

DRAFT CITY OF LONDON LOCAL PLAN 2040
EXAMINATION IN PUBLIC
SUBMISSION BY SAVE BRITAIN'S HERITAGE
TALL BUILDINGS AND CONSERVATION AREAS

1. SAVE Britain's Heritage submitted objections to the Draft City Plan 2040 as part of the Regulation 19 consultation stage in May 2024. SAVE is now submitting a written statement for the public examination to be carried out by the Planning Inspectorate focussing on Chapter 11 of the Draft Plan, and in particular the issue of tall buildings and conservation areas.
2. SAVE Britain's Heritage has a long track-record of campaigning to protect Britain's historic environment. SAVE is a non-statutory organisation and receives no government funding. Given its limited resources SAVE selects very carefully the cases it chooses to engage with, and even more so those it decides to pursue at public inquiry.
3. SAVE is not asking to make representations in person at the Hearing but is willing to attend to answer questions or clarifications if the Inspector so wishes.
4. The City of London contains 28 conservation areas whose character and appearance as designated heritage assets are crucial to the character of the City and London as a whole. The City of London has a duty under the Planning (Listed Buildings and Conservation Areas) Act 1990 to preserve and enhance them. Controlling the scale and height of new buildings and extensions to existing buildings plays a critical part in preserving and enhancing the character and appearance of conservation areas. New developments that fail to harmonise with the prevailing scale, massing and height of existing buildings can be extremely harmful to the cohesive character and appearance of conservation areas, and can have a highly negative impact.

5. This was recognised in the adopted City Plan 2014 where existing Policy CS14 states that tall buildings within inappropriate areas, including conservation areas, will be refused. This policy has been dropped from the Draft City Plan 2040. SAVE considers that it should be reinstated so that the City Corporation can continue to fulfil its statutory duties.

6. The Draft Plan defines tall buildings as those over 75 metres AOD, and identifies two areas where these may be suitable. SAVE questions the appropriateness of the tall building definition and the boundaries of the proposed tall building areas.

7. The vast majority of the existing conservation areas in the City of London do not contain tall buildings. Aside from St Paul's Cathedral and the towers and spires of historic churches, the Monument or the dome of the Old Bailey there are very few buildings or structures within conservation areas which exceed 40 metres, let alone 75. The City's adopted Supplementary Planning Documents for its individual conservation areas all stress the important contribution that building heights and scale of development make to the character and appearance of those areas, and hence their heritage significance. Any tall buildings that do exist are deemed to have a negative impact on the character and appearance of the conservation area (with the exception set out in paragraph 11 below).

8. SAVE considers that the proposed uniform tall building definition of 75 metres AOD across the whole of the City is too high and an insensitive tool for preserving the City's conservation areas. The City's justification for this single, very high, definition is set out in the Planning Officer report 'City Plan 2040 – Tall Buildings & Heritage' to the Local Plan Sub-Committee on 20th June 2023. The assertion that the majority of the City has a prevailing building height of 15-21 storeys is entirely misleading and inaccurate in terms of its conservation areas. The prevailing building height in the majority of the 28 conservation areas is more in the region of 8 – 10 storeys.

SAVE invites the Inspector to visit them. In some conservation areas the prevailing scale is even less.

9. Paragraph 11 of the June 2023 report states correctly that ‘the City has a varied character with a striking spatial contrast’. It then, illogically, concludes that ‘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’. SAVE considers that 75 metres is far too high a benchmark for the whole of the City. A building of, say, 70 metres in height would be intrusive and inappropriate in every one of the 28 City conservation areas. Indeed, in order to retain the marked contrasts within the City, SAVE considers that a more sophisticated and sensitive approach to tall buildings and their definition is required.

10. London Boroughs that directly adjoin the City of London have taken a more considered and contextual approach to their definition of tall buildings. In its Draft Local Plan Camden ‘defines tall buildings as buildings that are over 40 metres in height in the Central Activities Zone and over 30 metres in height elsewhere in the Borough, when measured from the lowest part on the ground to the uppermost part of any rooftop structures including plant and lift overruns.’ In the London Borough of Tower Hamlets and the London Borough of Islington a tall building is defined as over 30 metres from ground level. Very precise sites, rather than wide areas, are identified where tall buildings might be appropriate.

11. Only one conservation area in the City of London, the Barbican and Golden Lane Conservation Area, has tall (over 75 metres) 20th century buildings that contribute positively to the character and appearance of the Conservation Area. Indeed, the Barbican and Golden Lane Conservation Area Supplementary Planning Document (February 2022) clearly identifies and describes these as Great Arthur House on the Golden Lane Estate, and Cromwell, Shakespeare and Lauderdale Towers in the Barbican. Policies within the SPD state that

their settings must be carefully preserved, essentially ruling out any further tall buildings within the area. It would also rule out buildings of 40 – 75 metres in height, which under the current Draft Plan’s definition would not be considered ‘tall’ buildings.

12. The 28 conservation areas within the City of London are generally compact, sometimes very small, areas with carefully and tightly drawn boundaries. SAVE acknowledges that beyond these boundaries there are sometimes tall buildings which might affect the setting of nearby conservation areas. These sometimes instil a sense of ‘cheek-by-jowl’ that is perhaps a part of some of the City’s character, referred to in Paragraph 9 above. However, in the opinion SAVE the setting of a conservation area is a different issue to the inherent significance of the conservation area itself as a designated heritage asset where tall buildings are NOT part of their character and appearance. The fact that tall buildings might be close to conservation area does not justify their acceptability of their encroachment within a conservation area itself. To allow tall buildings within conservation areas would undermine the special spatial contrast that exists within the City.

13. Although the boundaries of the City’s conservation areas are tightly drawn most of the CAs have some existing buildings which make a neutral or even a negative contribution to the character and appearance of the conservation area. The redevelopment or extension of such buildings needs to be carefully controlled, particularly their scale and height. The proposed change of policy in the new City Plan would undermine the ability to do that.

14. This issue was highlighted during the process of the recent designation of the City’s latest conservation area, the Creechurch Conservation Area, formally designated on 11th January 2024. The designated boundary includes One Creechurch Place, a 19-storey office tower (about 65 metres AOD) completed in 2017, which is specifically identified in the designation report as having a **negative** contribution to the area because of its height and scale. The

implication is that the excessive height and scale of One Creechurch Place should not be regarded as a precedent for similar scale development within the Creechurch Conservation Area. The reason that One Creechurch Place was included in the designated boundary relates to the historic and archaeological significance of its site, being the location of both the medieval Holy Trinity Priory and the Great Synagogue (1690-1941), once the focus of this very important Jewish Quarter.

15. The Creechurch Conservation Area also contains several existing buildings which make a **neutral** contribution to its character and appearance, where for example the building is an appropriate scale but possesses no architectural or historic merit. One of these is the 5-7 storey 31 Bury Street, built in 1967.

16. SAVE suggests that much of the motive for changing the established Policy CS14 in the existing Local Plan stems from longstanding proposals for the redevelopment of 31 Bury Street, close to Bevis Marks Synagogue. Proposals (20/00848/FULEIA) for a 48-storey tower to replace the existing building were submitted in October 2020. They were recommended for approval by the City Planning Officer, but after a large number of objections, the application was refused by Planning Committee on 21st October 2021, with the decision issued in June 2022.

17. A consortium of interested parties and amenity societies, including the Bevis Marks Synagogue, The Georgian Group, Victorian Society, Twentieth Century Society and SAVE, lobbied for the designation of a new conservation area that would include 31 Bury Street. A detailed analysis and report was prepared by these Third Parties and presented to the City Corporation early in 2023.

18. During initial informal discussions the proposal met with resistance from the City Planning Officer. When options for potential boundaries of a new conservation area were eventually put by the City Planner to the Planning Committee on 18th July 2023 Option 1,

favoured by the officers, excluded the site of 31 Bury Street from any new conservation area. It is perhaps no coincidence that the City Planning Officer was concurrently in negotiation with the owner of Bury Street leading to the submission of revised tall building (43 storeys) on the site (24/00021/FULEIA).

19. Following wide public consultation in autumn 2023 which generated an unprecedentedly large public response, the Creechurch Conservation Area was adopted by the City Corporation in January 2024 with the boundary originally recommended by the consortium of Third Parties that included 31 Bury Street.

20. It is no surprise therefore that the City Planning Officer, still supporting proposals for a tall building on 31 Bury Street which was now in a conservation area, sought to amend existing Local Plan Policy CS14 in the Draft Local Plan.

21. The designation of the Creechurch Conservation Area also exposes a fundamental policy conflict because it lies almost entirely within the boundary of the Eastern Cluster Zone where tall buildings are considered appropriate. The overlap of boundaries triggers a tension between the desire to encourage tall buildings which might contribute towards the City's office floorspace targets and the statutory requirement to preserve and enhance the character and appearance of the conservation area.

22. This tension was well demonstrated in the Planning Officer's report to Planning Committee on 13th December 2024 recommending the approval of the revised scheme for 31 Bury Street. In the summary (pages 3-12) the Planning Officer places considerable emphasis on the location of the site within the City Cluster 'which contains the greatest density of businesses and jobs in the City'...and 'can accommodate significant growth in office floorspace and is a location for tall buildings'. The contribution that the proposed tower would make to the aims of the tall buildings cluster was seen by the Planning Officer as outweighing any harm to the Creechurch Conservation

Area. ‘Officers consider the site to be acceptable for a tall building, supporting the consolidation of the City Cluster. While there is conflict with Local Plan policy CS7 (3) and CS14 (2) and London Plan D9 B (3), because the site is within a conservation area and therefore considered inappropriate for a tall building, officers nevertheless find that the qualitative impacts of the proposal would be acceptable’. Summarily overriding existing Policy CS14 and ignoring the designation report for the conservation area, officers actually found that the proposed tower ‘would preserve the special interest, character and appearance of the Creechurch Conservation Area’.

23. In paragraphs 172 – 208 of the main body of the Planning Officer’s report, the argument is put that existing CS14, despite its explicit wording, does not mean that tall buildings **must** be refused in conservation areas. In the case of 31 Bury Street, the Planning Officer suggests that because there are tall buildings (either existing or proposed) close to the conservation area, a tall building is therefore acceptable within it. This is precisely the matter raised by SAVE in paragraph 12 above. With such an attitude, nowhere in the City of London would be safe.

24. When considered against the wording set out in paragraph 11.5.13 of the Draft Plan the planning officer’s report placed far greater emphasis on the merits of the ‘juxtaposition of old and new architecture that ...makes a positive contribution to the character of the Square Mile’ rather than any constraints of being ‘informed by the potential impact on heritage assets’

25. It was only the determination of a majority of Planning Committee members, supported by substantive and articulate objections from Third Parties, that resulted in the refusal of the amended Bury Street scheme in February 2025.

26. Logically a repetition of this policy conflict can only be resolved by amending the boundaries of the Eastern Cluster to exclude conservation areas. To do otherwise would threaten the character and

appearance not only of the Creechurch CA but also Leadenhall Market Conservation, St Helen's Place Conservation Area and parts of Lloyds Avenue Conservation and Eastcheap Conservation Area which lie within the boundary of the Eastern Cluster.

27. In the way that conservation area boundaries are tightly drawn, the same should apply to areas which are considered suitable for tall buildings. It appears that the Fleet Street tall buildings area has been drawn to exclude existing heritage assets. The Eastern Cluster boundary should be redrawn to exclude designated conservation areas.

28. The Planning Officer's report to the Local Plans Sub-Committee on 20th June 2023 concerning Tall Buildings & Heritage in the City Plan 2040 provided an analytical justification for the two tall buildings areas proposed in the Draft Plan, seeking to comply with the London Plan which requires London Boroughs to identify specific sites or areas suitable for tall buildings. The exercise divided the City into nine 'character areas that have characteristics which make them distinct from each other'. Seven of these areas were found to be 'very sensitive' to tall buildings and were therefore 'sieved out' of the search. Two areas, the Eastern Cluster and the Holborn/Fleet Valley were deemed potentially suitable. The exercise however preceded the designation of the Creechurch Conservation Area, and did not take the potential high sensitivity of such a designation into account. The definition of the Eastern Cluster is an out-dated and flawed piece of work.

29. While it is acknowledged that paragraph 11.5.9 of the draft Plan states that 'the identification of the two tall buildings areas does not mean that all sites in the two areas are suitable (for tall buildings)', the inclusion of conservation areas with the tall building zones and removal of the existing policy CS14, is a weakening of protection for conservation areas throughout the City.

30. In conclusion: a) SAVE recommends that the existing policy CS14 is retained as part of the City Plan 2040, thus ensuring that the City Corporation can properly carry out its statutory duty under the Town and Country Planning (Listed Buildings and Conservation Areas Act) 1990 to preserve or enhance the character and appearance of its conservation areas.

b) SAVE recommends that the boundaries of the areas identified as suitable for tall buildings be redrawn to exclude conservation areas.

c) SAVE recommends that a tall building within the City of London be defined as over 40 metres AOD. Within the two areas identified for where tall buildings might be suitable, guidance should be given for specific sites where buildings of 75 metres or more might be appropriate.

SAVE Britain's Heritage
February 2025

Author: This submission was prepared on behalf of SAVE Britain's Heritage by Alec Forshaw (IHBC, MRTPI). Alec Forshaw was Principal Conservation and Design Officer for the London Borough of Islington, where he worked from 1975 – 2007. He was joint author of the report submitted to the City Corporation recommending the designation of the Creechurch Conservation Area. He has written widely on historical and architectural matters, including *New City, Contemporary Architecture in the City of London* (2013), *The Barbican, Architecture and Light* (2015), and *Smithfield, Past, Present and Future* (2015). He gave evidence on behalf of SAVE Britain's Heritage in support of the City of London's refusal of planning and listed building consent at the Custom House Public Inquiry in February 2022.