

**From:** [Liam Lawson Jones](#)  
**To:** [Planning Policy Consultations](#)  
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Dear Planning Policy Team,

On behalf of Stanhope Plc, I attach a copy of their representations to the City Plan 2040. Appendix 1 of the representations can be downloaded here:

[City Plan 2040 - Stanhope PLC Representations - Appendix 1 Millerhare Visualisations.pdf](#)

These representations are provided in letter form and provide responses to each of the questions sought on the representation template provided as part of the consultation.

We look forward to receiving confirmation that the representations have been received.

Kind regards

Liam

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**14 June 2024**

Dear Rob

## **City Plan 2040 – Regulation 19 Consultation**

Thank you for inviting us to provide comments on the City of London City Plan 2040 (April 2024). Stanhope Plc have a long history of development in the City of London, our most recently completed building is 8 Bishopsgate, with three more tall buildings at various stages of the planning process:-

- 55 Bishopsgate (resolution to grant permission);
- 1 Undershaft (application submitted and pending consideration ref. 23/01423/FULEIA and benefits from an existing planning permission ref. 16/00075/FULEIA); and
- 70 Gracechurch Street (in pre-application discussion and benefits from an existing planning permission ref. 20/00816/FULEIA).

We welcome much of the policies within the City Plan and its aspirations, particularly in relation to sustainability, inclusiveness, economic growth through new economic development and creating an evening, night time and weekend ecosystem of culture and leisure uses within the Square Mile.

We support the ambition and innovation set out in the City Plan and consider that there are opportunities to go further in places, particularly around the quantum of office accommodation and opportunities to deliver growth within the City Cluster.

Development decisions involve much more than the planning process, and we encourage the City to be bold in supporting development which seeks to optimise and make the best use of land, positively planning for growth whilst recognising that there are commercial challenges and considerations to best capitalise on opportunities to create the best experience for occupiers of buildings, public realm and the experience they have in the Square Mile.

In preparing these representations, we have considered the tests within the National Planning Policy Framework ("NPPF") and whether the City Plan and its policies are sound, meaning; positively prepared, justified, effective and consistent with national policy. We have also reviewed and analysed the evidence base where relevant to interrogate certain policies in detail. We would further endorse the representations which been submitted by the City Property Association.

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These representations relate to some general policies and chapters within the City Plan 2040 (the “Plan”), as well as site specific representations to 70 Gracechurch Street.

## Chapter 5: Offices

Draft strategic policy S4 and draft policy OF1 are strongly supported. The ambition to see the delivery of at least 1.2m sqm of new office over the plan period will enable continued economic growth for the City of London and wider London and UK economy. The “retrofit first” approach is strongly supported and Stanhope agree that retrofit should be the starting point of development, with detailed options testing and appraisals to chose the best way to proceed and develop a design.

The supporting evidence base makes a case for a potential demand for 1.8 million sqm of new office floorspace over the plan period and we would encourage the City to be ambitious in planning for economic growth and the consequent policies which seek to direct growth to key areas of change whilst ensuring that there is sufficient capacity allowed for in other areas of the plan, particularly draft strategic policy S12 (Tall Buildings).

## Chapter 6: Retail

The aspirations of the retail policies are broadly supported. It is considered that the policies would be better focused on encouraging active frontages at ground floor which could include retail, culture and leisure uses and accessible office functions which are complementary to achieving active frontages. Following the introduction of Commercial, Business and Service (Class E) uses in 2020 (which is not referenced at all in the Retail Needs Assessment Study by Colliers, dated October 2023). There has been a radical shift in the retail and leisure market with food and beverage/experience based retail performing more successfully than traditional “shop” uses. Many retail units can change uses within Class E without needing planning permission.

70 Gracechurch Street’s entire western, eastern and southern frontages are designated within a Principal Shopping Centre (PSC). It is considered that draft policy RE1 (Principal Shopping Centres) should recognise the potential role that comprehensive development can have in a positive way which would alter these frontages, such as the creation of new routes or open spaces, as proposed in the emerging proposals and accepted in the previously approved scheme for the Site. Part 2 of the policy should be reworded as follows:-

**“The role of the PSCs as concentrations of comparison and convenience shopping will be retained. The loss of existing ground floor retail frontages and/or floorspace, where this requires planning permission will be resisted and additional retail provision of varied unit sizes and frontage lengths will be encouraged, supported by complementary uses that increase footfall and provide active frontages. Consideration will be given to providing alternative or flexible land uses to complement traditional retail achieve a balance of uses and active frontages.”**

The City Plan should also be clear in the supporting text what controls (likely by way of planning conditions) that the City of London would seek to attach to planning applications which are located in PSC’s if they propose to continue to restrict uses within Class E.

## Chapter 7: Culture and Visitors

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The aspirations of this part of the City Plan are broadly supported. It is key to the ongoing success of the City that a balance is struck between providing spaces and uses for visitors (both City and London residents, domestic and international) and the significant and increasing working population within the Square Mile. Accommodating these needs is a challenge that should be recognised, and uses which overlap between the two groups should be supported.

The relationship between the City Plan and the Cultural Planning Framework (CPF) is unclear – it appears to be part of the evidence base but references are made in the Plan to alignment with the CPF. The City of London should clarify whether the CPF is intended to form part of a future Supplementary Planning Document which would be subject to consultation and independent examination.

Draft policy CV2 (provision of culture and visitor facilities) should be clear that the floorspace thresholds relate to increases in new floorspace. It is considered that the definition of cultural and leisure floorspace and uses could be better defined, particularly leisure uses. The principle of financial contributions for smaller sites to fund larger projects could be successful but would require further consultation and evidence through a future Supplementary Planning Document in order to make clear how these funds would be pooled and how project allocations would be workable.

Draft policy CV2 It should be recognised that there is no commercial marketplace for speculative cultural uses due to operational funding constraints. It is very challenging to secure cultural occupiers until developments are nearing completion; the policy should support cultural uses which can be occupied flexibly by a range of different users.

## **Chapter 9: Design**

The ambitions and introduction of a retrofit first approach to sustainable design is supported. The City of London's research and evidence lead approach which is established in the Planning Advice Note is industry leading.

We would encourage the continued evidence based evolution of the industry's understanding of retrofit, carbon modelling and innovation into the re-use of building materials.

In designing for a long life loose fit building, it should be noted that it is not always possible to understand everything about a building at the planning application stage and sometimes retrofit is not always the most sustainable approach to fully optimise a site.

The "experience" section of draft strategic policy S8 (design) rightly promotes the maximisation of active, public facing, permeable and usable frontages.

The policy should recognise that there is a need to deliver some private spaces (such as office receptions) and back of house spaces (loading bays, sub stations etc) and that a balance should be struck between the functional components of buildings, particularly large developments and the public experience at ground floor level.

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The aspirations of draft policy DE3 (public realm) are supported in principle, however the management of spaces which are to be designated as public highway are maintainable at the City's expense and can create quite a limiting palette of materials / landscaping. It should be recognised that on larger sites, ones which could include alterations to the road and footpaths may need to be jointly managed.

Draft policy DE4 (terraces and elevated public spaces) should be made clearer to distinguish the expectations for publicly accessible spaces within buildings. It is considered that part 1 of the policy should be amended:-

**"1. Roof terraces and elevated spaces for private and public amenity will be encouraged where..."**

Part 3 of the policy should also be made clearer:-

**"3. Requiring all tall buildings or major developments to provide free to enter, publicly accessible elevated spaces, which may include roof gardens, terraces, public viewing galleries, or other retail or leisure facilities to create attractive destinations for people to enjoy the City's spectacular skyline and views. Consideration will be given to the quality of the view at high level and the concentration of surrounding high level spaces and uses to provide a diverse offering."**

Stanhope also consider that opportunities for the use of public viewing gallery spaces for some private events or purposes should be supported by the policy.

As more developments complete and new planning permissions are granted/being submitted, we would strongly encourage the City of London to ensure that there is a diverse offering of elevated spaces and uses to ensure that there is not a saturation of similar offers (such as public viewing galleries).

## Chapter 10: Transport

The aspirations of this chapter are strongly supported, particularly reducing vehicle trips and promoting walking and cycling. It is considered that draft policy VT2 (freight and servicing) should specifically incentivise dual public realm/loading facilities in addition to off-street loading bays:-

**"3. Development should be designed to provide for on-site servicing bays within buildings, wherever practicable. On site servicing areas must be of a sufficient size and design to allow all goods and refuse collection vehicles likely to service the development at the same time to be conveniently loaded and unloaded. Servicing areas should provide sufficient space or facilities for all vehicles to enter and exit the site in a forward gear. Servicing areas must be equipped with electric vehicle fast charging points. The use of servicing lifts will or joint function spaces during different times of the day may be required where this approach would be beneficial for creating attractive and inclusive public realm."**

This would support the approach and positive conversations which have been part of the pre-application dialogue for the revised 70 Gracechurch Street scheme which would see the omission of the previously consented vehicle lifts.

The aspirations to improve pedestrian movement, permeability and wayfinding are supported, however part 6 of policy AT1 should recognise that permissive paths on larger sites can facilitate transformational

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public realm, particularly where public highway is poor quality and does not provide any permeability and would remove the ability for a site to be properly optimised. This part of the policy should be altered:-

**“The replacement of a route over which pedestrians have rights with one to which the public have access only with permission will not normally be acceptable, it may be acceptable as part of a larger transformational public realm proposal”.**

## Chapter 11: Heritage and Tall Buildings

We support the principle of the volumetric approach that the City have carried out and praise its innovation. At a strategic level, establishing broad height parameters for sites within the Cluster is supported as this will aid making development decisions alongside all other commercial considerations and leasing events. Obviously, not every site in the City Cluster will be suitable for a tall building and there are many factors to be considered in whether it can deliver a viable .

A thorough review of the supporting evidence base has been carried out which has informed the wording of draft strategic policy S12 and draft policy map C of the City Plan. It is envisaged that most of the office growth of at least 1.2sqm in the City will be delivered by the City Cluster Key Area of Change (as reflected in the draft spatial strategy). As currently drafted, the policy approach and specific wording is not sound and warrants objection.

It is considered that the evidence base is largely sound, however the translation of a complex 3D jelly mould into 2D contours and a restrictive policy wording would limit the City’s ability to deliver fully optimise sites and meet its planned growth.

The starting point for understanding potential massing, particularly within the City Cluster is strategic views of St Paul’s Cathedral, the Tower of London and the Monument. The Fleet Street processional route and views of the Inner Ward of the Tower have informed the creation of the published jelly mould. This creates an incredibly complex 3D shape, with each site needing to be interrogated through detailed townscape testing. When comparing the jelly mould as part of the evidence base against the contours on draft proposals map C, there is a clear methodology issue when combined with the proposed policy wording which seeks to set maximum caps for building height.

There are also concerns with the approach which appears to have omitted existing and proposed clusters of taller buildings around Liverpool Street.

Of most relevance to these representations is the City Cluster tall building area. The contours and draft strategic policy S12 at present would not allow for the consented developments at 1 Undershaft (16/00075/FULEIA) or 70 Gracechurch Street (20/00816/FULEIA) to be permitted as they exceed the maximum proposed contour heights. The evidence base, comprising the Strategic View Impact Assessment, Tall Buildings Topic Paper and Volumetric Testing all form a solid basis for creating a workable tall buildings policy.

Appended to this letter is analysis which has been prepared by Millerhare, setting out the relationship of the consented and emerging proposals for all three sites; 55 Bishopsgate, 1 Undershaft and 70 Gracechurch Street and how they relate to the proposed 2D contours and 3D published jelly mould. It is clear that when

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reading this alongside draft strategic policy S12 that there is a conflict with how the City of London intend for this to be used in planning decisions.

It is noted that the Volumetric Testing which accompanies the evidence base recognises the challenges associated with creating a series of 2D building contours which can be workable within the complex geometry of the City Cluster. Volume 1, paragraph 1.21-1.23 (optimising outcomes for each site) is clear that there was scope for tall buildings to exceed the height contours subject to detailed townscape and heritage testing.

The contours were created to provide a scenario where a building can be certain to not impact key views, but it is clear that there is significant scope to exceed the contours, particularly on sites to the south of Leadenhall Street, whilst remaining invisible in key views. The policy needs to recognise this potential to ensure it does not preclude projected growth coming forward through a restrictive tall buildings policy.

It is considered that the wording for draft strategic policy S12 must be reworded to make the policy workable. This could be achieved through different approaches which we encourage the City of London to explore:-

- Alterations to policy map C to introduce additional contours at 10 metre intervals to make the stepping clearer, or referring to the 3D jelly mould;
- Introducing ranges of heights which could be acceptable within the current 2D contours to take account of the highly sensitive and complex viewing cones (particularly from the Fleet Street Processional Route and kinetic sequence towards St Paul's Cathedral, and static views from the Tower of London and Waterloo Bridge/the South Bank, as outlined in the evidence base);
- Providing a methodology for how the contours can be interpreted in 2D form to give greater clarity to the nuances of these complex views;
- Rewording the draft policy to allow for broad height ranges or parameters which are subject to detailed townscape and heritage testing to ensure that each site can account for the various nuances within these complex, kinetic views.

The policy should also clarify the following:-

- The policy is not a gateway, or, "fail at the first hurdle" policy which is established by case law in relation to policy D9 of the London Plan, which confirms that just because a site is not allocated for tall building development or is above a defined height in local policy, that it cannot be acceptable having regard to its visual, functional or environmental aspects;
- There may be exceptions to the policy which only allocates two areas which tall buildings may be acceptable (such as those which are already taller than 75m AOD, particularly around Liverpool Street/Broadgate);

As a minimum, the following changes should be made to draft strategic policy S12(3):-

**"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. Existing tall buildings**

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outside of defined areas may be acceptable for tall buildings development, subject to detailed assessments and testing of the functional, environmental and visual impacts.

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 **generally** exceed the height of the relevant contour rings. **There may be instances where these can be exceeded through detailed assessment of the visual, functional and environmental impacts.** 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.”

At present, the policy as drafted is not sound and requires amendments to ensure that the City’s planned growth can be accommodated. We have addressed the site specific issues for 1 Undershaft and 70 Gracechurch Street below.

## 1 Undershaft

The current application for revised proposals is pending consideration (ref. 23/01423/FULEIA). The application is submitted with a full Townscape, Heritage and Visual Impact Assessment, prepared by Tavernor Consultancy. Of relevance to these representations is the overall proposed building height at 309.6m AOD which has been agreed as the maximum building height allowed by the Civil Aviation Authority in consultation with London City and Heathrow Airports.

Both of their consultation responses to the current pending application raise no objection to the taller building height, subject to conditions. 1 Undershaft has long been established as the focal point of the City Cluster in strategic views. The previously approved scheme had an overall building height of 304.94m AOD.

Alongside our general comments relating to draft strategic policy S12, as a minimum, the top height of the highest proposed contour, currently 300m AOD, needs to be amended to allow for a building on the site of up to 309.6m AOD (or 310m AOD for ease of rounding) to allow for the focal point of the cluster to be materialised.

## 70 Gracechurch Street

The previously consented scheme was subject to a full Townscape, Heritage and Visual Impact Assessment which assessed the proposals from a set of agreed viewpoints with Officers of the City of London. The impacts of the proposals were considered to be acceptable for a ground plus 33 storey building rising to 155 m AOD.

The new proposals are coming forward with a slightly different set of agreed viewpoints which has led to alterations to the massing in the north western corner of the site. In overall height terms, the overall previously approved height of 155m AOD is maintained, albeit with a different approach to massing distribution. The site sits within two building contours which indicate that the maximum height should be 140m AOD, some 15 metres below the previously approved and revised proposed heights.



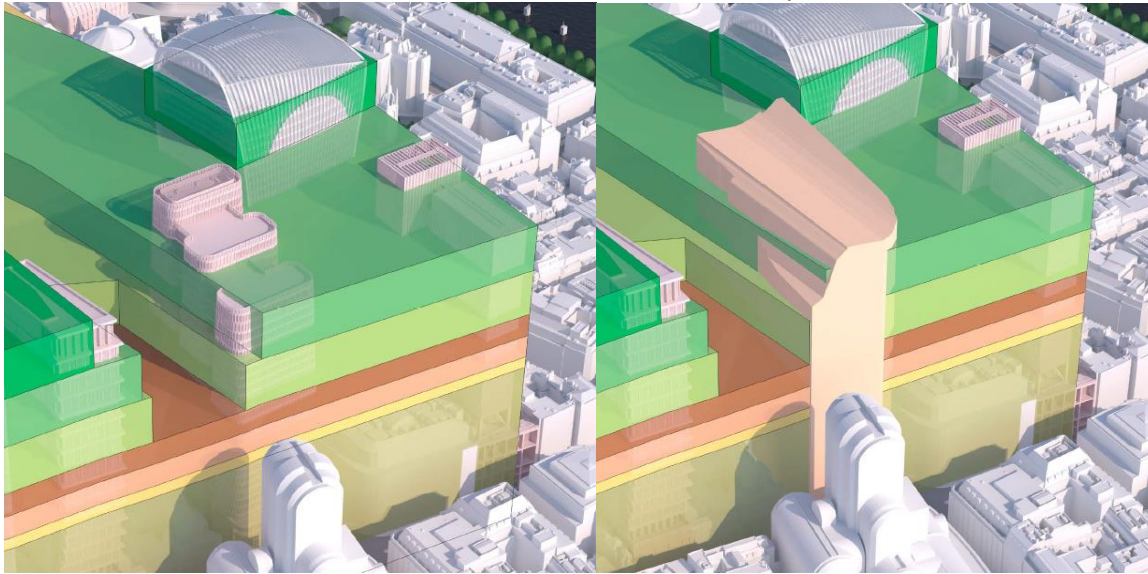
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Millerhare have produced a jelly mould for the site which indicates the upwards sloping nature of the visibility envelope from the Fleet Street sequence. This is overlaid above the 2D contours and set out below at Figure 1.

*Figure 1 – Extract from Miller Hare Supporting Document*

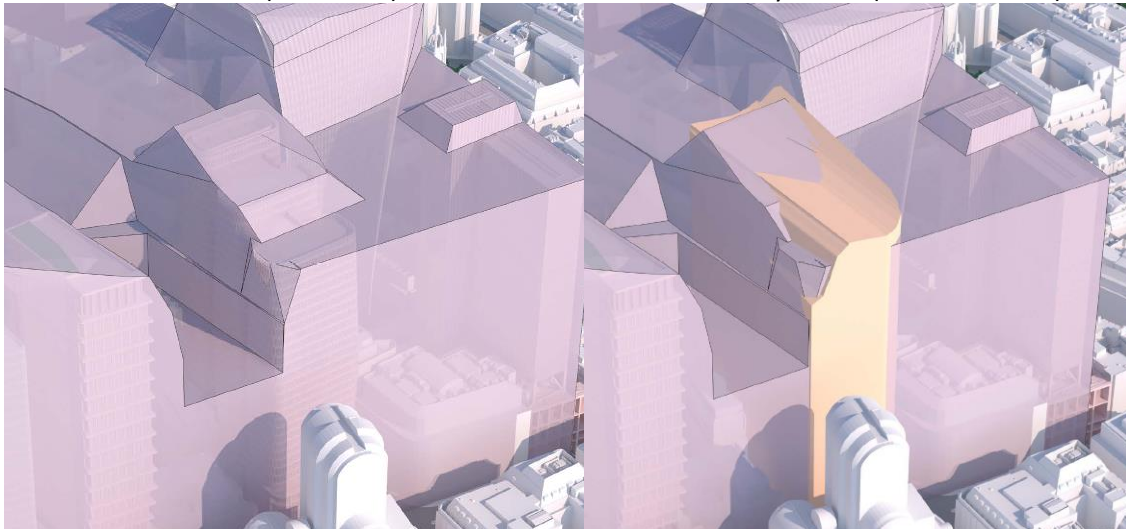
70 Gracechurch Street (consented)

70 Gracechurch Jelly mould (revised scheme)



70 Gracechurch Street (consented)

70 Gracechurch Jelly mould (revised scheme)



It is clear that an additional contour which recognises the sloping nature of the jelly mould should be introduced on the 2D map, and that an additional contour ring between 160m and 140m needs to be introduced on draft policy map C.

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## Conclusions

We thank you for the opportunity to be consulted on the City Plan 2040. There is much within the Plan that is supported and we look forward to continuing discussions with the City of London about our exciting pipeline of new projects, and being party to an Examination in Public in due course.

Please contact me, Tom Bradley or Nick Jarman at Stanhope if you have any questions or wish to discuss further.

Yours faithfully,

Stanhope Plc

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## Appendix 1: Miller Hare Visualisations