



Appeal Decisions

Inquiry opened on 25 January 2022

by Paul Griffiths BSc(Hons) BArch IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 30th June 2022

Appeal A: APP/K5030/W/21/3281630

Custom House, 20 Lower Thames Street, London EC3R 6EE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against the failure of the local planning authority to give notice of a decision within the appropriate period on an application for planning permission.
 - The appeal is made by Cannon Capital Developments Ltd & Global Grange Hotels Ltd against the City of London Corporation.
 - The application Ref.20/00631/FULMAJ was dated 10 August 2020.
 - The development proposed was described as 'the refurbishment, extension and conversion of Custom House (including works of demolition) from office (Use Class B1) to a hotel (Use Class C1) with flexible ground floor retail floorspace (Use Classes A3 & A4), leisure facilities (Use Class D2) and ancillary riverfront public realm and works to the Custom House River Wall, Stairs and Crane, hard and soft landscaping, cycle parking, coach and taxi vehicular drop off bay, servicing, and refuse and recycling storage'.
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Appeal B: APP/K5030/Y/21/3281258

Custom House, 20 Lower Thames Street, London EC3R 6EE

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against the failure of the local planning authority to give notice of a decision within the appropriate period on an application for listed building consent.
 - The appeal is made by Cannon Capital Developments Ltd & Global Grange Hotels Ltd against the City of London Corporation.
 - The application Ref.20/00632/LBC was dated 10 August 2020.
 - The works proposed were described as 'the refurbishment, extension and conversion of Custom House (including works of demolition) from office (Use Class B1) to a hotel (Use Class C1) with flexible ground floor retail floorspace (Use Classes A3 & A4), leisure facilities (Use Class D2) and ancillary riverfront public realm and works to the Custom House River Wall, Stairs and Crane, hard and soft landscaping, cycle parking, coach and taxi vehicular drop off bay, servicing, and refuse and recycling storage'.
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Preliminary Matters

1. The Inquiry opened on 25 January 2022 and closed on 17 February 2022 after a total of thirteen sitting days. The event was conducted 'in-person', though some participants joined 'virtually', and the event was live-streamed through the City Corporation's YouTube channel. In view of ongoing issues with the pandemic at the time of the Inquiry, I am thankful to all for their care and forbearance throughout.
2. Aside from the principal parties, the Georgian Group took part in proceedings as a Rule 6(6) party. I also heard from a number of interested persons in the course of the Inquiry, some in person, some virtually. I have also had regard to written submissions from third parties that were submitted during the event, alongside those submitted in advance of the Inquiry.

3. The original applications were made in the name of Cannon Capital Developments Ltd and Globalgem Hotels Ltd and the appeals were lodged in the same names. However, after that, the names of the appellants changed to Cannon Capital Developments Ltd and Global Grange Hotels Ltd. I have reflected that in the headers above.
4. In the main, I have gained access to the documentation associated with the Inquiry electronically. The Core Documents and the various Inquiry Documents can all be found at <https://www.cityoflondon.gov.uk/services/planning/custom-house-public-inquiry>. The final list of Core Documents, which includes a schedule of all the plans, can be found on the front page of the Core Documents Library, and in recognition of that, I have confined myself to listing the Inquiry Documents in Annex B to these decisions. I am grateful for the assistance of all, but especially the appellants' team, for collating and managing the various documents and the webpages. I am also very grateful to the staff of the Corporation for the loan of a laptop computer for part of the Inquiry to replace my faulty machine.
5. As agreed at the Case Management Conference, I carried out an accompanied site visit to the building itself on 12 January 2022, in advance of the Inquiry. I found it most informative and an invaluable assistance in considering the evidence. During the Inquiry, I carried out many unaccompanied visits to the vicinity of the building and took in various views of it from the path along the north bank of the Thames, Tower Bridge, the south bank of the Thames, and London Bridge, amongst others.
6. I made a further accompanied visit to the Custom House on 23 March 2022 and took in the building itself, once again, and various viewpoints, including the upper gallery at Tower Bridge, and the platform at the top of the Monument. After the accompanied part of the visit was completed, I spent further time in the vicinity of the building and observed it from H.M.S. Belfast, in lieu of the suggested river journey.
7. In response to prompts during proceedings, I carried out an unaccompanied visit to the British Museum on the morning of 18 February 2022 to reacquaint myself with the main entrance, and in particular, the precise arrangement of Smirke's portico. Further, and in line with suggestions made in the course of the Inquiry, I stayed at 'The Ned' on the night of 17 February 2022, to familiarise myself with one of the comparators for the proposal, and the nature and quality of accommodation it contains.
8. In the headers above, I have repeated the description of development (the subject of Appeal A) and works (the subject of Appeal B) from the original application form. In the light of changes made to the scheme in the period when the originating applications were under consideration by the Corporation, notably the inclusion of a ground floor museum, and associated lift, and an acknowledgement that what represents development, might not qualify as works, and vice versa, this description was amended to reflect the full scope of what was proposed for the building itself, associated buildings and structures, and their environs. These separate descriptions of development and works are set out in the Statement of Common Ground¹.

¹ CD10.1 – referred to hereafter as SoCG

9. These descriptions were kept under review during the Inquiry and culminated in further refinements². On that basis, I am dealing with Appeal A on the basis that planning permission is sought for: *change of use of existing building and riverside car park compound from office (Use Class E) to hotel (Use Class C1) with new public quayside, ground floor internal north/south public 'route-through' (Sui Generis), ground floor museum (Use Class F1(c)), flexible ground floor and roof level retail floorspace and public viewing terrace (Use Classes E & Sui Generis (Drinking Establishment), lower ground floor leisure facilities (Use Class E) and new riverfront public realm including Water Lane, Old Billingsgate Walk and Lower Thames Street; associated works of demolition, alteration, extension and refurbishment including i) removal of railings around riverside carpark; ii) demolition and re-building behind the retained facade of the 1960s East Block; iii) demolition of 1960s East Block roof and alteration of existing West Block roof to erect 2 x two storey extensions above the East and West Blocks to provide hotel rooms and plant space at their lower levels and public viewing terrace and café/restaurant/bar on the upper level of the West Block extension and restaurant/bar and associated terrace space at upper level of the East Block extension; iv) demolition of Centre Block ground floor external stairs and replacement with new river terraces, stairs and step free ramped access across Centre, and parts of West and East Block (south elevation); v) alterations to and raising of the flood defence wall; vi) facade alterations and associated works to create a terrace at first floor level on the Centre Block (south elevation); vii) removal of railings on Lower Thames Street elevation; viii) alterations to main Centre Block entrance on Lower Thames Street for step free access; ix) associated works to the river wall; and x) other external alterations including elevational alterations, hard and soft landscaping, alterations to service ramp, provision of on-site cycle parking and servicing, and creation of coach and taxi vehicular drop off on Lower Thames Street.*
10. I am considering Appeal B on the basis that listed building consent is sought for: *external and internal works associated with the partial demolition, alteration, extension and conversion of Custom House - external works including: i) removal of railings around existing riverside car park; ii) demolition and re-building behind the retained facade of the 1960s East Block; iii) demolition of 1960s East Block roof and alteration of existing West Block roof to erect 2 x two storey extensions; iv) demolition of Centre Block ground floor external stairs and replacement with new river terraces, stairs and step free ramped access across Centre, and parts of West and East Block (south elevation); v) alterations to and raising of the flood defence wall; vi) facade alterations and associated works to create a terrace at first floor level on the Centre Block (south elevation) and reinstated door and new ramped access to West Block (west elevation); vii) removal of railings on Lower Thames Street elevation; viii) alterations to main Centre Block entrance on Lower Thames Street; ix) associated works to the river wall; x) other external alterations including elevational alterations; alterations to service ramp; hard and soft landscaping; and internal works including: i) removal of 1990s glazed stair core and parapets, roofing over, and reconfiguration of West Block courtyard, to include new service core and other works; and ii) demolition and alteration of some existing walls and ceilings and erection of new partitions across all floors in the West and Centre Blocks.*

² ID32

11. As set out above, the appeals are made on the basis of the failure of the Corporation to give notice of decisions within the appropriate period on the applications that were before it. In the lead up to the Inquiry, the Corporation confirmed that had it determined the applications, it would have refused planning permission and listed building consent for the development and works proposed, setting out a series of putative reasons for refusal. These are set out in the SoCG³ and I need not repeat them here. Suffice to say that they form the basis for my main issues, set out below.
12. As agreed, some of the putative reasons for refusal cited by the Corporation lent themselves better to a 'round table' discussion rather than the formal presentation of evidence. On that basis, the main issues concerning the living conditions of nearby occupiers, accessibility, and transport, were dealt with in that way, while the other main issues were dealt with in the traditional manner.
13. Discussions continued during the event around various planning obligations and the potential for an Agreement under s.106 of the Town and Country Planning Act 1990 (as amended). The various obligations were discussed in a round table session helpfully informed by a draft Unilateral Undertaking⁴, and a CIL Compliance Schedule⁵ prepared by the Corporation. I allowed time after the Inquiry closed for discussions to continue and for the preparation of a final signed document. In that regard, the appellants submitted a completed Unilateral Undertaking, dated 28 March 2022⁶. The areas of disagreement that remained between the appellants and the Corporation were helpfully set out in a separate document⁷.
14. The Inquiry also included a 'round table' session to discuss conditions that would be necessary in the event that planning permission and listed building consent were granted for the proposals. This discussion was assisted greatly by lists of suggested conditions prepared by, and discussed between, the parties⁸.
15. After the Inquiry closed, and in the interests of fairness, I reverted to the main parties to ask whether there was anything in the judgment of the High Court in *London Historic Parks and Gardens Trust v Minister of State for Housing and others* [2022] EWHC 829 (Admin) that required comment. All agreed that this particular judgment is case specific and has no wider implications for the manner in which harm to designated heritage assets is characterised, or calibrated, or the assessment of alternatives in such cases.

Decisions

Appeal A

16. The appeal is dismissed and planning permission for: *change of use of existing building and riverside car park compound from office (Use Class E) to hotel (Use Class C1) with new public quayside, ground floor internal north/south public 'route-through' (Sui Generis), ground floor museum (Use Class F1(c)), flexible ground floor and roof level retail floorspace and public viewing terrace*

³ CD10.1

⁴ ID27a

⁵ ID27b

⁶ ID35

⁷ ID34

⁸ ID33a and ID33b

(Use Classes E & Sui Generis (Drinking Establishment), lower ground floor leisure facilities (Use Class E) and new riverfront public realm including Water Lane, Old Billingsgate Walk and Lower Thames Street; associated works of demolition, alteration, extension and refurbishment including i) removal of railings around riverside carpark; ii) demolition and re-building behind the retained facade of the 1960s East Block; iii) demolition of 1960s East Block roof and alteration of existing West Block roof to erect 2 x two storey extensions above the East and West Blocks to provide hotel rooms and plant space at their lower levels and public viewing terrace and café/restaurant/bar on the upper level of the West Block extension and restaurant/bar and associated terrace space at upper level of the East Block extension; iv) demolition of Centre Block ground floor external stairs and replacement with new river terraces, stairs and step free ramped access across Centre, and parts of West and East Block (south elevation); v) alterations to and raising of the flood defence wall; vi) facade alterations and associated works to create a terrace at first floor level on the Centre Block (south elevation); vii) removal of railings on Lower Thames Street elevation; viii) alterations to main Centre Block entrance on Lower Thames Street for step free access; ix) associated works to the river wall; and x) other external alterations including elevational alterations, hard and soft landscaping, alterations to service ramp, provision of on-site cycle parking and servicing, and creation of coach and taxi vehicular drop off on Lower Thames Street at Custom House, 20 Lower Thames Street, London EC3R 6EE is refused.

Appeal B

17. The appeal is dismissed and listed building consent for: *external and internal works associated with the partial demolition, alteration, extension and conversion of Custom House - external works including: i) removal of railings around existing riverside car park; ii) demolition and re-building behind the retained facade of the 1960s East Block; iii) demolition of 1960s East Block roof and alteration of existing West Block roof to erect 2 x two storey extensions; iv) demolition of Centre Block ground floor external stairs and replacement with new river terraces, stairs and step free ramped access across Centre, and parts of West and East Block (south elevation); v) alterations to and raising of the flood defence wall; vi) facade alterations and associated works to create a terrace at first floor level on the Centre Block (south elevation) and reinstated door and new ramped access to West Block (west elevation); vii) removal of railings on Lower Thames Street elevation; viii) alterations to main Centre Block entrance on Lower Thames Street; ix) associated works to the river wall; x) other external alterations including elevational alterations; alterations to service ramp; hard and soft landscaping; and internal works including: i) removal of 1990s glazed stair core and parapets, roofing over, and reconfiguration of West Block courtyard, to include new service core and other works; and ii) demolition and alteration of some existing walls and ceilings and erection of new partitions across all floors in the West and Centre Blocks at Custom House, 20 Lower Thames Street, London EC3R 6EE is refused.*

Main Issues

18. As outlined above, in response to the appeals against non-determination, the Corporation set out thirteen putative reasons for refusal. There is some overlap between them, but they form the basis for the main issues to be considered in the determination of the appeals.

19. The principal main issue comes under the very broad heading of 'heritage'. First of all, there is a need to assess the impact of the development/works proposed on the special architectural and historic interest (and/or significance) of the Custom House itself, and its setting, and the associated River Wall, Stairs and Cranes, and the setting of that group. There is then a need to consider the effect of those proposals on the setting and thereby the significance of Old Billingsgate, the Monument to the Great Fire, and Tower Bridge⁹. Underpinning that, it is necessary to address the overall approach to design, and the impact of what is proposed on various Strategic Views.
20. There is then a need to assess the scale of any harm to the significance of the various designated heritage assets identified, and the weight to be attached to any public benefits that the scheme would bring forward. That necessarily brings into focus questions around viability, and the concept of 'optimum viable use'. In weighing any public benefits against harm to significance, account must be taken of the manner in which that balancing exercise is undertaken; in simple terms whether the balance is an 'internal' one, that is one limited to heritage harm and benefits, or an 'external one', that is one that also includes other public benefits. I deal with this in more detail below.
21. There are other matters to deal with too notably the impact of the proposals on the living conditions of occupiers of nearby residential properties, including Sugar Quay in particular, through and noise and disturbance and/or overlooking. Highways and accessibility need attention too on the basis of whether the provisions for pedestrian and vehicular access to and around the building are acceptable. An issue was also raised around 'urban greening' but as agreed, this could be addressed through a condition.

Reasons

The Heritage Issue

Background

22. The Custom House is a Grade I listed building and the latest in a series of buildings, located near the 'top' of the Pool of London, designed for the collection and payment of import and export duties. The existing building has a complex history that is well documented in the evidence. Briefly, work on it was begun towards the end of the Napoleonic Wars, in accordance with the design of David Laing.
23. However, not long after its completion, a failure of the timber pilings led to the structural collapse of the central portion of the building, including the Long Room, and (what was at the time) the King's Warehouse below. Robert Smirke was brought in and rebuilt the central portion of the building, including the Long Room and the Warehouse below, while underpinning the remainder, and introducing the central portico on the river frontage.
24. During World War II, the east wing of the building was all but destroyed by aerial bombing. It was rebuilt post-war in (near) facsimile externally, with a reinforced concrete frame, wholly modern interiors, and floor to floor heights that do not well reflect the arrangement of fenestration.

⁹ The designated heritage assets referred to in the SoCG (CD10.1)

25. As it stands today, the building has three main elements. The western wing of the building, save for the Robing Room at first floor level, is almost certainly Laing's work. The central wing, including the Long Room, at first floor level, and the Queen's Warehouse at ground floor level, and the grand portico facing the river, is Smirke's. The eastern wing is a post-war rebuild. The building has a forecourt to the river which was given over to car parking behind a security fence separating the forecourt from the riverside walk. Bounding the Thames itself, the River Wall (the work of the engineer, John Rennie), Stairs and Cranes, are listed at Grade II*.
26. Unsurprisingly given its location, there are a number of other designated heritage assets nearby. I highlight the former Billingsgate Market (Old Billingsgate), to the immediate west, a Grade II listed building, Tower Bridge, to the east, a Grade I listed building, and the Monument to the Great Fire, to the north-west, a Grade I listed building and Scheduled Ancient Monument, as these form the basis of the Corporation's objection in this regard. However, I also observed the relationship of the Custom House with other nearby listed buildings, notably the ruin of St Dunstan in the East (Grade I), and its associated walls gates and railings (Grade II), and All Hallows by the Tower (Grade I), as well as the Eastcheap, Tower Bridge, and Tooley Street Conservation Areas.
27. The building was last occupied by HMRC and is currently vacant. All agree that it is ripe for re-use and/or conversion. Historic England were involved in extensive pre-application discussions with the appellants and have, it is fair to say, been consistent in their support of the scheme. Their formal consultation response¹⁰ identifies some harm to the significance of the Custom House that in their view, is outweighed by public benefits, including heritage benefits.

The Proposals

28. Put simply, the scheme involves the conversion of the building into a hotel. The central wing would provide a restaurant/bar in the Queen's Warehouse, with a public route through the building from the Lower Thames Steet entrance to a riverside terrace. The Long Room would be used for banqueting and events. The east block would be rebuilt behind retained facades to provide hotel rooms, in the main. The west block would be converted to provide hotel rooms as well as a dedicated Museum in the former Tide Waiters' complex of rooms. Two roof top terraces with restaurants and bars, with further hotel rooms below, would be added to the east and west blocks.
29. The existing forecourt would become a riverside terrace with access from the Queen's Warehouse that would involve a system of steps and ramps. The riverside terrace would be accessible to the public in the main, though facility is sought for it to be closed off at times for private events. The existing railings separating the forecourt from the riverside path would be removed and new railings would be installed along the River Wall bounding the riverside path.
30. The scheme would involve a significant degree of intervention that would affect the special interest of the Custom House itself, and the River Wall, Stairs and Cranes, and their settings, in ways that could be seen as negative, positive, and/or neutral. It is those interventions that I turn to first.

¹⁰ CD9.7

31. However, before doing so, I need to make plain that these various interventions have to be seen in their context. If it is accepted that a re-use of the building is necessary, for its future stewardship, and that such re-use may entail a new use, such as a hotel, formed to meet modern standards, then some degree of intervention will be inevitable. There may be other factors in play too, such as the requirements of the Environment Agency.
32. Of course, as the scheme put forward by the Georgian Group demonstrates, different forms of re-use might well lead to different degrees of intervention. That may well be a factor to consider in the round. However, the point I would make is that while one might consider the impact of an individual intervention, or group of connected interventions, in the end, they have to be considered together, as part of an overall judgment on a scheme that seeks a re-use of the building.

Interventions and Attendant Matters

33. For my purposes it is most useful to begin with the issue of **services**. It is plain that any new use, or uses, of the building will require this matter to be addressed. While I can understand the thinking that has led to existing services being exposed to minimise their impact on the fabric of the building, the effect is in places, very clumsy. The ductwork in the Queen's Warehouse for example closes off the space and covers up parts of the structure. Overall, from what I saw, the existing services have a negative impact on the significance of the listed building and a new use, or uses, would provide an opportunity for at the very least, reducing the harm to significance servicing might cause.
34. The general approach taken by to new services seems to me quite astute. The trench at basement level allows for services to be spread across the expanse of the building and it ought to be possible to accommodate it without any significant impact on Smirke's underpinning. Placing air handling at roof level so that ductwork can diminish in size as it travels down into the building allowing for smaller risers in the more significant parts of the west and central portions of the building is similarly practical.
35. Service risers in a building of this type are always going to be a challenge and broadly, these have been sensitively handled. It is obviously sensible to use the rebuilt east wing, to accommodate the principal items of plant, and main risers. Alongside that, and in the west and central portions of the building, existing penetrations through the fabric can be used, alongside the en-suite bathrooms serving individual rooms. There are however some risers that are difficult, notably within the Tide Waiters' Room in the west wing where original blank arched insets would be closed off, and to the Long Room Lobby, where two risers would climb the inside face of the north wall.
36. Overall, bearing in mind the nature of the existing services, I am of the view that the approach to servicing the proposed use has been well considered. I would say though that use as a hotel does accentuate the level of servicing required, particularly in relation to hotel bedrooms, and their en-suite facilities.
37. That leads on neatly to the next area for consideration – the impact of the proposals on what I would term: **plan-form**. Dealing with the east wing first, I see no difficulties with what is proposed behind the retained frontages. Indeed, adjusting floor to floor heights in a way that better relates to the external treatment of the elevations is an obvious benefit of the scheme.

38. There are major benefits to significance in the approach that has been taken to the central block. The Queen's Warehouse would be opened up by the removal of existing partitioning and services and the proper compass of the space, and the sophistication in its structure, would be far easier to appreciate. At first floor level, the lobby to the Long Room, at the head of the main staircases would be reinstated, and alongside the opening up of the currently blocked central door opening, the principal approach to the Long Room would be returned to its proper format. Allied to that, the east elevation Long Room window would be opened up, and the original (Laing) skylight serving Smirke's Robing Room¹¹ would be reinstated.
39. Turning to Laing's west wing, it has been suggested that this is the earliest example of purpose-built offices in the City of London, and an important prototype for what followed. I am not convinced that the evidence bears that out fully. Nevertheless, there is no doubt that the plan-form of the west wing, with cellular offices of varying sizes grouped around a courtyard providing natural light to the vaulted internal corridor, makes a significant contribution to the overall significance of the Custom House. These cellular offices are relatively plain in their treatment with simple panelling and joinery. The individual rooms are not of a uniform size, but all have a regular, rectangular shape, and pleasing proportions.
40. I recognise that some of these rooms are of a size that does not lend itself easily to conversion to a single hotel room. However, the subdivision of some rooms, and there are examples at ground, first, second, and third floor levels, would disrupt panelling and joinery, and change the shapes and proportions of those rooms, in ways that would be harmful to plan-form and as a result, the significance of the listed building.
41. Alongside that, all the hotel rooms formed in the west wing would be served by an en-suite bathroom. As I have set out above, this does provide opportunities in terms of the accommodation of services, and I do appreciate that the provision of an en-suite bathroom is a basic requirement of any modern hotel room. I accept too that there is the possibility of controlling the detailed design of the 'bathroom pod' in each room by a suitably worded condition. It may be possible for some of these pods to stop short of the main room ceiling, though of course service risers would need to run full height.
42. However, the essential difficulty I have is that in some cases, the en-suite bathroom proposed would 'chew' a corner out of the room it lies within, complicating the shape, and changing the proportions of that room, while disrupting the existing panelling and joinery. This impact on plan-form would cause harm to the significance of the Custom House.
43. There are other subtleties of Laing's plan-form in the west wing that would be disrupted too. There are suites of rooms, notably in the south-east corner of the ground floor, adjacent to the central block, and other corresponding suites at first, second and third floors above. The importance of these grouped rooms is marked by a 'lobby' area, and at ground floor level, a columned entrance. By making them all individual hotel rooms, the proposals would reduce the sense that these rooms act as a group, and at ground floor level, the grandeur of the

¹¹ The area occupied by the Robing Room was it seems a staircase in Laing's layout

- columned entrance would be undermined by screens and doors, albeit that these could be formed in glass. All this would be harmful to the special interest of the listed building.
44. Another pleasing feature of the plan-form in the west wing is the way rooms behind the southern frontage of the building, at first and second floor levels, have interconnecting doors arranged in enfilade. The proposals in forming individual hotel rooms that are not interconnected would remove that relationship. That would harm the overall significance of the listed building.
 45. It is proposed to remove ceilings in some rooms at third floor level in the west wing in order to open them up into the roof space, exposing the structure. I can see the benefit increasing their volume would bring to these spaces as hotel rooms. However, there is a hierarchy between rooms on different floors with those at third floor intended to be more modest as a part of that. Opening these rooms up in the manner proposed would disturb that hierarchy by giving them a status that was never intended.
 46. It is fair to highlight that there are aspects of the proposed treatment of the west wing that would be beneficial in plan-form terms. The original Tide Waiters' entrance in the west front of the building would be reinstated, alongside the route through to the Tide Waiters' Room, which would become a museum.
 47. However, that benefit would be undermined by what I find the most troubling intervention in the west wing of the building. The Tide Waiters' Room is set against the central lightwell of the west wing and like parts of the vaulted ground floor corridor, draws natural light from it. The corresponding rooms and corridors at first, second, and third floor levels do likewise.
 48. The new lift and staircase core would cut into the lightwell, reducing its size, as would the new lift linking the museum with the rooftop pavilion. More fundamentally, the rooftop pavilion at fifth floor level, and the new accommodation below it at fourth floor level, would close off the top of the lightwell meaning that natural light would no longer enter it. I recognise that the 'lightwell' that would be formed could be artificially lit to recreate the impression of daylight. However, I think that would be a very poor substitute.
 49. Bringing natural light into rooms and corridors was a key component of Laing's plan-form. That is plain from the arrangement of rooms lit from windows in the outside walls, and the corridor, and some rooms, lit from the lightwell. It is also evident in the many devices employed to 'steal' light, whether that be glazed panels above doors, or grids in floors. Closing off the lightwell in the manner proposed would all but destroy that key component of Laing's plan-form and undermine the significance of the listed building as a whole, to a considerable degree.
 50. Concerns have been raised too about the outward manifestation of this rooftop pavilion alongside its corresponding addition to the east wing, in views of the Custom House across the Thames, from Lower Thames Street, and from and in association with other designated heritage assets. When gauging the impact of these **rooftop pavilions**, there are two aspects to consider. The first is their impact on the Custom House itself and a judgment on that, it seems to me, would have a central influence on one's finding in relation to wider impacts.

51. The starting point for this analysis is the existing arrangement of the Custom House. Laing's design clearly showed the influence of Sir John Soane, who he had been articulated to. Laing's Long Room had a triple domed ceiling, and was expressed externally with tall, arched windows, with the Warehouse below, behind a rusticated base. This provided a clear contrast with the more restrained treatment of the west and east wings, with their applied porticos, and the ancillary accommodation provided within them, expressing the hierarchy of functions within the building. The treatment of the river frontage also skilfully combined the need for that aspect of the building to have a strong visual presence, while acknowledging that the main public entrance to the building was from Lower Thames Street.
52. Of course, this central portion suffered a structural collapse for reasons that are well documented. Smirke's rebuilding of the central block was remarkable in its structural ingenuity. However, he did not seek to replicate Laing's treatment of the river frontage of the central block but instead, applied a portico that shared some characteristics of the porticos either side, above a rusticated base. Later, during the London blitz, the east wing of the building was largely destroyed and subsequently rebuilt, externally, as a broad copy of what was there before.
53. From that, it can be seen that the river frontage of the Custom House today is something of a compromise. Laing's original composition was radically altered by Smirke, and the post-war rebuilding of the east wing brought its own, rather more subtle, changes. That provides the context for consideration of the rooftop additions now proposed. The pavilions would be expressed as modern, relatively lightweight, glazed additions to the building. They would be positioned in a way that retained the symmetry of the overall composition.
54. I accept that to many a change of this sort would be considered unwelcome. It is fair to say that the pavilions would raise the height of the west and east wings of the building, and attract attention, especially at night when lit up, in a way that would undermine the overall hierarchy, where the central block is clearly more important than the wings of the building. That would cause a degree of harm to the significance of the Custom House. That said, in my view, they would present as another change to an already changed building, reflective of its new use; another chapter in the story of a building that has undergone significant change since its inception. Further, in some views of the building, for example from the top of the Monument to the Great Fire, they would rationalise the rooftops of the building which are, at present, something of a mixed bag of various accretions.
55. For those reasons, I find that the harm they would cause to the significance of the building itself, in relation to their visual presence, close-up, and from further away, would be very limited. It is fair to say too that the rooftop pavilions would facilitate views of the roovescape of the building and allow users to gain an appreciation of the building in its wider riverside setting. This facility would be a heritage benefit, in my view, because it would better reveal the significance of the building.
56. These rooftop pavilions would be visible from the other side of the Thames, from Lower Thames Street, and other places close to the building, including Old Billingsgate, and from Tower Bridge, and as I have set out above, the Monument to the Great Fire itself, and the area around it.

57. In views from the opposite bank of the river, the rooftop pavilions would be seen against the backdrop of the city cluster and even when illuminated at night, I consider that they would barely register. When seen from Tower Bridge, or the Monument to the Great Fire, they would be visible in the context of many other features and in such a visually busy vista, I believe that their impact would be very, very limited.
58. From close-up, in Lower Thames Street, and around Old Billingsgate, and the riverside path, the rooftop pavilions would be seen from places where the viewer would be readily conscious of the new use of the building, and the activity it generates. In that context, I do not consider that their visual presence would be particularly jarring.
59. As such, although the rooftop pavilions would bring change to views of the building, and the setting of designated heritage assets in the vicinity, including Tower Bridge, the Monument to the Great Fire, and Old Billingsgate, I do not consider that change would be a negative one, and neither do I believe it would be injurious to the setting, or the significance, of the designated heritage assets highlighted above, or indeed any others. It follows from that that I see no difficulty in terms of Strategic Views (London) in the London View Management Framework, or Strategic Views (Local)¹².
60. Linked in some ways to that analysis are two other proposed alterations to the building that have drawn criticism. The first of these relates to Smirke's **central portico**. While it marks the position of the Long Room behind, there is no access to the portico from the Long Room. In the context of the original function of the Long Room, as a place of business, that is perhaps unsurprising. As part of the scheme, it is proposed to alter the three central sash windows to allow for access on to the portico for users of the Long Room. This provision will necessitate handrails between the columns, and a raising of the floor of the portico.
61. The details of these changes could be covered by condition. However, there would be a loss or alteration of historic fabric in relation to the existing sash windows, the handrails, however subtle in their design, would interrupt the freestanding nature of the columns, and raising the floor of the portico, however well designed, would interfere with the base of the columns.
62. All this would lead to harm to significance but in gauging the extent of the harm I consider it important, as I have indicated above, to see the proposed change in context. If the building is being given over to a hotel use, on the basis that a new use, and public access, matters that I turn to below, are beneficial, then it seems to me plain, that changes such as this, are going to be necessary to accommodate. It would seem to me churlish to prevent public access to the portico if the Long Room was to be given over to a banqueting and/or function use. Nevertheless, these changes would cause a limited degree of harm to the significance of the listed building.
63. In many ways, I take a similar view in relation to the **steps, ramps and sitting areas**, that would link the Queen's Warehouse with the riverside terrace. It is fair to say that this addition to the frontage would make it more

¹² My reference to Strategic Views (London) and Strategic Views (Local) is taken from the putative reasons for refusal

- redolent of a country house and fail to reflect the functional relationship between the Queen's Warehouse and the quay where goods were brought into it. To that extent it would be harmful to the significance of the Custom House.
64. However, the addition must be seen in its proper context. Public access through the building from Lower Thames Street to the riverside, as part of the change in use, is something the City Corporation has been keen to secure. I can well understand why.
65. However, that through access was not something that was a feature of the building when it was in use as a Custom House. Indeed, the entrance from the quay into the Queens Warehouse was very much a goods entrance, with a crane to facilitate the movement of those goods. If public access through the building is going to be provided, then there will be a need to accommodate an accessible transition between the Queen's Warehouse and the outside, in other words, ramps and stairs, and even, perhaps, a lift.
66. It might be argued that what has been proposed is rather grand, but account needs to be taken too of other factors. The Environment Agency requires the scheme to demonstrate how flood defence levels up to and beyond 2100 are to be achieved. This will inevitably involve a solution that runs the entire length of the building, sitting between the building and its immediate setting, 6.35m AOD high along its length, and impermeable, with characteristics which mean it can withstand the very great water pressures that would be exerted in a flood. Any new use of the building would have to meet these requirements to avoid fundamental objections from the Environment Agency.
67. In that context, I consider that the treatment proposed effectively marries the requirements of the Environment Agency, with the need to provide access through the building on to the riverside terrace. In purist terms, the addition of steps, ramps and seating areas would harm the significance of the listed building because they would blur its original function. However, seen in the context of a new use for the building, and its attendant requirements, that harm would be very limited.
68. That brings me on to matters that are not interventions as such, but other factors that bear on significance. The first revolves around viability. In my view, the evidence demonstrates conclusively that the proposals would bring forward a viable **new use** for a very important Grade I listed building that is currently redundant. That represents a significant heritage benefit because in general terms, a viable use goes hand-in-hand with effective stewardship, and the safeguarding of significance.
69. The Georgian Group put forward an alternative, largely office-based, scheme for the Custom House and this was examined in some detail at the Inquiry. The scheme is clearly well intentioned, and it would, on the face of it, require far less intervention than the proposal at issue. That said, there are uncertainties about it, particularly in the area of servicing, and how the requirements of the Environment Agency (that I deal with above) would be met. More fundamental is the question of its viability. I am conscious of the work carried out on behalf of the appellants, and not directly contested by the City Corporation, that demonstrates that any office use in the building, would not be viable. I am not persuaded that the evidence put forward on behalf of the Georgian Group is of sufficient strength to warrant a different conclusion.

70. The Framework refers to 'optimum viable use' and Planning Practice Guidance expands on the concept. It says that if there is only one viable use, that use is the optimum viable use, and if there is a range of alternative economically viable uses, the optimum viable use is the one likely to cause the least harm to the significance of the asset, not just through necessary initial changes, but also as a result of subsequent wear and tear and likely future changes. In this case, the weight of the evidence strongly suggests that there is only one viable use, and that is the proposal at issue. On that basis, the proposal must be the optimum viable use. That is a heritage benefit that weighs strongly in favour of the proposal, but it is not conclusive, for reasons I set out below.
71. The second is **public access**. Historically, public access to the Custom House has been limited, and in its latter guise as quarters for HMRC, there was none. Bringing the public into the building, whether as patrons of the hotel and its facilities, as visitors passing through the Queen's Warehouse to the riverside terrace, or to the Museum in the Tide Waiters' complex, or on a tour of the Long Room and the Robing Room with the nominated Heritage Partner, would be a significant heritage benefit. I reach that view because allowing more people to appreciate and understand the building, better reveals its significance.
72. To explain further, given some of the points and comparisons with other decisions made in evidence, significance is defined as the value of a heritage asset to this and future generations because of its heritage interest. That heritage interest is usually constant (though it might change over time) but if this and future generations have more access to the heritage asset, and a greater understanding and appreciation of it as a result, then the value of that heritage asset must increase. That, in turn, must have a positive effect on its significance.
73. The handling of the **riverside terrace** is an important consideration too. At present, the security fence, and the car park are profoundly negative influences on the settings of the Custom House, the River Wall, Stairs and Cranes, and the wider riverside environment. The removal of the security fence would reinstate the link between the Custom House and the River Wall Stairs and Cranes, which would, in turn, bring a significant benefit to the settings of these related listed buildings.
74. Bringing people through the building from Lower Thames Street to the riverside terrace and the treatment of that area as a public space, in the main part, is not quite so straightforward a consideration. The link between the Custom House and the river was, in the main, a functional one with goods making their way on to the quayside and from there into the Queen's Warehouse. That said, there is evidence that the area was open to the public in the past. As such, and in the context of the new use of the building, I do not consider that it would have any significant negative impact on its significance.
75. There is one further repercussion of opening up this space that requires consideration. The River Wall will need to be equipped with handrails for safety reasons given that the riverside walk will be routed alongside. I accept that these can be carefully designed and that can be secured by a suitably worded condition. However, the River Wall was intended to be open, as a working quayside allowing for the passage of goods from the river into the building. The associated cranes and steps are part of that relationship. Handrails, while

obviously necessary, will have an impact on that relationship however carefully designed. They would cause some harm to the special interest of the River Wall itself, and its setting, and the setting of the Custom House.

76. In that context and bearing in mind the sorry state that persists at present, it is my view that overall, opening up this space to the public would enhance the setting and thereby the significance of the Custom House (and as an aside, the neighbouring Old Billingsgate alongside), and the quality of the wider riverside environment. The overall scope of what is proposed would also enhance the setting of the River Wall, Stairs and Cranes, though this benefit would be offset to a degree by the harmful impact of the handrails. I would add that the ability to use part of the space for private events linked to the hotel, as sought by the appellant, has no material impact on that. In the context of the overall scheme, what the appellants seek in this regard, seems to me reasonable.
77. There are **miscellaneous interventions** that do not easily fall into the categories I have set out above, but it is important to record them, nevertheless. These include the removal of the unsightly kee klamp balustrade that runs around the roof parapet, the reinstatement of the roof-lights along the central block corridor at second floor level, between the Long Room roof, and the northern roof, the removal and/or replacement of existing secondary glazing; and the removal/replacement of trickle vents and louvres in existing windows. All would enhance the significance of the listed building.

The Heritage Balance

78. The principal consideration here is the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended). They are well rehearsed, but it remains instructive to set out s.16(2) and s.66(1) of the Act. The former requires that, in considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The latter works the same way in relation to development which affects a listed building, or its setting. Below that, paragraph 199 of the National Planning Policy Framework¹³ says that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).
79. There has been some debate about whether in the context of the Act and the Framework in particular, the heritage balance should be 'internal' that is balancing harm to special interest or setting (or expressed alternatively significance) against any benefits in those respects, or 'external' that is balancing harm to special interest or setting (or significance) against any heritage benefits, and any wider public benefits, in the manner set out in paragraph 202 of the Framework (if the harm identified to significance is less than substantial) or 201 (if the harm to significance is judged to be substantial). Helpfully, the Court of Appeal in *Bramshill* found¹⁴, and I put it very simply, that there is no right and wrong approach, but that either path can be justified, depending on the nature of what is proposed.

¹³ Referred to hereafter as the Framework

¹⁴ CD8.1

80. For reasons that will become apparent, I start with the 'internal balance'. The proposal at issue here, in so far as it relates to the Custom House, is a very complex one and I believe that the architects have responded to the difficult demands involved in accommodating a hotel in this important building most creditably. The scheme would bring forward many heritage benefits, but it would have many harmful heritage impacts too. In balancing one set against the other, it is my view that the harmful heritage impacts carry more weight than the heritage benefits. It is the injurious effect that the scheme would have on the plan-form of Laing's west wing, that is, to my mind, the most telling factor. On an 'internal' balance, bearing in mind the workings of s.16(2) and 66(1) of the Act, my conclusion is that the appeals should be dismissed.
81. I reach that conclusion notwithstanding my finding that the proposal is the optimum viable use. I see no contradiction there for two principal reasons. First, Planning Practice Guidance in dealing with 'optimum viable use' does say that harmful development may sometimes be justified in the interests of realising the optimum viable use of an asset, notwithstanding the loss of significance caused, and provided the harm is minimised. However, it also says that in a small number of cases a heritage asset may be capable of active use in theory but be so important and sensitive to change, that alterations to accommodate a viable use would lead to an unacceptable loss of significance. I find that the latter applies in this case. If the proposal has to take the form it takes to make it viable, and that is what the evidence suggests, then the burden on the significance of the Custom House is, in my view, too great.
82. My second point is that studies of viability are by their nature snapshots in time. The economic situation may change, for the better or indeed worse. It may be that at some point in the future, a hotel proposal that does not place such a heavy burden on the significance of the building might be realised. It may also be that in years to come, a scheme like that put forward by the Georgian Group might be possible, economically. The reason why I make that point is that while sadly unused, the Custom House is not 'at risk' and it is in careful ownership, and reasonably well cared for. There is no pressing need to bring forward a scheme that has the harmful impacts on significance identified.
83. All that said, it would not be correct to stop there, however, because the 'external' balance makes provision for other public benefits, beyond those that are heritage benefits, to be taken into account. In carrying out that 'external' balance, one must first take account of the sum total of harm that would be caused to significance, without any reference to heritage benefits. I say that because there is a need to draw a conclusion on whether the harm is 'less than substantial' in the parlance of the Framework, or 'substantial'. That conclusion tells the decision-maker how the 'external balance' should be undertaken.
84. For the reasons set out, the harm that the proposal would cause to the significance of the Custom House, a Grade I listed building, would be severe. Nevertheless, there is a 'high bar' for a finding of substantial harm, and it would not be the case here that the significance of the Custom House would be vitiated altogether or very much reduced¹⁵ by the proposals.

¹⁵ The words used in the *Bedford* judgment (CD8.17) which were recently reconsidered in *London Historic Parks and Gardens Trust v Minister of State for Housing and others* [2022] EWHC 829 (Admin)

85. On that basis, I find that the harm to the significance of the Custom House, while severe, would be less than substantial. That takes me to paragraph 202 of the Framework which tells us that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
86. Heritage benefits are, of course, public benefits. Weighing the heritage benefits against the severe, but less than substantial, harm that would be caused to the significance of the Custom House, brings me back to the same point I reached in conducting the 'internal' balance set out above. The question is whether taking account of any additional public benefits, that are not heritage benefits, tips the scales in favour of the proposal.
87. There are undoubtedly significant public benefits that would flow from the scheme¹⁶. Firstly, there are clear economic benefits. The construction period would provide for around 169 jobs per annum (including local jobs) for a 3 year (507 jobs in total). In operation, the hotel and associated facilities would generate around 300 jobs. Significant CIL contributions would be generated as well as financial contributions for employment and training, and, in order to comply with the requirements of the development plan, affordable housing.
88. Moreover, the hotel and associated facilities would generate significant investment and spend in the local economy and would undoubtedly provide a destination that would lift the area through activity, and improved pedestrian permeability across the site, and along the river. The new public space would be a wonderful facility for Londoners and visitors to the capital to enjoy. All this would meet the aspirations of the Corporation of London for the Pool of London – Key Area of Change. There would also be additional tree planting on Water Lane, and importantly, the building would achieve a BREEAM rating of 'excellent' which is, I acknowledge, a major achievement for a building of this type and age, and an associated 49.9% reduction in carbon dioxide emissions.
89. All that said, when I take all those matters into account, the balance is a finer one, but the scales remain tipped against the proposals, in my view. The harm that would be caused to the significance of the building in producing the public benefits would be too great. On that basis, the proposals fall foul of paragraph 202 of the Framework.
90. That in turn drives a conclusion that while the proposals accord with many aspects of the development plan, they fail in relation to London Plan Policy HC1 that in essence seeks to conserve the significance of designated heritage assets, and Corporation of London Local Plan Policy CS12 that sets out to conserve or enhance the significance of the City's heritage assets and their settings, while allowing appropriate adaptation and new uses, and Policies DM 12.1, and DM 12.3 that take a broadly similar tack.
91. Given the nature of the proposals at issue, I take the view that as a result of the failure to accord with those policies, the proposals fail to accord with the development plan read as a whole. There are no material considerations that would justify a conclusion contrary to the development plan.

¹⁶ These are summarised in the SoCG (CD10.1) but I have also taken account of what is set out in the appellants' evidence

92. I recognise that this overall conclusion in relation to the Custom House is at odds with the position of Historic England, and I appreciate that their advice should not be set aside lightly. However, based on the detailed analysis of the proposal undertaken at the Inquiry, informed by the time I spent in the Custom House, I have reached a different conclusion on the proposals, for the reasons I have set out.

Other Matters

93. The City Corporation has raised concerns about the impact of the proposal on the living conditions of nearby residents and in particular, those residing in the complex known as Sugar Quay. In the first instance, I cannot readily accept that residents living in Central London, adjacent to the Thames Path, and near to attractions like the Tower of London, and Tower Bridge, can expect to be immune from impacts associated with the activities of visitors, or users of the Thames Path. The central question is whether the proposal would add to that in a way that was unacceptable, bearing in mind the obvious benefit of bringing the building back into use, and allowing public access to the riverside terrace.

94. I observed that the apartments at Sugar Quay, which are those most likely to be affected by the proposals, have sophisticated, sealed glazing units, and I am told that the units themselves are 'comfort cooled'. It seems to me then, that when inside their apartments, residents would be very unlikely to be disturbed by activities associated with the hotel and/or the riverside terrace. Some of the apartments have balconies and/or terraces it seems, and shorn of the protection of the glazing, noise and disturbance from activities on the riverside terrace might have more of an impact. However, with appropriate controls on hours of use, and noise levels, secured through conditions and/or obligations, alongside the licensing regime, I am content that the living conditions of nearby residents could be adequately protected, in the event that planning permission was granted for the proposal.

95. It is fair to I add that if I was having to decide on this matter, I would lean towards the appellants on the extent of control required, on the basis that the restrictions sought by the Corporation of London are rather onerous. If the conversion of the Custom House to a hotel is deemed acceptable, then the controls put forward on behalf of the appellants seem to me to adopt a reasonable balance between operational requirements, and the protection of nearby residents' living conditions.

96. Points were made too about the potential for overlooking from the eastern roof terrace proposed and the facing apartments in Sugar Quay. This matter could be dealt with by the inclusion of screening that could be secured by condition.

97. In terms of highway matters, again, I am of the view that the operational restrictions put forward on behalf of the appellants in terms of vehicular comings and goings are reasonable, bearing in mind the servicing and other operational requirements of a hotel. The discussion around accessibility did highlight some aspects of the scheme that could be improved. The response put together by the architects¹⁷ demonstrates that in the event that planning permission was granted for the proposals, any shortcomings could be addressed through a condition.

¹⁷ ID24

Final Conclusion

98. For all those reasons, it is my view that the appeals should fail, and that planning permission and listed building consent should be refused for the development and works at issue.

Paul Griffiths

INSPECTOR

ANNEX A: APPEARANCES

FOR THE APPELLANTS:

Russell Harris QC

Instructed by Clyde & Co LLP

They called¹⁸

Michael Squire DipArch (Cantab) MA RIBA
Principal Partner, Squire & Partners

Dr Chris Miele PhD IHBC MRTPI Senior
Partner, Montagu Evans

Stephen Levrant RIBA AA Dipl IHBC Dip
Cons (AA) ACArch FRSA Principal, Heritage
Architecture

Jonathan Harris FRICS FCI Arb MAE RICS
HARJOH Ltd

Dr Anthony Lee PhD MRTPI MRICS BNP
Paribas Real Estate

Guy Bransby MRTPI Partner, Montagu Evans

FOR THE CITY OF LONDON CORPORATION:

Neil Cameron QC and
Heather Sargent of Counsel

Instructed by Fleur Francis, Chief Lawyer
(Planning), Comptroller and City Solicitor,
City of London

They called¹⁹

Dr Nigel Barker-Mills BA(Hons) PhD Dip
Cons (AA) IHBC FSA Barker-Mills
Conservation

William Kirkpatrick BSc(Hons) MSc FRICS
Partner, Gerald Eve LLP

Robert Fourt BSc(Hons) MSc FRICS Partner,
Gerald Eve LLP

Annie Hampson
OBE BA(Hons) DipTP MRTI

¹⁸ Others, including George Steel of Caneparo Associates, Ian Ginby of Clyde & Co, Gareth Fox of Montagu Evans, and Robert Bochel of Squire and Partners took part in the round table sessions

¹⁹ Others including Fleur Francis, Dave Murphy, Jessica Robinson Jane Simpson, Access Consultant took part in the round table sessions

FOR THE GEORGIAN GROUP

Matthew Henderson of Counsel

Instructed by the Georgian Group

They called

Neil Burton BA Dip Hist Art FSA IHBC
Director, The Architectural History Practice

Anthony Shapland BSc MRICS Director,
Colliers International

Roger Hepher BA(Hons) MTP FRICS MRTPI
FRSA AAoU hgh Consulting

INTERESTED PERSONS

Graeme Harrower²⁰

Corporation of London Councillor

Keith Mansfield

Local Resident

Yohanna Weber

Davitt Jones Bould²¹

Alex Forshaw

SAVE Britain's Heritage

Sir Charles Samaurez Smith

Dr Jennifer Freeman

²⁰ Spoke to ID7 on his own behalf but also on behalf of Cllrs Marianne Fredericks, Susan Pearson, Mark Bostock, and Natasha Lloyd Owen

²¹ On behalf of Tony Matharu

ANNEX B: INQUIRY DOCUMENTS

- ID1 Appearances for the Appellant
- ID2 Appearances for the Corporation of London
- ID3 Appearances for the Georgian Group
- ID4 Opening for the Appellant
- ID5 Opening for the Corporation of London
- ID6 Opening for the Georgian Group
- ID7 Submission of Cllr Harrower
- ID8 Mr Squire's Presentation
- ID9 Updated Drawings List
- ID10 Bundle of Third Party Representations
- ID11 Copy of Pre-Application Brochure (January 2018)
- ID12 Representation from Mr Tony Matharu
- ID13 Schedule of Areas/Rents (Georgian Group)
- ID14 UGF correspondence with CoL
- ID15 Submissions by Alex Forshaw on behalf of SAVE Britain's Heritage
- ID16 External Event Noise Assessment
- ID17 Representation by Mr K Mansfield
- ID18 Custom House – Summary of Public Access
- ID19 Letter from Gem Hotels and copy of Times Article
- ID20 Mr Hepher's Presentation
- ID21 SoS Decision and Inspector's Report on Smithfield Market
- ID22 City of London 1967 Act
- ID23 Letter from Davitt Jones Bould to PINS dated 14/02/22
- ID24 Appellant's note and drawings relating to accessibility
- ID25 Submission of Mr Samaurez-Smith
- ID26 Globe Pub Appeal Decision
- ID27a Draft Unilateral Undertaking
- ID27b CIL Compliance Schedule
- ID28 Submission of Ms Jennifer Freeman
- ID29 Closing Submissions on behalf of the Georgian Group
- ID30 Closing Submissions on behalf of the Corporation of London

ID31 Closing Submissions on behalf of the Appellants

ID32 Agreed descriptions of development and works

ID33a Draft Conditions for the potential grant of planning permission

ID33b Draft Conditions for potential grant of listed building consent

ID34 Note on principal points of disagreement on the Unilateral Undertaking

ID35 Completed Unilateral Undertaking (28 March 2022)