

**Statement of Common Ground (SoCG) between
City of London Corporation and Historic Royal Palaces**

Date 6/11/2024

Chapter 11 Heritage & Tall Buildings

1. Purpose of the Statement of Common Ground

- 1.1. The purpose of this SoCG is to update the local plan Inspector/s and other parties in relation to matters raised within Regulation 20 representations. The topics covered in this SoCG are heritage and tall buildings.
- 1.2. This SoCG has been prepared post submission of the City Plan 2040 on 29 August 2024. It highlights matters where agreement has been reached, and areas where agreement has not yet been reached but will be subject to further discussion at the local plan examination hearings.
- 1.3. This SoCG is in addition to any other matters statements to be produced during the course of the examination by either party.

2. Parties

- 2.1. The signatories to this SoCG are the City of London Corporation (City Corporation) and Historic Royal Palaces.

3. Comments received at Regulation 20

CoL considers the historic environment to be of the utmost importance to the City's character, identity and appeal as a place to work and visit; the City's rich heritage plays a fundamental role in its primary economic and cultural objectives; allied to this, **CoL** sees its historic environment as a dynamic, living entity, coexisting with and reinforced by change.

HRP's Regulation 19 (R19) response (R0008) was received on 21 May 2024. It raised significant concerns about the City Plan 2040 and the impacts on the Tower of London World Heritage Site.

4. Matters which the parties agree

Both parties agree on the overall significance and importance of the WHS and the suitability of the management framework for managing change within its setting, including the Local Setting Study and the WHS Management Plan.

Both parties agree on the general approach to heritage policies set out in HE1 and HE2 and support the aims and wording of these policies.

Both parties support the inclusion of HE3 specifically related to protecting the setting of the Tower and the WHS status.

Both parties agree on policies in the plan that strengthen the connections between the Tower and the City, and enhance overall cultural aspects, including Policy CV3 and HE3.

Both parties agree on the aims and wordings of S13 Protected Views, for protecting and enhancing significant and strategic London views of important buildings, townscapes and skylines. Both parties support the specific reference and protection of the Tower of London in S13.

5. Key topics for discussion

At the heart of the matter is a difference in professional opinion as to the impacts of the proposed City Cluster in the Plan and the City's historic environment, particularly the Tower of London World Heritage Site (WHS). There is disagreement in respect of the approach and methodology of assessment on which the tall building cluster and policy approach has been based upon. There is a further difference in conceptual judgement on whether harm can arise or be embedded in the plan-making process and the mitigation required. There is disagreement in respect of the soundness of the plan in respect of conformity with National and Development Plan policies, as well as whether the plan can be effective and achieve sustainable development.

Sensitivity of Tower of London's Setting

There is disagreement between the parties over the sensitivity of the Tower of London's Setting, existing significance of the Tower of London, the existing heritage baseline and impact on the Tower of London, and key attributes of the setting and Outstanding Universal Value (OUV) of the World Heritage Site.

HRP consider the ToL is of extreme significance and that it's setting is sensitive to the impacts of further tall buildings. HRP has set out detailed consideration of the setting of the Tower of London, its key attributes, significance and sensitivity within our Regulation 19 Representation.

HRP do not consider the approach and methodology undertaken to assess the proposed tall building cluster to be effective or robust. HRP consider the current assessments and evidence base undertaken to contain inaccuracies and limitations, with the approach taken not providing sufficient consideration or assessment in respect of heritage significance and OUV. **HRP** are of the view that the plan is not sound due to the issues this raises in respect of justification, whilst the plan would not be effective given the effects on the historic environment, which would not achieve the sustainable development requirements of the NPPF.

CoL considers that **HRP's** blanket assertion of extreme sensitivity downplays the value of the ancient relationship between the commercial City and the royal Tower. **CoL** considers this to be acknowledged in the WHS Management Plan, particularly para 2.4.25, and is clearly an integral part of the 'Landmark Siting' attribute of OUV. Both the Tower and the City are ancient entities with a rich ceremonial life accrued through hundreds of years of existence, giving them a unique sense of place both central to and yet set apart from modern London. In the case of the City, that original commercial purpose remains and contributes to the relationship between the two entities that is nearly one thousand years old and therefore of unique interest.

CoL therefore considers that the elements of setting that are very sensitive are those which are absolutely crucial to maintaining the distinction between and relationship of the two entities: the Local Setting and encircling fringe of low-rise townscape. **CoL** considers the Wider Setting, of which the City Cluster is part, to be of less sensitivity, and capable of degrees of change and consolidation

without adversely affecting those attributes of OUV. **CoL** further considers that the development of the City Cluster within the parameters established by those attributes of OUV to be acceptable in principle.

Impacts – Tower Bridge (North Bastion and Journey Across)

HRP are supportive of the proposed approach of seeking to further define locations and heights for tall buildings within the City Cluster.

HRP disagree with the proposed approach, location and height of proposed development shown within the height contours plan to the eastern end of the City Cluster included as part of Policy S12 and shown on the Proposals Map.

HRP are of the view that the proposed location and height of new tall buildings to the eastern edge of the City Cluster Tall Building Area would clearly result in a large degree of change compared to the existing baseline, and the quality of change would be substantially negative in terms of impact on the OUV of the WHS and raise significant concerns in relation to the UK's international obligations to protect the OUV of the WHS, as well as significant conflict with the National Planning Policy Framework and the London Plan.

HRP take the view that modifications to the contour locations away from the Tower of London and reduction in heights to the contours to the eastern end of the City Cluster are required to address these issues, and protect and conserve the significance of the Tower of London and OUV of the World Heritage Site; and ensure a sound, effective and justified City Plan.

CoL's position is that the proposed City Cluster would represent careful expansion of the existing Cluster (from the starting point of the future baseline of implemented and consented schemes) and that, having been modelled in response to OUV/significance, it would achieve an appropriate relationship with the WHS and is therefore part of a positive strategy for the conservation and enjoyment of the historic environment that takes into account the desirability of sustaining and enhancing the significance of these heritage assets.

CoL recognises the sensitivity of these views. Seen from the North Bastion, although the eastern edge of the proposed Cluster would create a vertical edge or frame taller the silhouette of the White Tower, and more visually proximate to it than the existing Cluster, **CoL** does not consider that this would challenge the iconic qualities of this silhouette or the gravitas of the WHS as a whole. **CoL** considers that the proposed Cluster would maintain the same essential principles found in the existing Cluster that **CoL** considers are required to preserve OUV, namely that visual separation would be maintained between the Cluster and the silhouette of the White Tower and the eastern edge of the proposed Cluster would be of a clearly lower, subsidiary scale than the centre.

Importantly, the Cluster would, through its physical distance from the ToL, be clearly visually disassociated from it and perceived as a contemporary entity set well apart from the historic WHS. Steadfast in its encircling low-rise townscape setting, including the Local Setting area, the WHS would continue to command its surroundings, whilst still clearly having a relationship with the commercial City beyond. This would be apparent in the dynamic journey across Tower Bridge, where only at the northern bridgehead would the proposed Cluster fall in behind the WHS – and the **CoL** strongly considers that the viewer would be left in no doubt that this is only because the sightlines, and not the fundamental dynamic between the two, has changed.

Impacts – Inner Ward

There is disagreement in respect of the harm resulting from the proposed height contours of the City Cluster that would result from development within these contours visible from within the Inner Ward of the Tower of London and the impact on the heritage significance and OUV of the World Heritage Site.

HRP identify that the current proposed contours will result in adverse harm to the heritage significance and OUV of the Tower of London. The maximum heights of these contours are required to be reduced within the Local Plan to address this harm and significant adverse impact.

CoL considers this viewing experience to rely less on the availability of clear sky behind the silhouettes of individual buildings of the Inner Ward and is instead more significant as a secluded, self-contained ensemble set apart from London which conjures a unique sense of place; the buildings of the WHS that surround the Inner Ward are seen in a variety of characterful juxtapositions which change as the viewer moves through the space.

CoL contends that the existing Cluster is now an established presence in these views and that the nature of this viewing experience has shifted. It is now one where the presence of the City is manifested through the appearance of the Cluster to varying degrees – but such would be its self-containment and distance from the WHS that the proposed Cluster would not fundamentally change the dynamic between Cluster and WHS as experienced from here: the Cluster would be perceived to varying degrees of prominence from within the Inner Ward, but never such that it would unduly intrude into the viewing experience, upset that sense of place in the Inner Ward or undermine the aforementioned juxtapositions between its buildings.

CoL further considers that the WHS was only designed to physically, not visually, shut out the world beyond its walls – and that the principle of visibility of the City in these views is not inherently problematic, allowing the viewer another perspective on the ancient relationship between the two.

Process and Soundness – overall alignment with national and regional policy

HRP consider the proposed policy approach in respect of tall buildings to not be consistent with National or London Plan Policy. The delivery of buildings within the contours shown within the City Cluster Tall Buildings Area as proposed would deliver new development contrary to the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, National Planning Policy Framework (NPPF), London Plan Policies HC1, HC2, HC3 and HC4, as well as the draft heritage policies of the Regulation 19 City Plan in respect of the requirements of HE1, HE2 and H3, through failure to protect the historic interest and special character and setting of the Tower of London.

HRP consider that the draft Plan promotes the principle of tall buildings and their heights in locations that will harm the historic environment, particularly in respect of impacts on the setting of the Tower, the significance of the heritage asset and its OUV.

HRP has proposed amendments to the contours within the tall buildings policy to address these areas to deliver a sound and consistent Local Plan.

CoL considers the task of formulating contour lines to guide the siting of height in the Cluster is a novel one; that it is proportionate to take a high-level approach to shaping them according to the three strategic landmarks position, commensurate with the high-level exercise of plan-making; and that the **CoL**'s subsequently bespoke approach is the right one.

CoL contends that the proposed Cluster is a framework for future growth that would minimise the possibility of individual schemes causing harm to the World Heritage Site; that plan-making is too strategic an exercise for conclusions on harm to be definitively reached; and that the City Cluster envelope has been shaped by extensive consideration of the OUV of the Tower so that it would minimise the possibility of harm arising to them from individual planning applications.

This conclusion leads **CoL**, in turn, to conclude that the Plan is sound and that its policies are in accord with one another and with national legislation and policy. The planning system (including the NPPF, the London Plan and legislation) requires and expects detailed assessment of tall buildings and their impact at planning application stage and the City Plan follows this approach.

CoL is of the view that it has taken a suitable approach to plan making, in accordance with national policy and in general conformity with the London Plan. Policy HC2 World Heritage Sites of the London Plan has the objective to conserve, promote and enhance the Outstanding Universal Value of World Heritage Sites. **CoL** undertook the modelling approach carefully to take into account the OUV of the ToL.

The NPPF requires local plans to set out a positive strategy for the conservation and enjoyment of the historic environment and requires this strategy to take into account the desirability of sustaining and enhancing the significance of heritage assets. The approach to tall buildings in the City Plan is part of that strategy, with the potential heights and areas for tall buildings being informed through an understanding of the character of the City and the significance of heritage assets, and taking an approach that (amongst other objectives) seeks to minimise the possibility of harm to the Tower of London and other significant heritage assets. The approach in City Plan 2040 to tall buildings is compliant to the London Plan Policy D9 in that it identifies locations where tall buildings could be appropriate and sets height expectations.

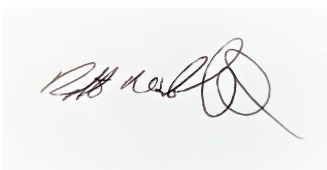
6. Conclusion

CoL continues to stand by the approach that was undertaken to determine the City Cluster. **CoL** is committed to working with **HRP** to come to a shared basis of understanding through the examination.

HRP considers that modifications are required to the City Cluster in respect of the height and location of contours to the eastern end of this tall building cluster, and the contour heights visible above the Inner Ward, in order to address and remove the potential for significant harm identified that would result to the Tower of London and the Outstanding Universal Value of the World Heritage Site from development in line with these contours.

Signed for the City of London:

Rob McNicol, Assistant Director (Planning Policy and Strategy)



Signed for Historic Royal Palaces

Adrian Phillips, Palaces and Collections Director