

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]
[REDACTED]

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

>

> Kind regards,

> Rob

>

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

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

>

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

> From: [REDACTED]

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

> To: [REDACTED]

> Subject: City Plan 2040

>

> THIS IS AN EXTERNAL EMAIL

>

>

> Hi Rob,

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> 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]

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CITY PLAN 2040 – PUBLIC CONSULTATION
Response to “Open Spaces and Green Infrastructure”

12. Open Spaces and Green Infrastructure

12.1 Strategic Policy S14: Open Spaces and Green Infrastructure

Plan text:

The City Corporation will work in partnership with developers, landowners, the churches and other agencies to promote a greener City by:

Response:

In green spaces such as Finsbury Circus Gardens, CoLC is acting on its own, albeit partly funded by Transport for London. However, for clarity, “The City Corporation will work both on its own account and in partnership with developers ..” would be preferable.

Plan text:

1. Protecting existing open and green space;

Response:

1. Perhaps either “all existing ..” or “spaces”.

Plan text:

2. Seeking the provision of new open and green space through development, public realm or transportation improvements;

Response:

2. A more positive obligation would be “Requiring the provision and/or providing net additional new open and green space through development, public realm or transportation improvements”.

Plan text:

3. Increasing public access to existing and new open spaces;

Response:

3. It is difficult to understand the relevance of 3. “12.1.3 How the Policy Works” below is blank but what is the criteria for the measurement of any increase? In fact, does this mean encouraging more people to access or enabling more people to access? The fact that public access to the public space that is Barber-Surgeons’ Garden is limited because of no step-free access hasn’t been addressed since it was laid out over fifty years questions not “how” but “why doesn’t” the policy work.

Plan text:

4. Creating, maintaining and encouraging high quality green infrastructure;

Response:

4. In the absence of text in 12.1.3, what is meant by both “encouraging” and “high quality”? How is the former intended to be accomplished and how is the latter to be judged?

Plan text:

5. Using planting and habitat creation to enhance biodiversity, combat the impacts of climate change and improve air quality;

Response:

5. Sustainability requires the maintenance of both existing green spaces and existing habitats and the need to use planting and habitat creation has to be qualified as regards both existing and new green spaces.

Plan text:

6. Promoting the greening of the City through new development opportunities and refurbishments;

Response:

6. Increasing BNG and UGF are requirements so “promoting” should be replaced by “requiring”.

Plan text:

7. Ensuring new development and refurbishment protect and enhance the City’s biodiversity; and

Response:

7. CoLC appears to be accepting a decline, if only temporary, in the protection and enhancement of the City’s biodiversity during the processes of both development and refurbishment. Is it intended to monitor such decline or, even, attempt to offset it?

Plan text:

8. Ensuring that the provision of new and enhanced open space, biodiversity and urban greening takes account of and contributes toward the green corridors identified in Figure 18 and the City Corporation's Biodiversity Action Plan 2021-2026 (BAP).

Response:

8. Perhaps "green" instead of "open".

Reason for the policy**Plan text:**

12.1.0 The City is densely built up and most of its open space provision consists of small spaces at street level. Open spaces are vital to the City, offering residents, workers and visitors outside spaces in which to spend time, relax, and encounter nature, and play a crucial role in providing opportunities for play, exercise and recreation, and social interaction. Open spaces are also inclusive, providing free access for everyone. They are important havens for wildlife and enrich the City's biodiversity, and help to mitigate the effects of climate change, improve air quality and benefit wellbeing, and physical and mental health. Green infrastructure in the City includes civic spaces, parks and gardens, trees and planting, churchyards, burial grounds, green roofs and walls in addition to amenity spaces.

Response:

12.1.0 Substantial areas of the City comprise "open spaces" with either no or very little green infrastructure of any kind. Whilst the reason for the policy must be welcome, it should be qualified in 12.1.0 by acknowledging the either the absence or limited amount of green infrastructure in many open spaces and the need to reverse that. However, "green walls" should have no part to play in the identity of green infrastructure as the high environmental cost of maintenance and the tendency to morph into brown walls offends against the overriding need for sustainability.

Plan text:

12.1.1 The City's growing workforce and increasing visitor numbers, and the limited amount of open space in the Square Mile, mean that there is a need to provide more open spaces, and to improve and protect those that exist. Some areas of the City have deficiencies of open space or access to nature, or are places (such as the riverside) where additional open space and greening has an important role to play in realising the potential of the area and helping to create a more vibrant and welcoming City.

Response:

12.1.1 Open space is necessary but so is green infrastructure so this policy must stress the need to provide additional space and improve existing space has to include additional green infrastructure. The riverside, by its nature, whilst enhancing biodiversity contributes little in the way of green infrastructure but there seems to have been a missed opportunity to ensure that riverside development has failed to provide increased green infrastructure. The current redevelopment of Seal House may produce a publicly accessible roof garden to the standard of Fen Court but it will be on the 12th floor above the level of the Thames Path so, despite its benefit to greening and biodiversity enhancement, it won't be appreciated by passing pedestrians. Only provision of green space at the level of the Path will achieve that as well.

Plan text:

12.1.2 Greening the City is an important step in ensuring the City is resilient to the effects of climate change. It can assist in creating cooler spaces, mitigating the urban heat island effect, and provide shade. Greening can improve biodiversity, improve air quality, and create a more attractive environment. Given the dense nature of the Square Mile and the demand for additional capacity, it is crucial that development provides greening and improves biodiversity on-site and contributes as appropriate to wider improvements to green infrastructure.

Response:

12.1.2 To ensure that "development provides greening and improves biodiversity" in the context of BNG and UGF is a given. However, such a policy has to achieve more than simple "box-ticking" to reach targets by, at least, encouraging, if not demanding, the provision of "best possible" additional greening and biodiversity enhancement.

How the policy works

Plan text:

12.1.3

Response:

12.1.3 How does the policy work?

12.2 Policy OS1: Protection and provision of open spaces

Plan text:

The quantity, quality and accessibility of public open space will be maintained and improved.

Response:

Aren't "maintained" and "improved" contradictory?

Plan text:

1. Existing open space will be protected and enhanced. Any loss of existing open space should be wholly exceptional and it must be replaced on redevelopment by open space of equal or improved quantity and quality on or near the site. The loss of historic open spaces will be resisted;

Response:

1. Again, there is a contradiction as "protected and enhanced" should not allow "any loss of existing open space". Also, any "loss of historic open spaces" must be prevented.

Plan text:

2. Additional publicly accessible open space and pedestrian routes will be sought in major developments, particularly in and near to areas of open space deficiency, in areas such as the riverside where it is a key component of placemaking, and where pedestrian modelling shows significant pressure on City streets;

Response:

2. A phrase such as "will be sought" adds nothing to the needs, in particular, of areas of open space deficiency.

Plan text:

3. Further open spaces will be created from underused highways and on development sites where feasible. Wherever possible, existing private spaces will be secured as publicly accessible open spaces as part of development;

Response:

3. The use of both "feasible" and "possible" requires explanation. A binding intention to take every opportunity to create further open spaces from underused highways and on development sites would offer more confidence. The possibility of private "open spaces" becoming public ones suggests negotiations that may not be either balanced or open.

Plan text:

4. Improvements to the accessibility, inclusion, design, greening, lighting and biodiversity of existing open spaces will be promoted and, where relevant, secured through development;

Response:

4. Actually, "promoted" is weak and "required" would be more reassuring. Does "secured through development" mean that development will be the driver or the improvements will be obligations of development?

Plan text:

5. Open spaces must be designed to meet the requirements of all the City's communities. They should be free, accessible, welcoming and inclusive. The design of open spaces should consider their context and how their use could contribute positively to the life of the Square Mile. This should include consideration of how seating, planting, lighting, and routes are designed and located; the potential for water features and noise attenuation; and opportunities for play, sport, recreation and leisure, taking into account likely users of the space; and

Response:

5. The overriding need for any design is that it responds positively to public consultation whilst delivering those improvements, as well as greening and biodiversity enhancement.

Plan text:

6. The provision of public drinking fountains in open spaces will be encouraged. The City of London has 376 open spaces totalling just under 35 hectares in March 2022, which includes parks, gardens, churchyards and hard open spaces such as plazas and repurposed highway. Most of the open spaces are small, with approximately 80% of sites less than 0.2 hectares in size and only 11% over half a hectare. There is a need for additional open space in the City to provide facilities for the growing daytime population, to help reduce the effects of pollution and climate change, to provide facilities for relaxation, tranquillity, leisure and sport, and to increase biodiversity. The provision of open space in the City is uneven, with some areas of deficiency in access to public open space (Figure 17). Sites within and near to these areas will need to play a role in improving access to open space.

Response:

6. The highlighting questions both the number of open spaces and their total area, as well as why March 2022 is the relevant date. Is there any reason for the difference between “opportunities for play, sport, recreation and leisure” (5) and “facilities for relaxation, tranquillity, leisure and sport” (6)?

[Figure 17: Open Spaces]

Plan text:

12.2.1 As the City changes, there is a need for open spaces to play an increased role in supporting the life of the City. Open spaces provide a unique setting for people to spend time in free and accessible spaces, where they can pursue a variety of activities or simply enjoy being outdoors. Some parts of the City would benefit substantially from increased and improved open space provision. The Thames riverside has significant potential as an inclusive leisure destination but includes a Riverside Walk that is narrow in places and lacks significant open areas where people can spend time and enjoy the river. Areas where there are due to be significant new attractions – such as Smithfield – that are likely to attract visitors including children and young people will require open spaces that can cater to their specific requirements. Other places, such as the City Cluster, where there are deficiencies in open spaces and high density development, will need to ensure that existing ground level open space works hard and is of an exemplary standard of design. New spaces at ground level should be created where possible, and supplemented through the addition of publicly accessible roof gardens and other spaces (see Policy DE5). Although open space provision in the Aldgate area has been significantly enhanced with the opening of Aldgate Square, this area has a lower proportion of open space (see Figure17).

Response:

12.2.1 “As the City changes” needs explanation, particularly as “open spaces” will be needed to respond to that change rather than being part of any change. The fear is that physical change means the replacement of heritage assets, including street layout, being replaced by development, with or without any positive attributes.

12.3 Policy OS2: Urban Greening

Plan text:

1. The provision of urban greening should be integral to the design and layout of buildings and the public realm.

- All development proposals will be required to demonstrate the highest feasible levels of greening consistent with good design and the local context;
- The installation of biodiverse extensive or intensive green roofs, terraces and green walls will be sought, where appropriate, and new development should not compromise these elements on existing buildings located nearby; and
- The loss of green walls and roofs, in whole or in part, will only be permitted in exceptional circumstances.

Response:

1. In the first sentence “provide” should replace “demonstrate”; in the second sentence “green walls” are never appropriate, as mentioned above, and “biodiverse extensive or intensive green roofs” requires defining and, in any event should include “Bio-Solar” roofs; and the final sentence should be deleted.

Plan text:

2. Major development proposals will be required to:

- Include an Urban Greening Factor (UGF) calculation demonstrating how the development will meet the City’s target UGF score of 0.3 as a minimum; and
- Submit an operation and maintenance plan to demonstrate that the green features will be maintained and remain successful throughout the life of the building.

Response:

2. UGF should apply to all developments, including non-major ones. The operation and maintenance plan must provide for how the plan’s obligations are to be secured through appropriate funding.

Reason for the policy

Plan text:

12.3.0 Urban greening provides a wide range of benefits for air quality, noise, urban heat island effect, rainwater run-off, biodiversity enhancement, recreation, and health and wellbeing of the City’s communities. Given the limited opportunities to provide additional large green spaces in the Square Mile, greening the urban realm will be important if these benefits are to be realised. Greening will increase in importance as weather patterns continue to change with rising average temperatures, summer droughts and more intense rainfall events periodically through the year. The inclusion of blue infrastructure such as rain gardens and rainwater harvesting can help to minimise water use.

Response:

12.3.0 The abundance of empty or partially empty car parks within the City provides opportunities for rainwater storage as well as controlling the rate of water flow into the City’s drainage system.

Plan text:

12.3.1 This policy promotes greening for all new buildings and public realm schemes. It takes account of the value of different types of greening through the application of an Urban Greening Factor (UGF), with a higher UGF for greening that provides multiple benefits.

Response:

12.3.1 An explanation of UGF is required in order to make sense of the above, particularly “with a higher UGF for greening that provides multiple benefits”.

Plan text:

12.3.2 The London Plan has introduced a UGF scoring system for London, which will operate as a tool to assess the amount, type and value of greenery within development proposals. Further information on applying and calculating the UGF is set out in Urban Greening Factor, London Plan Guidance (February 2023).

Response:

12.3.2 As UGF relates to developments in the City, CoLC should be producing its own guidance.

Plan text:

12.3.3 The City Corporation’s UGF Study indicates that an UGF target of 0.3 would be deliverable for the majority of development in the City. The Study considered the potential for an UGF on a range of development types, including offices, residential, hotels and mixed commercial. Policy OS2 requires major development proposals in the City (commercial and residential) to include an UGF calculation demonstrating how it will meet the minimum UGF target of 0.3.

Response:

12.3.3 The need for CoLC to produce its own UGF guidance is even more necessary in view of the specific CoLC requirement. Again the size of development should not be limited.

Plan text:

How the policy works

12.3.4 The City Corporation has long championed green roofs and continues to actively encourage them. The City Corporation will seek the provision of trees and landscaping in all development where this is possible. This can take many forms and require careful design, installation and regular maintenance.

Response:

12.3.4 Perhaps "require" instead of "seek" since it's qualified by "where this is possible".

Plan text:

12.3.5 Green roofs should be designed, installed and maintained appropriately and can be designed as sustainable or ecological features, and recreational spaces. To ensure that the maximum practicable coverage of green roof and terraces can be achieved, location-appropriate plants should be installed on sloping roofs, between cradle tracks and underneath solar panel installations.

Response:

12.3.5 Promotion of Bio-solar roofs is appreciated. However, other advances in technology, such as flexible photovoltaic sheeting shouldn't be ignored. "Location appropriate plants" should include those commonly dismissed as "weeds"!

Plan text:

12.3.6 There are two main types of green roofs, intensive green roofs which can be used as recreational spaces with similar features to parks and gardens, and extensive ones (including BioSolar green roofs) having plants such as sedums and wildflowers but with limited or no access. Varying extensive green roof substrate levels will be encouraged to improve rainwater retention and enhance biodiversity, using a high proportion of native plants. Where developers seek to install intensive green roofs with deep substrates for amenity space, these are expected to be of high quality design incorporating rainwater harvesting for irrigation to minimise water use.

Response:

12.3.6 There is need to be more expansive than "green roofs" whether or not including Bio-Solar ones, to include "brown roofs". It may be the case that native plants are less resilient to climate change so requiring "a high proportion of native plants" might not be the most sustainable option and, of course "high quality" is subjective. Again, "weeds" should be considered as "plants" and included in all planting schemes.

Plan text:

12.3.7 Green roofs should not impact adversely on protected views and planting should be appropriate to the location and height of the roof. All green roofs should be designed, installed and maintained appropriately for the life of the building to maximise the roof's environmental benefits including biodiversity, rain-water run-off attenuation and building insulation. The choice of plant species for green roofs should be consistent with the BAP and the City of London Corporation's Climate Resilience Strategy and development proposals should aim to promote diverse planting including (where practical) forage for target pollinator species.

Response:

12.3.7 Assuming that a building's life is now assumed to be 60 years, green roofs will need to be adaptable, as well as resilient, to climate change. Again, "weeds" should be considered as "plants" and included in all planting schemes.

Plan text:

12.3.8 Development proposals could include greening of roofs, facades, terraces and balconies, both internal and external, and/or landscaping and tree planting around the building depending on the circumstances of each site. The UGF assessment should be submitted as part of the planning application, along with landscaping proposals and an operation and maintenance plan to show how the greenery will be maintained. This will ensure that suitable green elements are designed in and will remain attractive and viable throughout the life of the development. Urban greening should be considered at an appropriate stage in the design of the scheme, and scores should not be reduced as conditions are discharged. Internal greening which is fully enclosed does not contribute towards the UGF target score.

Response:

12.3.8 Please explain “scores should not be reduced as conditions are discharged”. Again, “weeds” should be considered as “plants” and included in all planting schemes and “green facades” must not be permitted.

12.4 Policy OS3: Biodiversity

Plan text:

Development should incorporate measures to enhance biodiversity, including:

Response:

As Biodiversity Net Gain and UGF are requirements in most cases, replacing “should” with “requires” seems appropriate.

Plan text:

1. Retention, protection and enhancement of habitats within Sites of Importance for Nature Conservation (SINCs), including the River Thames;

Response:

1. Is this suggesting that development within SINCs is acceptable?

Plan text:

2. Measures recommended in the BAP in relation to particular species or habitats and action plans;

Response:

2. The problem is that the general lack of interest in biodiversity enhancement leads to simple box-ticking to comply with requirements.

Plan text:

3. Green roofs, gardens and terraces, soft landscaping and trees and green walls where appropriate;

Response:

3. As previously, “green walls” are unacceptable.

Plan text:

4. Helping to create green corridors and biodiversity links and utilising roof terraces and gardens as stepping stones to contribute towards a green network;

Response:

4. Perhaps “Contributing to the City of London Corporation’s policy of creating” instead of “Helping to create”.

Plan text:

5. Wildlife-friendly features, such as nesting or roosting boxes and nesting opportunities for wild bees and other pollinators;

Response:

5. Also “foraging opportunities” for wildlife. Whether or not swifts are one of the City’s target species, “swift bricks” should be included in 5.

Plan text:

6. Planting mix with a variety of vegetation types including flower-rich perennial planting to encourage biodiversity, supporting pollinators and other invertebrate groups;

Response:

6. Opportunities for planting shrubs to provide food and nesting opportunities for birds should be included. Again, “weeds” should be considered as “plants” and included in all planting schemes.

Plan text:

7. Planting which will be resilient to a range of climate conditions, with a high proportion of native plants and the provision of year-round forage for pollinators;

Response

7. As above, “native plants” might not always be appropriate for climate resilience. Also, “year-round forage” should extend to more than “pollinators”. Again, “weeds” should be considered as “plants” and included in all planting schemes.

Plan text:

8. A lighting scheme designed to minimise impacts on biodiversity.

Response:

8. Whatever the “lighting scheme”, without enforcement is of little help for biodiversity enhancement.

Reason for the policy

Plan text:

12.4.0 Protecting and improving biodiversity involves enhancing wildlife populations and their habitats. This has positive impacts for the environment, the economic and social life of the City and the aesthetics of the streetscape. Healthy biodiversity should be viewed as a sign of a healthy environment and healthy city.

Response:

12.4.0 This is the right message but “should be viewed as” should be deleted and be replaced by “is”.

Plan text:

12.4.1 A number of areas along the riverside, west of Farringdon Street and east of Bishopsgate have been identified as Areas of Deficiency in Access to Nature (SINC AoD) by Greenspace Information for Greater London (GiGL) London’s environmental records centre and the Mayor of London. SINC AoDs are defined as built-up areas more than 1km walking distance from a SINC. The River Thames, which is a Site of Metropolitan Importance for Nature Conservation (SMINC), brings wider benefits for migrating birds and fish species. However this SMINC has limited access to nature so does not alleviate SINC AoD in the City. It is important that opportunities are taken to improve biodiversity throughout the City, and particularly in areas where this would improve green corridors or biodiversity links, such as along the riverside.

Response:

12.4.1 Agreed but Portsoken has more need for biodiversity enhancement than the riverside.

How the policy works

Plan text:

12.4.2 Measures to enhance biodiversity should provide habitats that benefit the City’s target species (house sparrows, peregrine falcons, swifts, black redstarts, bats, bumblebees and stag beetles) and by extension a wider range of insects and birds. The BAP provides further details about the target species, their target habitats and action plans. The City has 13 SINC, including three new SINC (Postman’s Park, Portsoken Street Garden, St Dunstan in the East Church Garden) which were agreed following a review in 2016. Two existing SINC were agreed to be upgraded as part of this review: Barbican and St Alphage’s Garden, which includes the Barbican Wildlife Garden and the Beech Gardens, was upgraded from Grade 2 to Grade 1 Site of Borough Importance for Nature Conservation (SBINC); and Roman Wall, Noble Street, which was extended southwards to include St Anne and St Agnes Churchyard and was upgraded from a Local SINC to a Grade 2 SBINC. These new and upgraded SINC will formally take effect upon adoption of this Plan.

Response:

12.4.2 As mentioned, the review was in 2016, so it will be, at least, nine years later when the Plan is adopted. Although this might be acceptable for the existing sites, the potential to either extend existing SINC or create new ones seems to be years away. If CoLC really does want to show the benefit of biodiversity the Plan should set out a timetable for the extension of existing SINC and the creation of new ones to take effect outside the adoption of the next Local Plan.

Plan text:

12.4.3 New developments should seek to protect and enhance biodiversity and the City’s environmental assets. This can be achieved by providing spaces for biodiversity to flourish through the retention and planting of trees and soft landscaping, along with green roofs and green walls where appropriate. A variety of these provisions in one development will create habitats for a range of different wildlife species. Native plant species or species that are of value to biodiversity including pollinators should be incorporated into any formal landscaping areas and other greening. Biodiverse pollinator friendly planting including fruiting and flowering perennials, shrubs and trees should be

incorporated in planting mixes. Where possible incorporation of planting that can support invertebrate life cycles such as food and laying resource for butterflies and moths. Further information on pollinators and other target species is set out in the BAP.

Response:

12.4.3 Again, a no to “green walls” and native plant species aren’t always the most appropriate. However, birds and other wildlife should be encouraged as well as butterflies and moths. Again, “weeds” should be considered as “plants” and included in all planting schemes.

Plan text:

12.4.4 Joined up green spaces and corridors which link SINC^s give species a better chance of survival in the urban landscape and greater resilience to future climate change. Proposals for riverside developments should consider whether there may be opportunities to incorporate habitat creation measures to enhance the biodiversity of the River Thames SMINC.

Response:

12.4.4 Although enhancing all biodiversity must be encouraged it should relate to all of the Square Mile.

Plan text:

12.4.5 The City’s wildlife depends not only on greenery but also on the built environment. Buildings can provide roosting sites for bats and nesting opportunities for birds. Artificial features such as nest boxes should be integrated into the design of development or refurbishment schemes wherever suitable to provide additional habitat for the City’s target species. Biodiverse features of value to wildlife that support the **BAP**, including target species and target habitats but are not included within the Department of Environment, Food and Rural Affairs (Defra) Biodiversity Metric (DBM) 4.0. These should be provided in suitable locations, in close proximity to green features, and should include but are not limited to bird boxes, bat boxes and wild bee nesting habitat (cavity and ground nesting) and invertebrate hotels. Target habitats should be provided in suitable locations, in close proximity to green features, and should include but are not limited to bird boxes, bat boxes and nesting habitat (cavity and ground nesting) for appropriate pollinators (including wild bees and bumblebees) and invertebrate hotels. This could include artificial interventions such as bee bricks, leaving areas of bare ground and creating mounds with the incorporation of sandy loam substrates.

Response:

*12.4.5 Please explain “Biodiverse features of value to wildlife that support the **BAP**, including target species and target habitats but are not included within the Department of Environment, Food and Rural Affairs (Defra) Biodiversity Metric (DBM) 4.0. These should be provided in suitable locations, in close proximity to green features, and should include but are not limited to bird boxes, bat boxes and wild bee nesting habitat (cavity and ground nesting) and invertebrate hotels” as there appears to be no link between the two sentences. “Swift bricks” have been overlooked again.*

Plan text:

12.4.6 Wild bees (bumblebees and solitary bees) are one of the target species identified in the BAP and the City is home to domesticised honey bees. There is an over proliferation of honey bees in the City and beehives aimed at attracting or accommodating them should not be included in the design of development schemes. Honey bees in the City are a major risk to wild bees and other pollinators as their abundance and competition limits forage resources.

Response:

12.4.6 CoLC must ensure that it has details of the locations of all beehives so that these can be checked for disease etc on a regular basis. Also, there needs to be access for data collection from existing beehives and planning permissions must contain conditions excluding the keeping of beehives in both new developments and refurbishments.

Plan text:

12.4.7 Where development has a potential impact on a SINC in or near the boundary of the site, the developer should submit an appropriate Ecological **Impact** Assessment outlining how any impacts will

be avoided, minimised or mitigated. Where necessary, the City Corporation will seek independent review of an assessment, paid for by the developer.

Response:

12.4.7 There is an obvious need to explain “where necessary”, and identify who will decide.

Plan text:

12.4.8 As set out in the BAP, the City of London recognises the importance of biodiversity data collection to improve monitoring and informs decisions and identify future areas of priority in the City. Planning applications should include biodiversity data informed by an up-to-date search report by GiGL. Opportunities such as citizen science and school projects and records collected by local voluntary individuals and groups make a significant contribution in supporting biodiversity and raises the profile of species and habitats within the City. Many of these findings are reported directly to GiGL.

Response:

12.4.8 Unless GiGL has been paid for the up-to-date data, CoLC should obtain it from GiGL and recharge the cost to the developer. All planning permissions must contain conditions permitting access for the purpose of taking and collecting data by an ecologist engaged by such as Pollinating London Together until such time as CoLC employs its own ecologist.

12.5 Policy OS4: Biodiversity Net Gain

Plan text

Major developments are required to deliver Biodiversity Net Gain (BNG) to conserve and enhance biodiversity through the following measures:

Response:

The delivery of BNG, which is required by statute can be either on or off site.

Plan text:

1. Meeting the City's BNG target on-site score of achieving a minimum of 3 biodiversity units per hectare (BU/ha);

Response:

1. Whilst an improvement on existing biodiversity levels, the BNG target must be treated as a minimum “box-ticking” requirement with BNG in excess of target both encouraged and rewarded with e.g. the issue of certificate of outstanding achievement.

Plan text:

2. Providing the biodiversity value of the site pre-development and post-development after applying the mitigation hierarchy. Information on habitats of known value to biodiversity to be incorporated and maximised on-site, achieving a minimum three BU/ha;

Response:

2. BNG can only be measured with a “for and after” record. It is all the more important that up to date and paid for GiGL data is obtained.

Plan text:

3. Any off-site areas proposed for habitat creation or enhancement for both pre-development and post development. However the City expects delivery to be achievable on-site and off-site provision should be a last resort;

Response:

3. The argument against on site delivery of BNG is simply that investment in existing green space, particularly CoLC sites, is both more cost effective and sustainable. The financial cost of both creating and maintaining roof gardens, for instance would be more effectively spent at ground level.

Plan text:

4. If it is not feasible to achieve the target score on-site then offsetting will be required, with preference given to off-setting schemes that help with the delivery of wider City of London

Corporation policies and strategies, through the use of nature-based solutions and maximise opportunities for local nature recovery;

Response:

4. *Offsetting should simply be as set out in the response to 3 above.*

Plan text:

5. Providing the following information:

- A Preliminary Ecological Appraisal Report (PEAR) or other appropriate Ecological Assessment (EA) alongside a survey of habitat and a completed Defra Biodiversity Metric (DBM) spreadsheet at planning application stage;
- A Biodiversity Gain Plan (BGP) setting out the enhancements that will be incorporated on-site to meet the BNG score, secured through condition prior to commencement of the development;
- A Habitat Management and Monitoring Plan (HMMP) setting out maintenance, management and monitoring of enhancements and the post-development biodiversity values of the site, secured through condition prior to commencement.

Response:

5. *As mentioned in the response to 3 above, the City's BNG policy is unsustainable economically, socially and environmentally. Offsetting should be the only requirement with CoLC determining what and where with a 20% discount on the cost of providing on site BNG payable to CoLC by the developer. Apart from green walls and beehives, developers paying the offset would be entitled to landscape developments appropriately to the required outcome.*

Reason for the policy

Plan text:

12.5.0 BNG is an approach to development that leaves biodiversity in a better state than before. Major new developments are required to deliver BNG and the Environment Act 2021 requires them to provide a minimum 10% BNG. Habitats will need to be secured for at least 30 years and DPM 4.0 is the current method for calculating BNG but this may change. Due to the City's highly urban nature and the high proportion of sites with a zero (or close to zero) baseline for biodiversity, the mandatory 10% BNG is not considered an apt mechanism for delivering meaningful biodiversity improvements in the Square Mile; an approach using BU/ha is more appropriate. The City's BNG policy is in addition to government's BNG regulations and should be read in conjunction with NPPF, BNG legislation, regulations and BNG Planning Practice Guidance.

Response:

12.5.0 *As previously mentioned, the anticipated lifespan of new buildings is over 60 years. Although the 60-year period is intended to justify emitting hundreds of thousands of tonnes of embodied carbon, there is no point of promoting a policy that may fail to deliver BNG throughout a building's lifespan.*

Plan text:

12.5.1 The Biodiversity Net Gain Study (2023) examined a range of development sites across the City and found that if biodiversity were maximised on these sites, they could have delivered an average of 3.41 BU/ha. This evidence has informed the policy target set of achieving a minimum of three BU/ha rather than a percentage increase.

Response:

12.5.1 *How did the Study seek to maximise biodiversity on those sites. If the "average" was 3.41 BU/ha, why isn't 3.4 the target and not 3.00 BU/ha?*

How the policy works

Plan text:

12.5.2 All major developments are expected to submit a PEAR or EA alongside a completed DBM in line with national requirements setting out how the development will meet the City of London's BNG target score of achieving a minimum 3.00 BU/ha on-site. The assessment should be undertaken by a suitably qualified and/or experienced ecologist and should include baseline and proposed habitat mapping. When determining the BGP, the Biodiversity Gain Hierarchy emphasises that on-site

biodiversity gain should take priority above off-site and biodiversity credits. The City of London Corporation may seek independent ecological advice to review submitted BNG reports. It is expected this independent assessment will be funded by the developer and further information may be sought.

Response:

12.5.2 Perhaps “/or” should be deleted to clarify the need for a qualified ecologist and “It is expected this” also be deleted and “This” inserted instead. As regards off site BNG, see 1 and 3 above.

Plan text:

12.5.3 To ensure the biodiversity objectives are met BNG should be considered throughout the planning process. The latest DBM or agreed equivalent will be used to quantify the biodiversity value of the site pre-development, post-development after application of the mitigation hierarchy and for any off-site areas proposed for habitat creation or enhancement both pre and post development. The City Corporation expects habitat creation to be delivered and maximised on-site providing biodiversity to the immediate area before off-setting is considered. Biodiverse features of value to wildlife should support the **BAP**, including target species and target habitats, but are not included within the DBM. Developers are expected to set-out BNG as an integral design aspect of the overall scheme and deliver meaningful ecology to increase levels of biodiversity in the City. The assessment should be undertaken by a suitably qualified and/or experienced ecologist and should include baseline and proposed habitat mapping. Section 106 obligations may be sought for monitoring of major applications for BNG delivery.

Response:

12.5.3 Again, perhaps “/or” should be deleted. However, whilst acceptable for on site BNG, as stressed above, this is not a policy CoLC should be pursuing.

Plan text:

12.5.4 The **UGF** tool establishes the provision of urban greening in new developments and does not measure biodiversity benefits of proposals. However, higher scoring surface cover types within the UGF are often ones which can deliver benefits for biodiversity. There is an opportunity to unlock additional space for BNG by steering associated soft landscaping towards habitat creation therefore providing more biodiversity on-site which is of benefit to local wildlife.

Response:

12.5.4 Agreed but off site please.

12.6 Policy OS5: Trees

The City Corporation will seek to increase the number of trees and their overall canopy cover by:

Plan text:

1. Requiring the retention of existing mature and semi-mature trees and encouraging additional tree planting to be integrated into the design and layout of developments and public realm improvements where appropriate;

Response:

1. As usual, “where appropriate” is the determining factor and this is unacceptable without there being a clear understanding of what that means and where it comes in the hierarchy of policy.

Plan text:

2. Protecting trees which are subject to Tree Preservation Orders (TPO) and designating new TPOs where necessary to protect trees of high amenity value;

Response:

2. Unfortunately, CoLC does not seem to give TPOs any importance as far as policy hierarchy is concerned. The case of Thavies House (21/00885/FULMAJ) being relevant here. CoLC’s Planning and Transportation Committee issued TPOs for two London plane trees on the site on 22 February 2022 but voted for the destruction of the trees on 01 July 2022. The reasoning that the TPOs would ensure the mature trees would have to be replaced hardly stands up to scrutiny.

Plan text:

3. Other than in exceptional circumstances, only permitting the removal of existing trees which are dead, dying or dangerous. Where trees are removed, requiring their replacement with trees that can attain an equivalent value;

Response:

3. "Other than in exceptional circumstances" is the determining factor and this is unacceptable without there being a clear understanding of what that means and where it comes in the hierarchy of policy.

Plan text:

4. Ensuring that existing trees located on or adjacent to development sites are considered during the planning process and are protected from damage during construction works;

Response:

4. Is there any sanction for failure to protect trees. If not, there should be.

Plan text:

5. Promoting tree planting to provide a diverse range of tree species, including large- canopy trees wherever practicable, especially in places that would contribute to the green routes set out in Figure 18; and

Response:

5. Trees must be maintained and not simply planted.

Plan text:

6. Ensuring tree species are consistent with the CAS and BAP, and promote habitats and forage for target species, especially pollinators.

Response:

6. Presumably the CAS is mentioned in previous policies. Also, "provide" should replace "promote".

Reason for the policy

Plan text:

12.6.0 There are just over 2,500 trees in the City, which are found in a variety of locations: along streets, in open spaces such as churchyards and livery company gardens, residential estates, business premises, historic parks and gardens and along the riverside.

Response:

12.6.0 Many trees have been planted in development schemes and a lot of these are poorly chosen, even inappropriate species. Also many poorly maintained, if at all. 22 Bishopsgate being a prime example of a developer knowing best as regards tree choice with the second total replacement having just been completed.

Plan text:

12.6.1 Trees are an integral part of the City's unique history and an important asset. It is essential that the existing tree stock is managed and preserved effectively and that new trees are planted having regard to their contribution to enhancing amenity and townscape. Trees provide a wide range of benefits in the urban environment, including the trapping of air pollutants, enhancing biodiversity, providing shade and shelter from sun and rain, absorbing rainwater and filtering noise.

Response:

12.6.1 New trees must be chosen for more than enhancement of amenity and townscape, much as that would be appreciated. The quoted benefits must have preference, even at the cost of traditional trees such as "that big old tree" on Wood Street.

Plan text:

12.6.2 The City of London Tree Strategy SPD (TSSPD) aims to increase the number of City Corporation owned trees and ensure that all trees within the City are managed, preserved and planted in accordance with sound arboricultural practices whilst taking account of their contribution to amenity and the townscape for both current and future generations. The TSSPD will be kept under review and should be read alongside the BAP.

Response:

12.6.2 The need for proper and regular maintenance should be stressed. Whilst the contribution to amenity and townscape is appreciated, changes will be necessary in response to climate change which could include the removal and replacement of trees.

Plan text:

12.6.3 Trees play an important role in connecting green spaces to create green corridors. Additional planting where feasible will help to reinforce those corridors. The green routes identified in Figure 18 set out priority corridors for greening the City. It is important that new tree planting includes a variety of species to increase the resilience of the City's tree stock against the threat of disease and the impacts of a changing climate.

Response:

12.6.3 How trees are planted is as important as where they are planted. Trees need irrigation, especially until thriving but many areas in the City are inappropriate for sustainable tree planting, irrespective of the need for resilience against the threat of disease and impacts of climate change. Where trees are planted in open tree pits, such as in Moor Lane at the back of 21 Moorfields, planting and maintenance of wild flowers, "weeds", and the like by local residents should be encouraged. Tree pits in Golden Lane and Fann Street being very good examples of the practice.

How the policy works

Plan text:

12.6.4 Developers will be expected to safeguard existing trees, plant new trees and only remove trees in exceptional circumstances. Where trees are removed during development works, replacement trees of an appropriate species, height and canopy cover must be planted when works are completed. The City Corporation will seek financial compensation for any trees removed or damaged without permission. This value will be based on a recognised tree valuation method such as the Capital Asset Value for Amenity Trees (CAVAT) or i-Tree Eco.

Response:

12.6.4 Again, "exceptional circumstances" requires both defining and its position in the policy hierarchy confirmed.

Plan text:

12.6.5 The City Corporation will use TPOs, s106 planning obligations or conditions to ensure the retention of existing trees and the provision of new trees.

Response:

12.6.5 This is not obvious in practice, as mentioned above.

Finally:

The current fashion for roof gardens and high level viewing platforms could well be the early 21st Century version of the mid-20th Century Pedways. Although the pedway system is now largely contained in the Barbican/London Wall area, there is the opportunity to use them for urban greening and biodiversity enhancement, as Bassishaw Highwalk amply confirms. Now may well be the time for linking up buildings again above street level, not only reducing congestion there but providing urban greening and biodiversity level two storeys or so above.

29 April 2024

Fred Rodgers, [REDACTED]

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 have 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

[REDACTED]