

Morgan, Jackson

From: Edward Kitchen [REDACTED]
Sent: 17 June 2024 13:02
To: Planning Policy Consultations
Cc: Jeremy Randall
Subject: Draft City Plan 2040 - Representations on behalf of Bahagia Investments Ltd
Attachments: 240614 Representations Bahagia Investments Ltd Combined.pdf

Categories: CONFIRMED

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Dear Sir or Madam

On behalf of our client, Bahagia Investments Ltd, I am pleased to attach representations on the Draft City Plan 2040.

Yours faithfully

Edward Kitchen
Senior Associate



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14 June 2024

Our ref: JRA/EKI

Dear Sir

**Regulation 19 Publication City Plan 2040
Representations on behalf of Bahagia Investments Limited**

We write to submit representations on the draft City Plan on behalf of Bahagia Investments Limited the freehold owner of land at 88 Leadenhall Street, EC3A 3BP.

The property at 88 Leadenhall Street sits within the draft City Cluster Tall Buildings Area and has the potential to make an important contribution to future growth in the Square Mile. We believe development of the site could deliver significant new office accommodation whilst respecting the historic environment, enhancing the public realm and complementing the City's skyline with new architecture of the highest quality.

In broad terms, we endorse City Corporation's positive vision for the Square Mile and the draft Plan's support for the optimisation of sites within the City Cluster. As the draft Plan makes clear, for the City to maintain its status as a world-leading centre for financial and professional services, it is vital to ensure that sufficient office floorspace is available to meet projected economic and employment growth over the Plan period, particularly through the delivery of high-quality new floorspace that is suitable for a wide range of different occupiers.

On the specific policies of the draft Plan, we make the following observations:

Strategic Policy S4: Offices

In our view, the draft Plan's target to deliver a minimum of 1.2 million sqm of net additional office floorspace is unlikely to reflect the City's objectively assessed need. Having regard to the continuing trend towards in-person office attendance in the City, we believe the Plan should target delivery of the higher office floorspace figure of 1.9 million sqm, as outlined in the Arup / Knight Frank evidence base report under the Return of In-Person scenario. Our position on this issue supports our representations in respect of the draft Plan's approach to sustainable design and tall buildings.

Policy DE1: Sustainable Design

Whilst we recognise the City's aspiration for development to follow a retrofit first approach, Policy DE1 should be amended to ensure this does not become retrofit only in practice.

For the Plan to deliver the net additional office floorspace required, even at the *minimum* of 1.2 million sqm, it will be essential to optimise individual sites through redevelopment where there is clear potential for a significant uplift in floorspace. In the City Cluster, where around 85% of the City's capacity for growth has been identified, site optimisation will be critical.

To ensure the draft Plan is positively prepared and effective, we believe Policy DE1 should avoid unconditional imperatives (ie. "3. Development proposals should minimise whole life-cycle carbon emissions."), as there will clearly be sites where the least carbon intensive form of development is *not* the most sustainable development option. Redevelopment in these cases should not be seen as an exceptional path, but one which is expressly supported as the only realistic way to meet the strategic objectives of the Plan.

The policy should therefore make clear that the consideration of retrofit needs to be undertaken in the context of the Strategic Policy S4, the London Plan's 'Good Growth' objectives, Policy D3 (optimising site capacity through the design-led approach) and Policy SD4 in respect of the Central Activities Zone. If this approach is not properly embedded, Policy DE1 could serve to frustrate the delivery of sustainable development by preventing transformative change on key sites within the City Cluster.

Strategic Policy S12: Tall Buildings

Whilst we endorse the plan-led approach to tall buildings in principle, we believe the combined application of the draft contour lines, the jelly mould and the policy wording would be unduly prescriptive and unnecessarily rigid. As a strategic tall buildings policy, S12 should provide a sound framework for the delivery of tall buildings in the City without seeking to impose absolute permissible building heights on individual sites before any site-specific analysis has been undertaken.

The Plan is very clear that every application for a tall building within the City will require comprehensive, site-specific analysis, including the provision of accurate three-dimensional computer models and Accurate Visual Representations. Optimising any given site will require careful analysis of a wide range of environmental factors. The policy should incorporate some flexibility for professional judgment to be exercised at application stage with the benefit of the detailed analysis undertaken.

The draft policy wording should be amended to omit reference to 'maximum permissible' heights across all sites within the tall building areas. Without revision, there is a very high likelihood that Policy S12 will prevent specific sites within the identified tall building areas from being fully optimised. This would be particularly concerning in the City Cluster, given the objectively assessed need for additional office floorspace and the Plan's overwhelming reliance on the cluster to accommodate that growth.

Summary

In summary, as property owners with a long-term interest in the future of the City, Bahagia Investments Ltd support the adoption of an ambitious Plan which reflects a positive outlook for the Square Mile as a global centre for business. The Plan should be prepared to meet the objectively assessed need for additional office accommodation, based on the latest available evidence, with delivery then driving attainment of the Plan's wider environmental, social and cultural objectives.

We believe key sites within the City Cluster, such as 88 Leadenhall Street, will play a vital role in realising the strategic objectives of the Plan. The Plan's policies on sustainable design and tall buildings must provide clear support for the optimisation of such sites to ensure the City's full potential for positive and transformative change is realised.

Yours faithfully



Jeremy Randall
Partner

[Redacted signature block]

Encl. **Appendix A: The Townscape Consultancy**

Regulation 19 Publication City Plan 2040
Representations on behalf of Bahagia Investments Limited
Cunard House, 88 Leadenhall Street, London, EC3A 3BP

23rd May 2024

- 1.1 These representations have been made by The Townscape Consultancy Ltd on behalf of Bahagia Investments Limited, the freehold owner of the building at Cunard House, 88 Leadenhall Street, London, EC3A 3BP (the 'Site'). The representations have been made in response to the Regulation 19 consultation on the Draft City Plan 2040 in support of the City of London's positive approach to the development of new tall buildings in appropriate locations under draft Strategic Policy S12.
- 1.2 The Site is located within City Cluster Tall Buildings Area, which has been identified as the most suitable location for tall buildings (identified as buildings over 75m AOD).
- 1.3 The Site also falls within the Creechurch Conservation Area which was formally designated following consideration by the Planning and Transportation Committee on 12 December 2023, and by the Court of Common Council on 11 January 2024.
- 1.4 Please refer to the cover letter by Gerald Eve LLP ('Gerald Eve') to the City of London Corporation (the 'CoL') on behalf of 'Bahagia Investments Limited' (the 'Client') in respect of the Site.

Evidence Base

- 1.5 A Tall Buildings Evidence Base Topic Paper (January 2024) was prepared as part of the evidence base to inform the emerging City Plan. The Topic Paper defines and assesses nine character areas in terms of their respective sensitivity to tall building development, to meet the requirements of policy D9 of the London Plan.
- 1.6 The City Cluster and Fleet Valley Character Areas were identified as the only broad areas found to be less sensitive to tall building development and less constrained relative to other character areas. The Site falls within the City Cluster Character Area as identified in the Tall Buildings Evidence Base Topic Paper. The Topic Paper notes at paragraph 19.36 that tall buildings are "*an established, defining feature*

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of the Character Area, which also displays to the most acute degree the extreme variation in height often associated with the City as a whole.”

- 1.7 It goes on to state at paragraph 19.54 that *“Whilst the area’s remaining historic fabric and character is sensitive to change, it is recognised that tall buildings presently make a contribution to how this fabric within the character area is experienced and appreciated from the surroundings. Therefore, tall building proposals which take opportunities to restore, enhance and consolidate the fragmented nature of the historic environment, respond to the juxtaposition of different scales and adopt the highest quality design including, careful consideration regarding how structures meet the ground, have the potential to align with the existing character and appearance of the area whilst minimising harmful impact upon the character area and the assets within it.”*

Draft Strategic Policy S12

- 1.8 Draft Strategic Policy S12 relates to tall buildings. The draft policy defines tall buildings as anything over 75m AOD and identifies appropriate locations for tall buildings within the City Cluster and Fleet Valley Tall Building Areas (see Figure 14 of the draft City Plan). As with the existing and adopted Local Plan, the drawn boundary of the City Cluster includes the Site. As published, the contours map indicates that the Site may in principle be suitable for a tall building, provided that the proposals satisfy the requirements of Policy S12 and other policies contained within the London Plan and emerging City Plan, including draft Strategic Policy S21 on the City Cluster.
- 1.9 We endorse the CoL’s positive approach to new tall buildings in areas identified as most suitable for tall building development in order to optimise the development potential of individual sites within the City Cluster. It follows therefore that we support the removal of the CoL’s presumption to refuse tall building development within conservation areas, as set out in adopted policies CS14 and S12 of the 2015 City Plan, in which conservation areas are deemed as inappropriate areas for tall buildings.
- 1.10 The designation of conservation areas carries with it the statutory duty to consider how an area or areas can be preserved and enhanced. We consider that it is imperative that the CoL adopt a strong policy framework that seeks to ensure development proposals within conservation areas strengthen the special character of that conservation area. However, we contend that there are number of recent examples of tall buildings within conservation areas within the CoL that make a positive contribution to their character and appearance, including One Bishopsgate Plaza (within the Bishopsgate Conservation Area) and the recently consented tall building at 85 Gracechurch Street (within the Leadenhall Conservation Area).

The Creechurch Conservation Area

- 1.11 The Site is located within the Creechurch Conservation Area which was formally adopted in January 2024, following a public consultation period which ran from 21 September to 6 November 2023.
- 1.12 From the CoL's website we understand that an accompanying Creechurch Conservation Area Character Summary and Management Strategy is currently being prepared. For the purpose of these representations we have referred to the CoL's supporting Creechurch Conservation Area Appraisal document, dated December 2023.
- 1.13 The document notes at section 2.1 that the Creechurch Conservation Area is located in part of the City Cluster of tall buildings and as such '*It is notable, like the Leadenhall Market and St Helen's Conservation Areas, for being in amidst the high-rise modernity of the Cluster [...].*' As with other conservation areas located in the City Cluster, the immediate and wider setting of the conservation area is extremely varied in terms of scale, form, and architectural character. Existing and emerging tall buildings such as 30 St Mary Axe and 100 Leadenhall Street are situated in close proximity to the conservation area boundary and thus are considered to form an established, defining feature of its setting.
- 1.14 As adopted, the Creechurch Conservation Area boundary also includes a number of existing and consented taller modern developments including the existing building at Cunard House, One Creechurch Place and the consented 24 Bevis Marks. We therefore contend that the juxtaposition between the finer grain historic buildings and modern tall buildings forms part of the prevailing character of the Creechurch Conservation Area and does not preclude the development of other tall buildings within the conservation area boundary.

Summary

- 1.15 Overall, our Client is supportive of the CoL's removal of the presumption against the development of tall buildings in conservation areas under draft Strategic Policy S12, in order to safeguard the future development potential of the Site, given its location within the City Cluster.
- 1.16 We consider that the Site is in principle suitable for a tall building, provided that any development proposals satisfy the requirements of draft Policy S12 and other policies contained within the London Plan and emerging City Plan. This would include due consideration of the Site's location within the Creechurch Conservation Area which is characterised by the juxtaposition of scales and architectural styles, as evidenced in the Tall Buildings Evidence Base Topic Paper.