

TOWN AND COUNTRY PLANNING ACT 1990
AND TOWN AND COUNTRY
PLANNING (INQUIRIES PROCEDURE) (ENGLAND) RULES 2000

Appendices

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Application by: GPE (St Thomas Street) Limited

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CONTENTS

NPBM 1	Qualifications and Experience
NPBM 2	Photographs of the heritage assets
NPBM 3	Comparison between Capital House and New City Court ES views of Tower of London Local Setting View 1
NPBM 4	Policy Framework for Tall Buildings: A history in the context of the Tower of London World Heritage Site

APPENDIX NPBM 1: Qualifications and Experience

- 1976-1979** BA honours Degree (2:1) in History of Art and Architecture Reading University
- 1978** Courtauld Institute Scholarship to attend the Summer School in Venice and the Veneto led by the then (Sir) Anthony Blunt.
- 1979-1982** Awarded a State Scholarship to carry out research for a Doctoral Thesis on "*The Architecture of the English Board of Ordnance 1660-1750*" supervised by Prof. Kerry Downes. PHD awarded 1985
- 1988-1990** Post Graduate Diploma in Building Conservation awarded by the Architectural Association- dissertation subject – *The Repair of Traditional buildings- a Question of Education?* -which examined the level of skills and knowledge available to contractors and owners of historic buildings in the SE of England.
- 1997** Elected founding Member of Institute of Historic Building Conservation (Membership Number 0004)
- 2014** Elected Fellow of Society of Antiquaries of London

Professional Career

- 1982-1986** Fieldworker for the Accelerated Resurvey of Lists of Buildings of Special Architectural or Historic Interest – responsible for Surrey
- 1987-2000** Employed as Historic Buildings Adviser Surrey County Council providing specialist advice on the conservation and repair of historic buildings, areas and landscapes in Surrey. Key achievements include establishing Conservation Officers Group for Surrey (Chairman for 11 Years), establishing and publishing the first Buildings at Risk register for the County in collaboration with the 11 local planning authorities, providing expert witness advice for several major public inquiries including Wotton House – restoration of Grade II* country house and Grade I Registered Landscape, and one of the first successful prosecutions of an owner for unauthorised works to a listed building in the county. Providing training for the Surrey Planning Officers Society and Building Control officers on the management of historic buildings and providing expert advice for the Surrey Historic Buildings Trust Repairs Grant Scheme.
- 2000-1** Historic Buildings Adviser for Waverley Borough Council
- 2001-2009** Historic Areas Adviser/Team Leader in English Heritage SE Region with responsibility for new development in historic areas and area grant schemes across Kent, E and W Sussex, Buckinghamshire, Oxfordshire and Berkshire. Key achievements include establishment of community-based conservation area appraisal projects in Surrey which became a

national exemplar; community-based characterisation projects in Oxford working with the Oxford Preservation Trust; and developing a model conservation area appraisal and management plan strategy in collaboration with Aylesbury Vale DC. During this time, I was identified as the EH National lead on Building in Context – developing and publishing the BiC Toolkit in partnership with CABE and the Kent Architecture Centre, and rolling the training programme out across the country. The Toolkit received a Planning Award from the RTPi in 2007/8. Other key achievements included supporting the development of Townscape Heritage Projects in Rochester and Hastings; monitoring HLF grant projects; and commissioning a conservation plan for RAF Upper Heyford which led to its designation as a conservation area– subsequently successfully appearing as an expert witness to oppose the local council’s proposals to demolish nationally significant Cold War Structures.

- 2009-2011** English Heritage London –Head of Partnerships – taking the lead on Heritage at Risk for London and strategic partnerships with the Greater London Authority and the London Boroughs. In 2010 appointed Historic Environment representative on the London Mayor’s Cultural Strategy Group.
- 2011-12** Head of Development Management for English Heritage London Region
- 2012-2016** Planning Director for the London office (team of 44) responsible for the provision of specialist advice and grants, maintenance of the Historic Environment Record for London and the Greater London Archaeological Advisory Service.
- 2016 to date** Barker-Mills conservation consultant working in private and public sectors including for Historic England in the south-east and north-west regions; the Greater London Authority, the London Borough of Hammersmith and Fulham, The Corporation of the City of London; Guildford borough Council; Hart District Council; JCB; *SSS Great Britain trust* and the Gascoyne Cecil estate

Other roles

- 2017 Appointed Chairman of Heritage Advisory Group for the Canals and Rivers Trust (3year term)
- 2020 Appointed Chair of the Cultural Heritage Advisory Group for the Canals and Rivers Trust
- 1984-2000 Member, and for part of the time Secretary, of the Surrey Archaeological Society Buildings Committee
- 2000 Elected Honorary member of the Arts and Crafts Movement in Surrey- Chairman (2016- 2018)

- 1987-2000 Trustee of the Watts Chapel– involved in the successful campaign to repair the roof of the internationally significant Grade I listed Funerary Chapel in Compton, Surrey
- Registered lecturer with the Department for Continuing Education Surrey University
- Registered lecturer with Workers Education Association, NADFAS and U3A – teaching courses on architectural history and conservation
- Chairman, Vice Chair and Treasurer of the SE Branch of IHBC at various times serving continuously on the Committee from 1997- 2009
- 2000-2006 Editor and then Chairman of the Editorial Board for *Context* the journal of the IHBC and serving on Council
- 2010-2016 Member of the New London Architecture Sounding Board
- Member of Oxford West End Design Review Panel
- Expert Assessor for Hackney Design Awards 2013 & 2014

Publications

Contributed to “*English Architecture Public and Private: Essays for Kerry Downes*” Ed Bold & Chaney

Contributed to “*Nature and Tradition: Arts and Crafts Houses and Gardens in and Around Guildford*” published GBC 1993

English Heritage Informed Conservation Series: Margate 2008 with Allan Brodie etc

Articles in *Context* most recent being a review of the conservation legislation in first decade of the 21st Century

Paper on: *Setting of Heritage Assets-A Practitioner’s View* for the Joint Planning Law conference Oxford 2015(*published proceedings Sweet & Maxwell*).

Historic England: *Conserving Georgian and Victorian Terraced Housing: A Guide to Managing Change* 2020

APPENDIX NPBM 2: Photographs of the Heritage Assets



Photograph 1: The Church of St George the Martyr Southwark view from the east



Photograph 2: Church of St George the Martyr Southwark view from the SE



Photograph 3



Views of St George the Martyr Southwark showing the tracking of the Shard across the building in an arc from east to west

Photograph 4



Photograph 5



Photograph 6: St George the Martyr from the south with Shard place visually attached to the tower, the New City Court site is to the left and the tall buildings would fill the sky space in close proximity to the tower of the church



Photograph 7: St George the Martyr from the south with the upper section of Guy's tower seen above the nave. The New City Court site is immediately to the left of the church tower and the tall buildings would be in very close proximity if not visually attached to the church tower in these views



Photograph 8: The Tower concentric defences and the White Tower from the NE part of its setting adjacent to the southern end of Mansell Street (slight zoom). Note Guy's tower visually attached to the SE pinnacle of the White Tower (to the left of shot) and the Shard rising above the SE turret. The New City Court site tall building would appear to the right above the battlements of the Waterloo Barracks and in close proximity to the NW corner turret of the White Tower



Photograph 9: The Tower concentric defences and the White Tower from the NE part of its setting adjacent to the Mint. This view is slight zoom and taken a few metres west of the TVIHBA view. Further south than photograph 8, it shows the tracking effect as you move around the setting with the Shard now further to the right and behind the NE turret and the very top canopy of Guy's tower now to the right of the SE turret. The New City Court tall building would be out of shot to the right



Photograph 10: The Tower concentric defences and the White Tower from the east, part way along Tower Bridge approach and close to the end of Approach Route 12 Commodity Quay (part zoom). The Shard has now tracked left and rises above the New Armouries, the New City Court site would potentially be to the right in closer proximity to the S turrets of the White Tower.



Photograph 11: The Tower concentric defences from Tower Bridge Approach towards the south end opposite the Salt tower, in the foreground of the shot (part zoom). The Shard has now tracked clear of the inner ward defences and the top part of Guy's tower is further to the left. The New City Court site would probably be partly between the two and the tall building largely obscured by the Shard and the tree (in summer) in this shot.



Photograph 12: Southwark Cathedral from the south side of Minerva Square



Photograph 13: Southwark Cathedral from the centre section of the north side of Minerva Square



Photograph 14: Southwark Cathedral from the NW corner of Minerva Square



Photograph 15: Tower of London Inner Ward N of the Lanethorn Tower- Image taken from the Capital House Townscape Visual and Built Heritage Statement March 2018 page 112

**APPENDIX NPBM 3: Comparison between Capital House and New City Court ES
views of Tower of London Local Setting View 1**



Capital House Townscape and Visual and Built Heritage Assessment March 2018
page 88 Scaffold Site Local Setting Study view 1



New City Court Townscape Visual Impact and Built Heritage Assessment December
2018 page 171 Local Setting Study View 1 Tower Green

APPENDIX NPBM 4: Policy Framework for Tall Buildings: a history in the context of the Tower of London World Heritage Site

- 4.1 Tall buildings are important to the current identity and character of the City of London and a physical manifestation of its commercial and financial pre-eminence in a world context. The history of the development of a policy framework for tall buildings in the City, culminating in the concept of the “Eastern Cluster”, first emerges in the immediate Post-War era. Planning pioneer Sir Patrick Abercrombie advocated that development should be co-ordinated across the whole of London, to a radius of 30 miles from the centre, and recommended decentralization and congestion control. This was the core of his County of London Plan drawn up for the LCC with J.H. Forshaw in 1943. The Plan also referred to building heights and whilst keeping the 100ft height limit that had been set by the London Building Act of 18948, a tone of flexibility in the regulations in some cases was introduced. The report also stated that: ‘a building which would be likely to disfigure a particular neighbourhood by reasons of its height even though it conformed to the general maximum for that zone, could be refused’. The sense of what is best for the public good or benefit, which are also architectural considerations, underlies the more flexible approach.
- 4.2 The subsequent development of what became a policy for Strategic Views, ultimately leading to the London View Management Framework (LVMF) is set out in the Historic England publication *London’s Image and Identity: Revisiting London’s Cherished Views (2017)*(CDF.021). This document also sets out how the successive London-wide planning authorities (the London County Council; London Planning Advisory Committee; Greater London Council and currently,

the Greater London Authority) grappled with the impact of taller buildings on the capital.¹

- 4.3 Different methodologies for managing height and form have been adopted over the period since 1945, including building heights policy and plot-ratio planning.² Height restrictions or building heights policies were removed in 1956 when the LCC Town Planning Committee published guidelines, entitled 'High Buildings in London', in which there was clear encouragement to build tall buildings that were 'carefully sited and well designed' and could 'contribute to the picturesque interest of the London skyline. Much taller buildings could now be erected and transformation of the London skyline began, although in light of some insensitive developments they were not welcomed by all³.
- 4.4 The suggestion of identification of areas of "high sensitivity" was included in a 1969 GLC report reviewing tall building activity in the previous decade.⁴ The

¹ Number 8 Queen Anne's Mansions, built close to Buckingham Palace between 1873 -1889 was, at 130 feet (39.6m) the first building perceived to threaten London's skyline of chimneys and spires. Queen Victoria objected to the obstruction of her view from Buckingham Palace; occupants of the cavalry barracks adjacent also complained of the loss of light into their building. The volume of complaints and bad press led the recently-formed London County Council (LCC) to pass the London Building Act of 1894. Under this Act, the height of new buildings in London was to be restricted to 80 feet (24.4m) - the maximum height that could be reached by firemen's ladders - or the width of the street on which they were located. This Act exercised a crucial influence on the development of London until its restrictions were removed in 1956. *Historic England: London's Image and Identity pub 2017*

² Plot ratio planning is a way of calculating the bulk of a building relative to the size of the plot. It was adopted in the City's second reconstruction plan drawn up by Dr Charles Holden and Professor William Holford in 1946-7. This was adopted in essence in the County of London Development Plan of 1953.

³ Some proposals attracted criticism from the RFAC. The Hilton Hotel (1960-63) was criticised for having a harmful impact on the Royal Parks, and buildings such as St Thomas's Hospital across the river from the Houses of Parliament led to calls for greater discrimination, selection and control from those who determined planning applications.

⁴ It was published as a Report of Studies and reviewed the impact of recent (late 1950s/early 1960s) or proposed tall buildings on historic London views from a variety of viewing points north and south of the river. The report identified 'Areas of Special Character' and also identified important views and classified them as 'panoramas', 'visual cones' and 'visual corridors'. This was the beginning of a strategic views policy as we would recognise it today, with a special regard to 'protect famous and pleasant views from

report highlighted 'areas of sensitivity' where tall buildings would be inappropriate and areas where their visual impact was not considered as great.⁵ This was the basis for the publication of a High Buildings Policy in 1970 and further recommendations followed in 1973 that statutory high building maps and policies should be part of all development and structure plans. These recommendations did not become policy immediately, but when the Greater London Development Plan was approved by the Secretary of State in 1976 it did include a High Buildings policy but with a single Urban Landscape Diagram in place of a number of separate maps.

- 4.5 After abolition of the GLC in April 1986, there was no longer a central body to oversee management of outstanding views and a new mechanism was required to make the boroughs work together. The interim body advising the Government on planning matters in London was the London Planning Advisory Committee (LPAC). LPAC published a report entitled *London's Skylines and High Buildings* in March 1989; prepared by the London Research Centre for LPAC, the Department of the Environment and English Heritage.
- 4.6 As a consequence of the increase in proposals for tall buildings along the riverside during the 1990s, capitalising on the Thames as a focus for London and on the associated land values, Strategic Planning Guidance for the River Thames (RPG 3B) was issued by the Secretary of State in February 1997. This guidance acknowledged that the closer to the landmark historic buildings

the City but also from Hampstead Heath, Greenwich and Richmond, and the impact of tall buildings on well-known skylines, landmarks and buildings of architectural and historic interest.'

⁵ The Greater London Council offered to grant waivers if eight questions could be answered satisfactorily. Significantly, the first was:

'Whether the building will disrupt the pattern of existing development or obtrude itself on the skyline to the detriment of any existing architectural groups and landscape'.

Other questions related to location, site size, overshadowing, local character, effect on the River Thames and open space, architectural quality and the night scene. No mention of specific views or landmarks was made.

the sites were, the less appropriate they were for tall buildings.

- 4.7 Pressure of large-scale development, for example at Broadgate and Canary Wharf, was a factor in the relatively quick review of the 1992 statutory guidance. The LPAC report of 1998 was an attempt to consolidate and boost Strategic View protection in London. The report introduced the idea of a Second tier of views, 'Metropolitan Views', for designation, and of more vigilance in protecting views of the river along the Thames (as enshrined in the RPG 3B Thames Guidance), which at the time were being impacted upon by high rise, high density development. Thresholds of consultation based on height were also proposed.
- 4.8 Building on the report of 1998, LPAC issued an advice note the following year: "*Strategic Planning Advice on High Buildings and Strategic Views in London*". The three World Heritage Sites (Palace of Westminster and Abbey; Tower of London; and Maritime Greenwich) were identified as requiring particular consideration with regard to their settings and backdrops.⁶ In subsequent policy development for the City Cluster, the relationship between the Tower of London World Heritage Site and the City became a critical issue.

Development of Tall Building Policy in relation to the Tower of London

- 4.9 The impact and potential impact of tall building in relation to the Tower of London was expressed at the time of its inscription in 1988. Continued concern about the effect of development and particularly tall buildings upon the OUV of the

⁶ "Between Vauxhall Bridge and Tower Bridge more opportunities for high buildings may exist, particularly in areas with existing clusters of high buildings such as part of the City of London. But this area is also constrained by the need to protect and enhance the views and settings of many of London's most important landmarks such as the Palace of Westminster, St Paul's Cathedral and the Tower of London" (LPAC 1999, section 8 p21).

Westminster and Tower of London World Heritage Sites set out in the State of Conservation Reports from 2002 -2006 eventually prompted a joint UNESCO-ICOMOS Reactive Monitoring mission in November 2006: The report⁷, prepared following the mission, noted the presence of emerging tall buildings and because of their impact in regard to the Tower of London made two recommendations. The first was statutory protection for the iconic view from the South Bank and the second finalisation of a management plan to protect the immediate surroundings, including creation of a buffer zone.⁸ If these actions were not completed by the time of the next World Heritage Committee Meeting, scheduled for June 2007, then the site would meet the criteria for Danger Listing (according to paragraphs 178-182 of the Operational Guidelines).

- 4.10 The WHC remained concerned that the overall setting of the Tower was being managed appropriately and noted that incremental developments over the period 2006-2011 had impacted adversely on the property. In 2009 at their meeting in Seville, the WHC had made recommendations for the protection of the ToL WHS which they were concerned were not being followed. Ongoing unease about the management of the setting of the Tower grew until in 2011 ICOMOS recommended “In Danger” listing because of the impact of development in the setting of the ToL on its ability to project its former role⁹.

⁷ The Report notes with reference to the city of London that: *The main rationale for development of tall buildings is to increase density of office space to limit loss of fiscal revenues and jobs, due to the growth of the financial district of Canary Wharf in the Docklands area east of London. The result of these development policies has been the submission and approval of various applications for tall buildings of over 100m, several of them around the Tower of London, including the approvals for the London Bridge Tower (“Shard of Glass”, 303m) and the Minerva Tower (Houndsditch, 216m, that has been cancelled), which were reviewed by the World Heritage Committee (WHC-06/30.COM/7B.74).*

⁸ A buffer zone is intended to protect a WHS from negative influences. It represents a zone which in itself is not of Outstanding Universal Value, but that may influence a WHS and has complementary legal and/or customary restrictions placed upon its use or development in order to give an added layer of protection to the property. *Operational Guidelines 2019. P 30 paragraphs 103-7*

⁹ WHS State of Conservation Report 2011

- 4.11 The monitoring mission report commissioned at the WHC meeting in Paris in June 2011 on the basis of previous concerns had clear terms of reference including looking at the impact of incremental change.¹⁰ The State Party, i.e. Government, was requested to evaluate the impact of proposed changes to the visual setting of the property on its OUV, and to develop and apply effective mechanisms for the protection of the setting as a matter of urgency. The Mission report on the discussion regarding the overall situation of the property and how appropriate protection for its setting could be put in place was to be reported at the WHC Meeting in 2012. The Mission was to also consider similar issues with regard to the Westminster World Heritage Site.¹¹
- 4.12 The WHC Meeting in St Petersburg in June 2012 considered the Reactive Monitoring Mission Reports, which found:

“a) Tower of London Local Setting Study and visual integrity of the property

¹⁰ World Heritage committee 35th Session Paris June 19-29 WHC-11/35. COM/20 p146

¹¹ The Mission visited in December 2011. According to the Terms of Reference, the reactive monitoring mission:

i. reviewed and discussed with national and local authorities the overall situation of the properties with regard to their state of conservation in their urban context and particularly their visual integrity;

ii. review progress with addressing the recommendations of the 2006 joint UNESCO/ICOMOS Reactive Monitoring Mission, as set out in the decisions of the World Heritage Committee;

iii. assessed how incremental changes since the 2006 mission as well as current and proposed major development projects in the immediate and wider setting of the properties impact adversely, or might impact adversely, on their Outstanding Universal Value;

iv. discussed with national and local authorities how, in the absence of buffer zones, the immediate and wider settings of the properties might be defined as a basis for evaluating the impact of proposed development on Outstanding Universal Value and for putting in place appropriate, specific protection;

v. reviewed the current mechanisms in place and any under development for protecting the properties and their settings.

The State Party reports that the study provides guidance for managing change in the immediate setting of the Tower, essentially the area visible at ground level from its perimeter. It acknowledges the impacts on the visual integrity that have occurred as a result of past developments, but also notes that other proposals have been modified to lessen their potential impact which reflects efforts in protecting the historic environment. Strengthened policies now in place should lessen the risk of inappropriate development that could cause additional impact on the visual integrity of the property.

The mission noted that the visual integrity of the property has been compromised by the Shard of Glass which will be 310m tall on completion. It underscored the need to better regulate the further build-up of the area and recommends that if any tall buildings are planned, these should not exceed the height by which they would become visible above the on-site historic buildings that are part of the Tower complex. The mission considers that any additional tall buildings in the area would destroy the visual integrity of the property and severely compromise its Outstanding Universal Value (OUV), possibly beyond repair.”

- 4.13 In 2016 the current management plan for the Tower WHS was sent to UNESCO. Continuing concern regarding management of the impact of tall buildings upon the OUV of London’s WHS led to a further reactive monitoring mission from ICOMOS in 2017, which was focussed upon the Palace of Westminster and Westminster Abbey WHS.¹² In response to this mission report the WHC issued a draft decision (41COM 7b.55) in July 2017. The majority of the points in the mission report related to improved management of the setting of the Palace of Westminster and Westminster Abbey WHS.

¹² ICOMOS-ICCROM joint Reactive Monitoring Mission Report 2017. The mission visit was carried out on 21-23 February 2017 and the report presented to the 41st Session of the World Heritage Committee held in Krakow 2-12 July 2017 see recommendation 22 and p.47 para 3.6.1

- 4.14 A specific recommendation (point 7) was a strategic one, applying to all the WHS in the UK and stated that the WHC:

“Recommends therefore, that planning policies be reconsidered to ensure that balancing between protection of OUV and the other benefits of development projects is more strongly weighted towards the requirement to protect OUV, in accordance with the obligations of the State Party under the World Heritage Convention, and underlines the need to link the strategic city development vision with heritage-led regulatory planning documents in order to provide clear legal guidelines to manage all World Heritage properties in London in a consistent manner. (Emphasis in original)¹³

- 4.15 A response to the WHC Report and Decision of July 2017 was provided by the State Party (UK Government DDCMS) in their State of Conservation Report for the Westminster WHS in 2018. The response stated:

“As part of a recent, wider review of the NPPF, the State Party reviewed the policy on World Heritage Sites in response to this point and the related mission recommendation. It concluded that there was scope to clarify the existing policy at a national level and has therefore amended the NPPF to include explicit reference to importance of the Outstanding Universal Value of World Heritage Sites and to make clear this classification forms part of their significance and should be taken into account in all relevant decision-making. The revised NPPF containing these amendments was published on 24 July 2018. Further detail is available in the response to the mission recommendations.

¹³ The Mission report also recommended that:

“Policy and guidance materials should be written in as concrete a manner as possible to reduce the possibility for interpretation in a way that is not consistent with the protection of OUV. Steps have been taken in recent years to do so, but the disconnect between the words within the policies and the results on the ground still remains large enough for concern

Further to this, the Greater London Authority is currently undertaking a review of the London Plan. The revised plan sets out a range of overarching policies for London. A draft of the updated plan is now available. The draft contains a comprehensive policy on world heritage sites which provides a more robust approach to protection of the Outstanding Universal Value (OUV) of London's four World Heritage Sites (WHS). Additionally, the updated plan includes further guidance on the effective management of WHS and their settings.

Policy HC2 of the London Plan places greater weight on the importance of WHS management plans, particularly to inform plan making and planning decisions.

In order to assess the impact of the cumulative impact of proposals, the Greater London Authority and boroughs are also utilizing 3D modelling. These models, particularly 3D virtual reality and other interactive digital models, should, where possible, be used to inform plan-making and decision-taking, and to engage Londoners in the planning process".¹⁴

¹⁴ State of Conservation Report for Westminster World Heritage Site including actions in response to WHC decision 41 COM 7B.55 with covering letter from Enid Williams World Heritage Policy Advisor