proposed massing of tall buildings in these areas could potentially impact the wider City and pan-London skyline. Both areas were assessed based on specific criteria, including the London Views Management Framework (LVMF), St Paul's Heights, Monument Views, Tower of London approaches and representative views, and local strategic views.

Response:

11.5.6 *Is "impact" a good or bad thing here?*

Plan text:

11.5.7 Tall buildings are a characteristic and iconic feature of the City's skyline. Well-designed tall buildings can respond positively to the character and the historic environment of the area. The creation of coherent clusters of tall buildings will help to ensure individual tall buildings are not isolated features but part of a recognisable skyline, with viewers able to identify the clusters spatially and distinguish them visually from important skyline features such as St Paul's Cathedral.

Response:

11.5.7 *If there are already "individual" tall buildings how will clusters help prevent them being "isolated" other than by creating new clusters? Skylines are obviously determined by height so lower buildings would also be a "characteristic and iconic feature" but cause less harm "to the character and the historic environment", Worse than claiming "iconic" status for tall buildings is adding*

“characteristic” but, if justifiable, then Bastion House is both iconic and characteristic and doomed.

Plan text:

11.5.8 The way tall buildings are experienced at ground level is an important consideration as tall buildings can have a significant impact on the streetscape and public realm. They can provide a range of activities and public spaces at ground level for people to walk and spend time. They can also benefit communities by providing publicly accessible viewing terraces and galleries.

Response:

11.5.8 *This applies to all buildings to a lesser or greater extent. The enthusiasm for viewing terraces and galleries is subjective.*

How the policy works

Plan text:

11.5.9 The identification of the two tall building areas does not mean that all sites in the two areas are suitable **for tall buildings**. All new tall building proposals will need to satisfy the requirements of Policy S12 and other policies in this Plan and the London Plan. Policy S21 provides more details about the considerations that apply specifically to new tall building proposals in the City Cluster.

Response:

11.5.9 *Isn't satisfying policies a given?*

Plan text:

11.5.10 Tall buildings are high-profile developments with a wider impact, visible on the skyline across large parts of London. They provide City landmarks and should be designed to enhance the City's skyline.

Response:

11.5.10 *The opposite is, of course, true and views from the Square Mile have been damaged by the appearance of more and more tall buildings in adjoining and other London Boroughs. With 300 plus additional tall buildings in the pipeline, the City's skyline will be destroyed but, in any, event tall buildings within the Square Mile hardly “enhance” the City's skyline.*

Plan text:

11.5.11 London Plan policy D9 B requires appropriate locations and appropriate tall building heights to be identified on maps in Development Plans. Figure 14 and Policies Maps C and D identify the areas where tall buildings may be appropriate in the Square Mile. Within these areas, Figure 15 and Policies Maps C and D identify contour rings. These contour rings set out the maximum tall building heights at specific points within the area. These maximum heights are those that the City Corporation considers to be the

appropriate tall building heights based on an assessment of the potential impacts on strategic views and the following heritage assets: St Paul's Cathedral, The Monument and the Tower of London **UNESCOWHS**. In areas between the contour rings, tall building heights should be designed to successfully mediate between them.

Where two contour rings overlap, Policies Map C identifies two heights. The lower height should be applied to the development that sits outside the contour ring; the higher height should be applied to the development that sits inside the contour ring. In addition, part 8 of **policy D9B** requires the height and form of tall buildings to take into account strategic and local views; protected views are also addressed in Strategic Policy S13.

Response:

11.5.11 *London Plan policy D9 requires LAs to define what are considered to be tall buildings but there is the overriding need for any new or retrofitted building “to take into account strategic and local views” as well as the setting of heritage assets. This makes a separate policy for tall buildings as confusing as it is unnecessary.*

Plan text:

11.5.12 **Each** tall building **proposal** should be accompanied by a Heritage Townscape Visual Impact Assessment that includes computer generated visualisations to illustrate the likely visual impacts of the proposed development, taking account of the cumulative impact of other proposed, permitted and existing tall buildings. Digital massing models of tall buildings should be submitted, in appropriate formats. The City Corporation will use these models to assess the impact of tall buildings on the local, City-wide and London-wide townscape and skyline.

Response:

11.5.12 *The “computer generated visualisations” must be fully rendered instead of merely showing the outline of a proposed building.*

Plan text:

11.5.13 Within and in close proximity to the City Cluster, there are numerous heritage assets with the potential to be affected by tall buildings. The location, siting, bulk, massing, height and design of tall buildings should be informed by the potential impact on heritage assets, while recognising the juxtaposition of old and new architecture that already exists and that, in many instances, makes a positive contribution to the character of the Square Mile.

Response:

11.5.13 *Within the whole of the Square Mile there are numerous heritage assets with the potential to be affected by any new or retrofitted building. Any potential impact*

should not be overridden by a potential “juxtaposition of old and new architecture”, especially where constructing a new building would be at the cost of an existing one and the need to achieve net zero.

Plan text:

11.5.14 Tall buildings must not adversely impact on the operation of London’s airports, taking account of airport surface limitation heights. Consultation with London City Airport Limited will be required on all proposals over 90m AOD and with Heathrow Airport Limited on all proposals over 150m AOD. Subject to this consultation, the maximum height of buildings, any equipment used during the construction process and any subsequent maintenance or demolition must not exceed the Civil Aviation Authority’s (CAA’s) aviation safeguarding policy for central London, which sets a maximum height limitation of 309.6m (1,016 ft) AOD. Developers should undertake early liaison with the CAA, Heathrow and London City Airports regarding building heights and the height of cranes or other equipment to be used during construction, subsequent operation or demolition.

Response:

11.5.14 *The Circular Economy requires the “deconstruction” and not the “demolition” of buildings and the former must be used throughout the Plan instead of the latter. In any event planning for the “demolition” of tall buildings before their construction and operation seems an unusual requirement.*

Plan text:

11.5.15 The development of tall buildings must take account of the City Corporation’s PANs and SPDs on the potential microclimate and thermal comfort impacts from development at an early stage in the design process. PANs set out requirements for assessing the impacts of tall buildings on solar glare, solar convergence, sunlight, wind and thermal comfort explaining how they should be considered as part of the design process. Tall buildings should not interfere with telecommunications during construction and operation. Developers will be required to submit a Telecommunications Interference Survey identifying the impact of the development and any proposed mitigation measures.

Response:

11.5.15 *Again, such requirements extend to all buildings.*

Plan text:

11.5.16 Three dimensional digital models should be accompanied by data to verify the format, units of measurement and accurate positioning information relative to OSGB / Ordnance Datum co-ordinates. Submitted Accurate Visual Representations (AVRs) should be consistent with the supplied 3-D digital model but may reflect additional information to explain the physical

appearance of the proposals. They should comply with the methodology and definitions included in Appendix C of the London View Management Framework (LVMF). AVR materials should include representations of existing tall buildings and relevant consented schemes.

Response:

11.5.16 The physical area to be covered by “representations of existing tall buildings and relevant consented schemes” should made clear.

Fred Rodgers,

23 May 2023

