

**AN INDEPENDENT APPRAISAL OF HENDERSON GLOBAL INVESTOR'S LTD'S PROPOSALS FOR  
REDEVELOPMENT OF THE WESTERN MARKET BUILDINGS, SMITHFIELD**

By Alec Forshaw

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## CONTENTS OF PLANNING APPLICATION

Application from Hendersons Global Investors to City Corporation, Application nos. 13/00150/FULEIA, 13/00155/LBC and 13/00156/CAC

Partial demolition of the existing buildings and other structures at 43 Farringdon Street and part redevelopment and part refurbishment of the existing buildings to provide office (B1) and retail (A1-A3), part demolition of the existing buildings and other structures at 25 Snow Hill and 29 Smithfield Street to provide offices (B1) and retail (A1-A3) uses with associated servicing and access: (39,441 sq m).

Partial demolition of the existing buildings and other structures at 43 Farringdon Street, 25 Snow Hill and 29 Smithfield Street in association with the part redevelopment and part refurbishment of the existing buildings to provide office (B1) and retail (A1-A3) use with associated servicing and access.

Dismantling of the grade II listed canopy spanning West Poultry Avenue between the General Market and Poultry Market and work of making good.

A number of images and visuals from the application are contained on the following pages, Further images and plans of the proposed development can be found at: <http://smithfieldquarter.com>

## HARTS CORNER

Existing Buildings



Arial View of Application Site with proposed demolition shaded red



Proposed Development



## GENERAL MARKET BUILDING - VIEW FROM HOLBORNE VIADUCT

The visual to the right is English Heritage's vision for the General Market Building in 2008. This image shows how it could be regenerated, with no intervention into the fabric of the building.

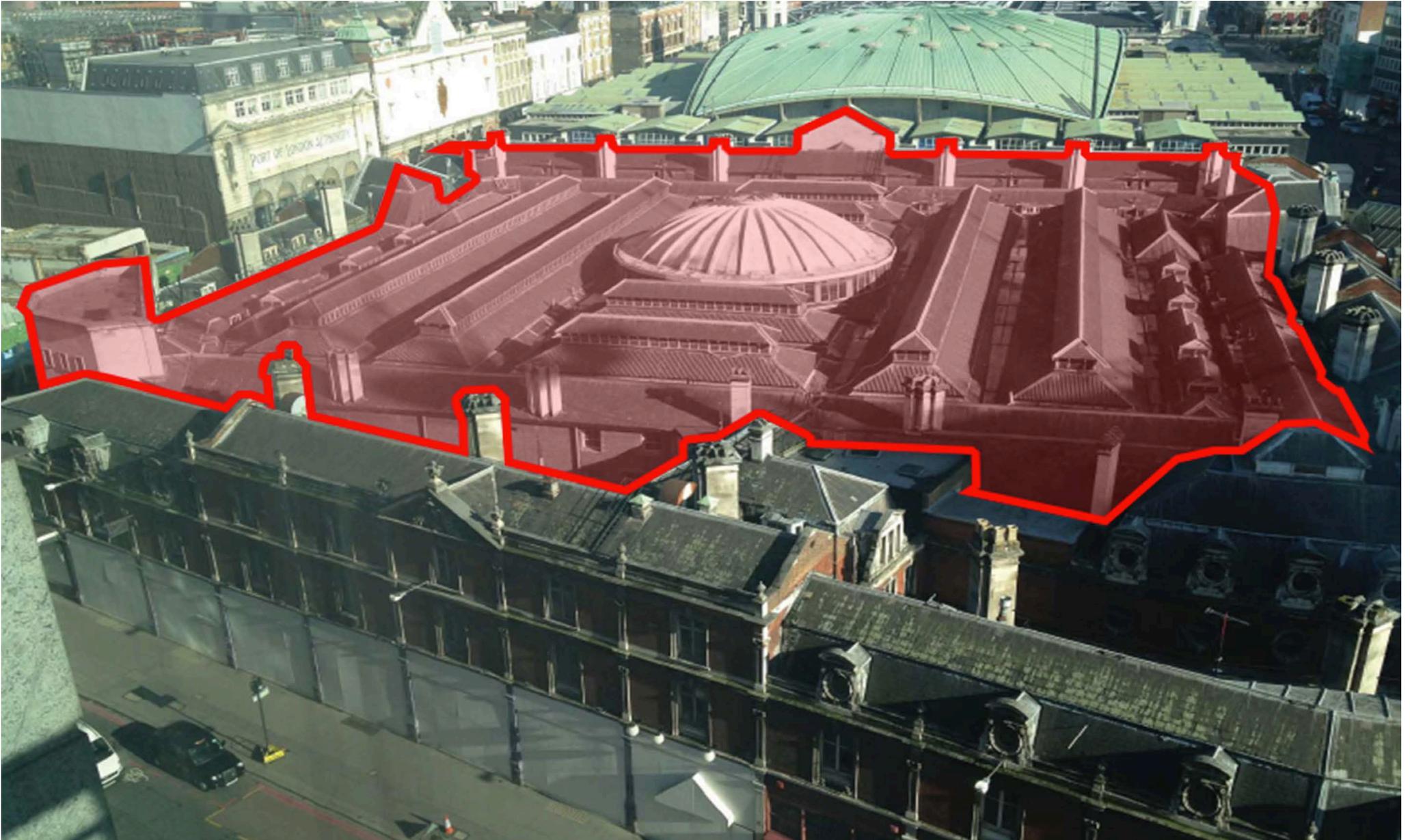
The image below is a photo of the same view today.

The image to the bottom right is of the proposed development.



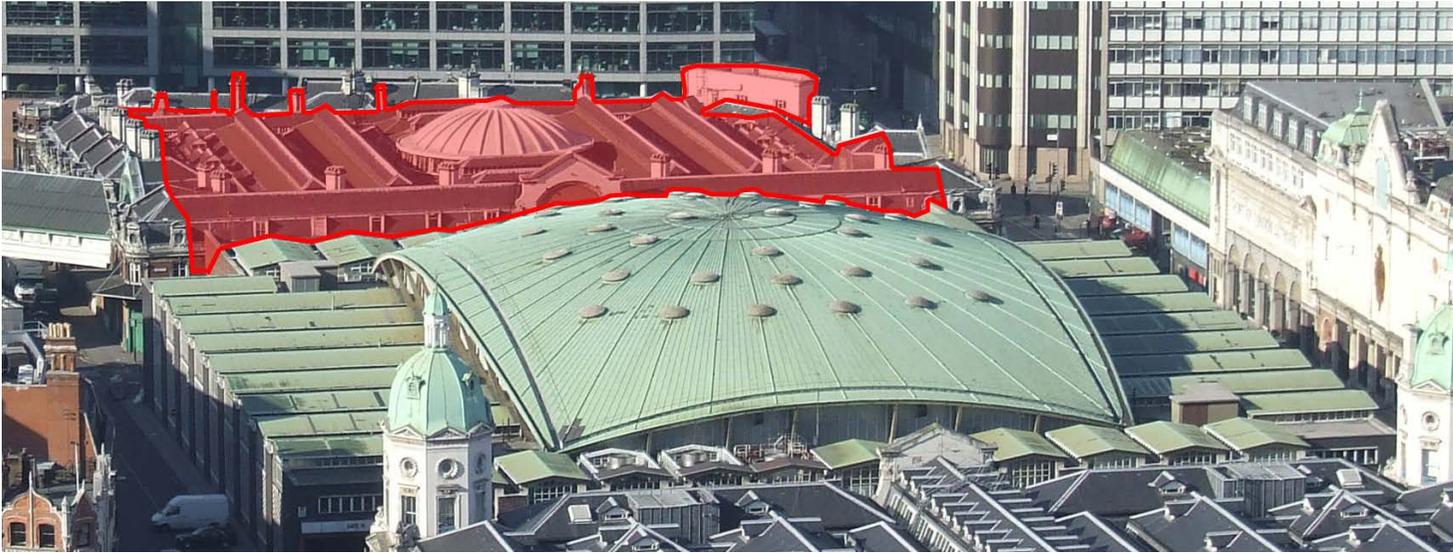
## GENERAL MARKET BUILDING DEMOLITION

The Red shaded area indicates the parts of the General Market building that the applicant proposes to demolish:



## WEST POULTRY

Aerial photo of the Grade II listed Poultry Market and Eastern, West Poultry elevation of the General Market, with the proposed demolition shaded red:



## RED HOUSE COLD STORE

The imposing façade of the Red House Cold Store. The bottom two images show the seven storey office block rising up over it. The façade on the other side, not visible here, would be demolished.



## GENERAL MARKET INTERIOR

Interior of the General Market showing the dome and lofty iron and glass roof structure raised on Phoenix columns. All this will be demolished and the columns used decoratively in the proposed scheme.



## ANNEX/FISH MARKET INTERIOR

Much of the Annex/Fish Market will be demolished including the entire colonnade shown on the photo below.



## BRIEF DESCRIPTION OF THE PROPOSALS

1. The scheme submitted by Henderson Global Investors Ltd involves the retention of the façades of the General Market fronting Farringdon Street, Charterhouse Street and West Smithfield and the demolition of the north-east elevation fronting West Poultry Avenue and the existing market hall and internal plan-form.

A new office block is inserted with its main entrance on Charterhouse Street which rises to five storeys, over-sailing West Poultry Avenue, where the existing concrete canopy to the Poultry Market is demolished.

The post-war reconstruction of Hart's Corner is removed. The remainder of the ground floor provides retail use and a single pedestrian route from Hart's Corner to West Smithfield. The Red House is demolished except for the elevation facing north-east.

The facades of the Annex (former Fish Market) are retained, while the arcade roof is removed and the interior re-organised for retail use.

A new seven-storey office building rises behind the retained wall of the Red House and the single storey elevation of the Annex on Snow Hill and Smithfield Street. The free-standing Lavatory block is retained for retail use.

## METHOD FOR ASSESSING THE PROPOSALS

2. This document appraises the scheme in terms of its various impacts on designated and undesignated heritage assets, and assesses its merits against the following material considerations:

- National Planning Policy Framework
- the City Corporation's UDP and Core Strategy
- the City Corporation's Character Summary and Management Strategy for the Smithfield Conservation Area
- the Planning Inspector's Report following the Public Inquiry in 2007/8
- English Heritage's advice

## PRESENTAION OF THE PROPOSALS

### The applicant's Environmental Statement

3. This is deficient in several respects:

- Several of the viewpoints in the Visual Assessment are poorly chosen, notably Views 12 and 15. Views from the north pavement of Charterhouse Street, in front of 51-53 Charterhouse Street and opposite West Poultry Avenue, should be provided to allow an assessment from these positions.
- Several of the 'as existing' views are badly out-of-date. Views 5, 10 and 14 should show Sixty London, now nearing completion, rather than Bath House, which is long gone. An up-to-date image of View 6 should have been taken from the public viewing platform at the head of the stairs from Holborn Viaduct to Farringdon Street. This position, not blocked by hoardings, actually provides a wider panorama of the full extent of the roofs of the whole market complex. Caxton and Cardinal Houses are now demolished. One wonders whether the assessor has recently been on site.
- In terms of the 'as proposed' images, that for View 6 should be re-done as suggested for the 'as existing'. The representation of the new office insertion into the General Market is not correctly shown on Views 8 and 9, where the north-east corner should appear further to the left, more in line with the left edge of Lauderdale Tower. View 10 still shows the original Hart's Corner (proposed for demolition) which thus hides the impact of the new offices behind. These errors are potentially misleading. As for the analysis of the views presented, this appears to be written in a most cursory and un-objective manner, with scant regard to the City of London's conservation policies and management strategy.
- It does not adequately address or justify the degree of demolition in the General Market, Annex or Red House. Terms such as 'soft strip' and 'dismantle' disguise the fact that the majority of the site and roof structures will be demolished. There is no evaluation of the loss on the north-east elevation.
- The description of the new insertions as 'low rise pavilions of offices' which have a neutral impact fails to address their true impact, particularly in relation to the character and appearance of the Smithfield Conservation Area.
- The suggestion that the demolition and opening up of Hart's Corner will 'reveal views to the interior of the Market' ignores the fact that the interior is being removed.
- It does not include an assessment of the impact on the Grade II listed Poultry Market or a justification for the demolition of the canopy over West Poultry Avenue, or an assessment of the impact of the office extensions on its setting.
- It does not include an assessment of alternative proposals for the site or marketing, as English Heritage suggested in 2007/8 and the Planning Inspector required in his report concluding the 2008 Public Inquiry.

## APPRAISAL OF THE PROPOSALS

### (a) Impact on the Smithfield Conservation Area

4. It is considered that all the buildings in the application site make a strongly positive contribution to the character and appearance of the Smithfield Conservation Area. Together with the listed Central and Poultry Markets, the unlisted General Market, Annex and Red House comprise the largest and grandest ensemble of market buildings in Britain. Linked by canopies this is a continuous range of buildings running from Lindsey Street to Farringdon Street and south across West Smithfield to Snow Hill and Smithfield Street. The buildings themselves, both their external envelopes and their internal covered public spaces, form a very substantial part of the Smithfield Conservation Area, and thus comprise a substantial part of this designated heritage asset.

5. The whole complex is noticeably low in scale, with a low-lying roof profile of shallow domes, dormers, slate pitches and roof lights, broken only by occasional turrets, gables and chimneys. Its scale is in marked contrast to bulky modern office developments on Holborn Viaduct and Farringdon Street, and also is lower in scale than the more modest mixed frontages to the north side of Charterhouse Street and the south side of West Smithfield and Smithfield Street. Given their different architectural styles, the scale of the market buildings is their strongest unifying feature, and absolutely critical to the character and appearance of the conservation area.

6. The proposed insertion of a new five storey office building into the shell of the General Market and a seven storey office building between one retained façade of the Red House and the Annex will radically change the character and appearance of this part of the Smithfield Conservation Area. This abrupt change in scale will be very visible from all directions and is a significant and substantial intervention. The incursion of these bulky insertions will seriously blur the existing clear distinction in scale between the market buildings and the surrounding area. Indeed the seven storey element is substantially higher than the modern buildings on the south side of Smithfield Street and in Hosier Lane and will impact adversely on that part of the Smithfield Conservation Area.

7. If there is any doubt about the scale and impact of the new office element, then its proposed 21,225 sq m of floor space is almost identical to that in the new Sixty London development currently nearing completion between Holborn Viaduct and Snow Hill, directly next to the site.

## (b) Impact on the General Market

8. Horace Jones's 1881 General Market, although unlisted, is a building of considerable significance. Its plan-form, with a large central public space beneath a dome and five public entrances, is in marked contrast to the 'nave and aisle' form the Jones's 1866 Central Market. The market hall 'with arched wooden trusses on lattice girders' and the main columns are mentioned in *The Buildings of England. London 1: The City of London* (Simon Bradley and Nikolaus Pevsner 1997). The large central space is connected by the entrance on West Poultry Avenue to the continuous central aisle which runs through the Central and Poultry Markets while the grand gabled entrances on Charterhouse Street and West Smithfield provide a very legible cross route. Horace Jones's market halls represent a remarkably skilful piece of planning and design introducing a regular geometric layout of market halls on an irregular site. Aerial views reveal a fifth façade visible from many vantage points around the market and clearly show the pattern of four parallel ranges of roofs set in pairs either side of a central dome. They are flanked by shorter transverse ranges with matching roofs.

9. The interior of the General Market, though not accessible to the public since the termination of market operations in 1999, is one of the most spectacular covered public spaces in the area. Internally the existing roofs are supported on patent Phoenix columns carrying long spans. As in the main Central Market and at Leadenhall and Billingsgate, all by Horace Jones, the roofs are supported by arched laminated trusses which branch into upper ribs supporting the roof lights. These multiple ribs, seen in succession each framing the one before it, create beautiful perspectives along the interior. Further lightness and elegance stems from the fact that the roofs do not sit directly on the arches. This creates an open vista above and behind the arches which increases the lightness of the structure.

10. The proposals involve the demolition of the north-east elevation of the General Market fronting West Poultry Avenue between Charterhouse Street and West Smithfield. This is one of Horace Jones's original elevations, albeit with alterations to accommodate the Poultry Market canopy. The elevation consists of good materials and detailing. If the opaque corrugated plastic covering to the western slope of the canopy were to be removed or replaced with clear glass

it would reveal an excellent view of the original gable above the axial entrance and the complete run of mansard roofs, dormers and stone parapets which survive intact. All this is proposed for removal. The mansard roof returns of the retained façades to Charterhouse Street and West Smithfield appear to be truncated in a brutal fashion, with no information as to their treatment.

The proposals involve the demolition of the majority of the existing fabric of the General Market, leaving only the frontages to Farringdon Street, Charterhouse Street and West Smithfield. The existing interior including the central space, plan form and circulation arrangement is lost, and replaced by a completely different built form. It is a radical intervention, and one which destroys the integrity of the existing building.

11. The applicant suggests that the new office insertion has been designed to defer to the Victorian character of the General Market Buildings, presumably meaning that the style contrasts with and does not seek to ape the ornate French-influence style of Horace Jones. In fact, the orthogonal projecting blocks are completely alien to the form, plan and scale of the existing building. The demolition of the interior and original plan-form of the General Market (albeit with the re-use of some of the 'Phoenix' columns in a non-functional and truncated fashion) results in a scheme that is little more than façadism, leaving in fact only a horseshoe of façades. The scale of the insertion, even at its lowest point at the west, will loom over the retained street elevations on Farringdon Street, Charterhouse Street and West Smithfield. On West Poultry Avenue the highest part of the insertion projects out over the road in a highly obtrusive manner.

12. The demolition of the post-war reconstruction of Hart's Corner is unnecessary and misguided. This fabric was sensitively designed, using matching red brick and stone, and is of interest in its own right, symbolic of the austerity of the time. It provides an important if modest corner feature, and its removal further undermines Horace Jones's original design.

### **(c) Impact on the Red House**

13. This impressive structure has been listed and then de-listed over the last ten years. At the time of the Public Inquiry in 2007/8 it was listed but the Inspector was aware that English Heritage was intending to de-list it.

The building has an acute triangular plan. The current scheme proposes to demolish the two tall plainer blind-arched elevations, leaving the one more ornate elevation facing north-east towards West Smithfield. Immediately behind this a new seven-storey office would rise to almost twice the height of the retained façade. The scale will belittle what is left of the Red House, which will appear as little more than a piece of wallpaper on the north-east elevation of the offices. New glazed openings are proposed in the retained façade which cut through existing architectural features in an unnecessarily damaging way

### **(d) Impact on the Annex (former Fish Market)**

14. The proposals involve the considerable re-ordering of the existing interior, introducing a new internal layout, with new partitions. Some of this is described in the application drawings as a 'soft strip'. In order to accommodate the seven storey office block, the scheme proposes the demolition of the roof of the principal arcade of the Annex, greatly to the detriment of the interior of the building.

15. The height and bulk of the office insertion behind the Red House and single storey elevations on Snow Hill and West Smithfield overwhelms the modest scale and refined architectural details of the Annex, which will appear more as a curious podium for the offices rather than a building in its own right in views from Snow Hill and Farringdon Street. The new block even cuts halfway across the gable entrance and canopy on West Smithfield. The former arcade now has six storeys of offices sitting above it, requiring a flat soffit and artificial lighting.

### **(e) Impact on the Lavatory block**

16. The small detached former lavatory block is retained and is a non-contentious element of the scheme.

**(f) Impact on the Poultry Market (grade II) and its setting**

17. The list description specifically states that “the market is entered under the canopies to either end.... that to the east end forms a physical link with the listed meat market of 1866-7 by Horace Jones”.

The canopy at the west end of the Poultry Market is identical, with expressive concrete arches, and forms a link to Horace Jones’s 1881 General Market. The list description mentions that certain matters such as the basement stores and interiors of the Cock Tavern are not of special interest, but does not include the canopies in this category.

18. The proposed demolition of canopy at the west end of the Poultry Market spanning West Poultry Avenue is a serious and substantial matter. As a 1960s interpretation of the arched Grand Avenue connecting the two halves of Horace Jones’s 1866-7 market, the two canopies at either end of the Poultry Market provide physical connections to both the Victorian buildings either side which results in a cohesive and continuous run of market buildings. The canopy spanning the roadway between the General Market and Annex provides a similar visual function. The demolition of the canopy over West Poultry Avenue severs a long-established visual connection, unbalances the composition of the Poultry Market and involves a substantial loss of its original fabric.

19. The tallest five storey section of the office insertion in the General Market directly abuts the western end of the Poultry Market, and indeed projects out over West Poultry Avenue, replacing the canopy. It will be twice the height of the existing corner of the Poultry Market at its junction with Charterhouse Street and West Poultry Avenue. This abrupt difference in scale together with the even higher seven storey office block on the Annex/Red House site will seriously impact on many views of the Poultry Market and its shallow domed roof, substantially altering its setting.

**(g) Impact on the setting of the Central Market (Grade II\*)**

20. Horace Jones’s Central Market building, either side of the Grand Avenue, derives much of its grandeur from its setting as one of a series of low-rise market buildings which run down the hill towards Farringdon Street. To the east of Lindsey Street, and along the north side of Charterhouse Street and the south side of Long Lane and West Smithfield, the townscape is subservient to the fine corner turrets of the Central Market. Conversely, looking up Charterhouse Street from Farringdon Street the turret at the corner with East Poultry Avenue is a fine landmark. One of the finest long views of the Central Market is from Holborn Circus (itself one of the main civic spaces in the City where there are proposals to improve the public realm). From here both of the corner towers on Charterhouse Street can be clearly seen. The proposed office insertions will encroach into these views, and erode their existing quality, reducing the dominance of the Central Market in the townscape.

## **(h) Impact on the Charterhouse Square Conservation Area**

21. Charterhouse Street is the borough boundary between the City of London (south side) and London Borough of Islington (north side). Historically the continuous run of market buildings on the south side of Charterhouse Street from Charterhouse Square to Farringdon Road/Street has provided a barrier between the small grain and mixed use of south Clerkenwell and the large scale office developments of the City beyond. The market buildings, both listed and unlisted, provide a very important neighbour and setting to the Charterhouse Square Conservation Area, both in terms of its consistent low scale and its market function. Nearly all the buildings lining the north side (generally with smaller foot prints but a slightly higher scale) have been developed as a result of the market activities on the south side. These have been retained and developed for alternative uses without major intervention. As a composition of form and function, Charterhouse Street is one of the most remarkable pieces of townscape in London.

22. The new office floor space in the General Market will be clearly visible for its full length along the north side pavement of Charterhouse Street. Instead of the current unbroken silhouette of the dormers, parapets and chimneys of the General Market against clear sky there will be a backdrop of new office building. At the junction of Charterhouse Street and West Poultry Avenue the new offices are exposed in full, at their highest extent. The majority of the proposed General Market frontage on the south side of Charterhouse Street is intended to be the entrance and foyer of the offices. The proposed scale of development and the introduction of large-scale ground floor office use are both completely alien to Charterhouse Street and will harm the setting and thus the character and appearance of the Charterhouse Conservation Area.

23. It should be noted that the modern chimney on north side of Charterhouse Street (constructed in 1990 as part of the Citigen combined heat and power station) was consented only as a temporary structure, to carry fumes away from the adjacent Caxton and Cardinal House. The City Corporation (who were the local planning authority at the time before the boundary changes in 1994) specifically requested this caveat as the chimney is an infringement of the St Paul's Heights viewing corridor (the important local view from Farringdon/Clerkenwell Roads). The applicant refers to this chimney in his Visual Assessment as detracting from the view across the roofs of Smithfield Market from Holborn Viaduct (although of course it only appears to rise above the dome of the General Market if you stand in one particular place and is a considerably lesser detraction than the proposed scheme). Now that Caxton and Cardinal House has been demolished, and during the lengthy hiatus before the site is redeveloped following completion of Crossrail construction, the opportunity could be taken to remove the chimney and devise a less obtrusive method of dealing with exhaust from the power station, if indeed it is needed at all.

**(i) Impact on the setting of 51-53 Charterhouse Street (grade II)**

24. This listed former cold store, together with the locally listed cold store next door, has an imposing presence in the street. The proposed new office building in the General Market on the opposite side of the road will be considerably higher and will radically change and harm the setting of this listed building.

**(j) Impact on Hatton Garden Conservation Area**

25. The junction of Farringdon Road and Charterhouse Street and the pavements on the west Farringdon Road running north and the north side of Charterhouse Street running west up the hill to Ely Place and Holborn Circus offer extensive views of the General Market, Poultry Market and Central Market and across their roof tops to buildings in the distance, including Lauderdale Tower in the Barbican and 200 Aldersgate. Closer, the four pinnacles of St Sepulchre's Newgate and F.W.Pomeroy's famous gilt bronze statue of Justice atop the dome of the Central Criminal Court can be glimpsed from the pavements on the Camden side. Otherwise, the dormer roofs, parapets and chimneys of the General Market are seen against sky. These views will be eroded by the proposed office insertion into the General Market. The glimpse of Justice will disappear.

The demolition of the post-war rebuilding of Hart's Corner weakens the townscape of this important junction opposite the Hatton Garden CA. While its removal might be understandable were it proposed to faithfully reconstruct Horace Jones's original corner turret, the proposal will instead open up the corner and further expose the new office building behind.

The low scale of the existing General Market provides a welcome break in the scale of buildings along Farringdon Street (as is also the case further north where the open cutting of the Metropolitan Railway exposes the Fleet valley). The additional bulk of the proposed extensions behind the retained façade of the General Market will erode this existing contrast in scale.

## PROPOSED BENEFITS OF THE SCHEME

### (a) Condition of the existing fabric

26. Considerable weight is put by the applicant on the benefits of cleaning and repairing those parts of the historic fabric which are not being demolished. It is agreed that much of the historic fabric is in poor (shabby but not dangerous) condition. This has come about following decades of neglect by the freehold owner, the City Corporation. Following the decision in 1984 to retain Smithfield Meat Market in situ, the Corporation invested in up-grading to meet hygiene standards. In July 1987 the Corporation agreed to allocate £14.3 million on the Central Market and £250,000 on the Poultry Market. Even though the General and Annex Markets were still operating at that time (then known affectionately by traders as 'the village') no money was allocated to these structures.

27. For well over thirty years the Corporation (as a land-owner and developer) has had its eye on the potential redevelopment of the western end of Smithfield. Both before and after the closure of the General and Annex markets in 1999 the lack of investment or even routine maintenance has amounted to deliberate neglect by the owner. Only following the Public Inquiry in 2007/8 and direct action by English Heritage including the preparation of a schedule of works, was anything done to arrest the decay, although this amounted only to urgent works. The rampant buddleia growth on the Lavatory Block and the loose sheeting on the Annex suggest that even this has lapsed.

28. Despite the fuss made at the Public Inquiry that the tunnel lids for Thameslink could not be repaired without demolition, the necessary work has been done and paid for, as the Corporation were obligated.

### (b) Land use

29. The proposed scheme is predominantly offices, with a comparatively small element of retail, considerably less than is currently on site. Of the existing 21,391 sq m floor space, only 5,766 sq m is proposed for retail, compared with 21,225 sq m of new offices, plus plant. It should be noted that the "existing offices" listed in the applicant's schedule in Paragraph 3.2 of its Planning Statement are largely ancillary to the retail/market use, not independent B1 offices. There is a currently a large surplus of office accommodation in the City, and the Corporation's own forecasts in recent years have proved to be worryingly wrong. Several large speculative office developments such as the Walbrook, Heron Tower and Cannon Place have been lying empty or under-occupied for several years. Other schemes such as 100 Bishopsgate, 121/3 London Wall and the Pinnacle have been put on hold, pending a revival of demand. Unsurprisingly, the first lettings (announced in August 2012) of the new 21,000 sq m Sixty London development south of Snow Hill and fronting Holborn Viaduct and Farringdon Street was to a bar and restaurant (2000 sq m). The offices have proved far harder to let.

30. Office rents are now considerably higher in the West End than in the City or Canary Wharf, arguably because the West End provides a far more attractive environment for employees. The application site offers the opportunity to provide a significant injection of lively non-office use into the area which might help to offset the sterility of existing large office developments near the application site, such as Fleet Place, Shoe Lane and the blocks fronting Holborn Viaduct. The current proposals, largely for yet more offices, are a wasted opportunity to create a new 'destination' attraction which could enhance the working and residential environment in this part of the City. Retail and leisure uses are likely to provide as many and arguably more varied employment opportunities than offices.

**(c) Permeability**

31. The scheme claims to improve permeability through the site. In fact it substantially reduces it. The closure of the existing wide and level route through the General Market from Charterhouse Street to West Smithfield, signposted by fine gabled entrances and clear visibility from street to street, is a huge loss, practically and architecturally. The Charterhouse Street entrance instead becomes a private office foyer. The existing generous and lofty central space is greatly reduced in extent, height and natural light, and mainly closed off from public view. The redevelopment proposes only two public entrances (instead of the existing five), and an ill-defined route, no doubt gated at night. The entrance at Hart's Corner is comparatively narrow, and presents a formidable flight of steps for wheelchairs etc. Even with a lift it is extremely poor planning in terms of the DDA. Overall the scheme represents a serious and regrettable reduction in public realm.

## **NATIONAL PLANNING POLICY FRAMEWORK**

32. Section 12, 'Conserving and enhancing the historic environment', and paragraphs 128 – 138 in particular are relevant to the consideration of the current applications. Paragraphs 130 and 133 have been dismissed by the applicant as non-applicable. The NPPF replaced PPG15 (which was in force at the time of the 2007/8 Public Inquiry), but contains the same provisions for conserving and enhancing the historic environment, albeit in a different form of words.

## **CITY OF LONDON UNITARY DEVELOPMENT PLAN 2002**

33. Policy ENV 11 requires that new development preserves or enhances the character or appearance of conservation areas. Policy ECON 6 seeks to maintain the special character of the Smithfield Conservation Area.

## **CITY OF LONDON CORE STRATEGY**

34. Policy CS 12 sets out a duty to conserve or enhance the City heritage assets

## **SMITHFIELD CONSERVATION AREA CHARACTER SUMMARY AND MANAGEMENT STRATEGY SPF**

35. The City Corporation's 2012 Conservation Area Management Strategy helpfully divides the Smithfield Conservation Area into four sub-areas, one of which is the market complex comprising the application site together with the Central and Poultry Markets. It particularly stresses structural massing as an important characteristic of the market area. 'The buildings of the market complex have consistent building height of predominantly one or two storeys on a grand scale, with taller elements such as corner turrets and pavilions forming prominent landmark features. The General Market has a mansard roof characteristic of its French-influenced architecture'.

'Distant and local views make a strong contribution to the character of the conservation area'. 'The high point afforded by Holborn Viaduct provides further opportunities for views and broader vistas'. Several other key views are identified of the Market complex which would be affected by the proposals.

## PLANNING INSPECTORS REPORT

36. The Planning Inspector's Report of 2007/8, accepted in full by the Secretary of State, is not a statutory document but is of considerable material significance. Of particular note is his summary of English Heritage's views presented to the Inquiry, together with his own conclusions on the evidence presented.

37. Paras 7.2.3, 12.2.3 and 12.2.8 - refer to the significance of the interior and plan form of the General Market, notably the central area encircled by roadways which link to the entrances on the north, south and east sides, the latter aligning with the aisle or 'buyers' avenue' which continues through the connected Poultry and Meat markets. 'The building has a basement with a market hall above. Those who worked in the building considered it a more effective market space than that dictated by the aisle and nave plan of the earlier market buildings'.

38. Para 12.2.9 - the Inspector considered the rebuilt Hart's corner (1953) and the central dome of the General market (1960) to be repairs of their time. 'Rather than lessen the contribution of the building to the Conservation Area, I consider that they are a part of its character.'

39. Para 12.2.11 – whilst noting that the General Market had been turned down for listing the Inspector endorsed the view that the building is a landmark structure with some very good details, that contributes positively to the setting of several nearby listed buildings, many of which are part of, or related to, the market complex.

40. Para 12.2.4 – the Inspector noted the important linear sequence of market buildings, attached by canopies. 'The long blocks progressing down the hill are a feature of the Conservation Area and differ from the more modest development, generally 4-5 storeys high, and tighter grain of the medieval plots..... Although the market buildings are substantial, they are generally low rise.'

41. Para 7.2.11 and 7.2.39 – notes English Heritage's comment that the shallow roof dome of the Poultry Market prevents it over-powering the Meat Market. The Holborn Viaduct view allows the extent of the whole market complex, including the low copper-clad dome of the Poultry Market that was one of the features that led to its listing, to be appreciated.

42. Paras 12.2.18 and 12.2.19 – the Inspector notes that the post-war offices to the north and south of the General Market are specifically excluded from the Smithfield and Charterhouse Square Conservation Areas. 'The contrast in scale between old and new reflects the City's development and throws the distinctiveness of the historic area into greater relief'.

43. Para 12.2.29 – the Inspector considers that the scale of offices outside the Conservation Area should not be used as the main basis for defining the mass, bulk, height and architectural treatment of proposals within it.

44. Para 12.2.34 – the Inspector considers that all the market buildings, including the Poultry Market, have a fine grain and human scale.

45. Para 7.2.11 and 7.2.44 – English Heritage note that the canopy between the General Market and the Poultry Market frames a view out of the Smithfield Conservation Area towards the former Port of London cold store building on Charterhouse Street. The canopy 'is a positive feature, characteristic of the overall market complex, physically and functionally linking the buildings.' English Heritage considered that the demolition of the canopy between the General Market and Poultry Market would have a detrimental impact on the special architectural and historic interest of the listed structure.

46. Para 7.2.36 – noted that English Heritage objected to an extension rising above and behind the existing the Red House, being contrary to advice that modern extensions should not dominate the host building.

47. Para 12.2.46 – the Inspector agreed with this view, and considered that the glass office block extension would not have sufficient separation to prevent it excessively dominating the Red House.

48. Para 12.2.45 – the Inspector objected to the glazing of blind openings on the Red House, although he welcomed the retention without glazing of the upper southern elevation (now proposed for demolition).

49. Para 7.7.4 – noted English Heritage’s view that a proposal primarily for large Grade A offices would be out of character with the small-scale uses in the Smithfield area.

50. Paras 12.3.9 and 12.4.2 – the Inspector concluded that the existing buildings had been neglected. ‘In my view, schedules submitted by the City demonstrate exact how little meaningful maintenance and repair has been undertaken’.

51. Paras 12.4.5 and 7.4.18 – the Inspector noted that the City Corporation has an obligation under the Central Markets Act 1875 to repair the tunnel lids. ‘Despite the fact that the City has received regular revenue from the General Market Building over many years, there is little evidence of regular maintenance of the tunnel lids’. English Heritage agreed that the City has a duty to maintain the lids regardless. ‘It has had revenue from the buildings for over a century and should have established a sinking fund’.

52. Para 7.3.1 – English Heritage considered that the only real test of viability is to offer the site on the open market, and that the City had deliberately chosen not to do this. Nor should the potential of publicly funded organisations to take on the buildings be ignored.

53. Paras 12.4.28 and 12.4.29 – the Inspector considered that even if the City could not offer freehold sale it could offer a long lease interest. ‘The principle of market testing is well established and I do not consider that a valuation exercise is a substitute for it. Neither do I accept that it would be unrealistic to expect a purchaser to be found if a leasehold interest in the building were offered on the market.’

54. Para 7.9.1 – summarises English Heritage’s conclusion that the site offers an opportunity for regeneration of the kind undertaken at Covent Garden, Spitalfields, Greenwich or Camden Lock. ‘If a well funded landowner with a substantial local estate, such as the City, can flout national and local policies then other local authorities, many of which are subject to far greater financial pressure, will seek to do the same. Developers will seek to make secret deals and landowners will neglect historic buildings in the hope of enjoying similar benefits.’

## ENGLISH HERITAGE'S ADVICE

55. English Heritage was a principal party at the 2007/2008 Public Inquiry, and was strongly opposed to the Thornfield redevelopment scheme. Their position was cited at length by the Planning Inspector.

Its views on the current scheme, set out in a letter dated 5th April 2013 from Mike Dunn to Gemma Delves at the Corporation of London, therefore warrant careful scrutiny.

56. In their letter English Heritage identifies various areas of harm to the designated and undesignated heritage assets, as follows (my underlining):

- the height and scale of the new parts of the General Market Building will cause some harm to the significance of the Smithfield Conservation Area from Holborn Viaduct
- views of the listed Poultry and Central Market Buildings will be partially or fully obscured in views from Holborn viaduct
- there will be a substantial impact on views from Charterhouse Street where the highest portion of the extension is in full view
- there is an uncomfortable contrast in height between the new building and the restored range
- the introduction of new development of a much larger scale interrupts the relative consistency of the built form of the market buildings from east to west
- the amount of new development rising above the old is such that some visual tension will be apparent
- the loss of the large open space that currently exists at the centre of the General Market is regrettable
- new office development behind the retained facades of the Red House will appear dominant in views from West Smithfield and Snow Hill causing harm to the setting of the Red house and Annexe and this part of the Smithfield Conservation Area

- the new development is visually neutral enough to defer to the restored elements of the complex in some but not all important local views

57. English Heritage fails either to mention or evaluate in their letter any of the following:

- the demolition of two of the three upper storey elevations of the triangular Red House (the blind-arcaded upper south side and rear elevations), leaving only the façade facing West Smithfield
- Paragraph 130 of NPPF, despite stating that the buildings have been unoccupied for many years and are currently in poor condition, and that the City of London Corporation has no intention to commit funds to repair the buildings in their freehold ownership
- the merits of the post-war repairs and rebuilding of Hart's Corner
- impact on the Grade II Poultry Market by demolition of the canopy over West Poultry Avenue (particularly in the light of the Inspector's report)
- impact on the settings of Charterhouse Square and Hatton Garden Conservation Areas, and the setting of 51-53 Charterhouse Street (Grade II), together with the other listed buildings cited in Paragraph 7.2.12 of the Planning Inspector's Report.
- alternative proposals for retaining and refurbishing the existing buildings and efforts to market the buildings

58. English Heritage, according to the applicant's Planning Statement, has been much involved in the development of the current scheme. It may therefore be no surprise that English Heritage's formal comments to the local planning authority are carefully worded in a manner which attempts to maintain a position as a heritage organisation whilst supporting the City Corporation should they wish to approve the scheme.

59. Nevertheless, given that English Heritage continues to state that the character of the market part of the Smithfield Conservation Area is dominated by the continuous group of market buildings between Farringdon Street and Lindsey Street, that the market retains a human scale due to the low height of its buildings, and that the unlisted market buildings make a strong positive contribution to the western part of the Smithfield Conservation Area, it is very hard to understand how English Heritage concludes that the degree of harm is only moderate. Its conclusion is further flawed when the harm is only considered 'moderate given the degree of repair and restoration balanced with the negatives'. No consideration has been given to Paragraph 130 of NPPF and the years' of neglect and backlog of repairs. English Heritage's position in 2007/8, as summarised in Paragraph 7.7.1 of the Planning Inspector's report, was that the Western Market Buildings have been neglected by the City, which has chosen not to offer the buildings for sale on the open market. According to Paragraph 130 the deteriorated state of the heritage asset should not be taken into account in any decision. No allowance for its repair should therefore be used in a judgement of balance.

60. English Heritage also mistakenly point to the need to repair the tunnel structure beneath part of the site as justification for subsidy. This work, for Thameslink, has now been done. In any event, as was pointed out in Paragraph 7.7.1 of the Planning Inspector's report, English Heritage's position in 2007/8 was that the City has a duty to repair the tunnel lids regardless of any development.

61. English Heritage has not decided whether it thinks the public benefits outweigh the harm; they leave that decision to the City. However it suggests that the scheme might secure its optimum viable use, without any mention or evaluation of a known existing alternative viable scheme which causes less harm. Indeed English Heritage states that 'it is unlikely that a scheme with less or no new development on the site will come forward in the foreseeable future, as this would be financially unviable,' when just such an option exists, and which they have been informed about. This is exactly what the appellant was saying at the Public Inquiry.

62. English Heritage now seems to be contradicting much of what it previously said at the 2007/8 appeal. It has reversed its position as summarised by the Planning Inspector in Paragraph 7.9.1 of his report.

## CONCLUSION

63. Both the applicant and English Heritage suggest that the proposals do not cause substantial harm to designated heritage assets, and therefore maintain that Paragraph 133 of NPPF does not apply. Having considered the proposals and the wide range of impacts, including those identified by English Heritage in their letter of 5th April 2013 but also many more that have been overlooked, I conclude that, considered cumulatively and assessed against the City of London's own policies and the Planning Inspector's Report, the proposals cause very substantial harm to designated heritage assets, including the Smithfield, Charterhouse Square and Hatton Garden Conservation Areas, the Poultry Market (Grade II) and its setting, the setting of 51-53 Charterhouse Street (Grade II) and the main Meat Market (Grade II\*), and to the undesignated heritage assets of the General Market, the Red House and the Annex, which themselves form a major part of a designated asset.

64. In my opinion Paragraph 133 of NPPF is applicable. If this is held to be the case it has not yet been demonstrated that the harm or loss caused by the proposals is necessary because the necessary tests have not been applied. Most importantly this includes the second bullet point of Paragraph 133, that "no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation". Despite the strong recommendation by the Planning Inspector five years ago that the site should be marketed, this has still not happened. The alternative scheme produced for SAVE by Burrell Foley Fisher in 2012, and updated in 2013 has been ignored by the owner, applicant and English Heritage.

65. Were it to be held that Paragraph 133 did not apply, then under the criteria of Paragraph 134 I would argue that the harm is not outweighed by the suggested public benefits. Many of those suggested benefits, such as permeability and economic regeneration are themselves highly questionable. It is clear that there has been prolonged and deliberate neglect by the City Corporation as long-term freeholder. This neglect continues to the present day. The condition of the fabric, and the backlog of repair and maintenance, should therefore not be taken into account under the provisions of Paragraph 130 of NPPF. The investment into the repair of the tunnel lids is also a spurious argument.

66. As for the scheme being the optimum viable use of the site, it should be stressed that despite the request of the Planning Inspector and English Heritage at the time of the Inquiry, there has been no marketing of the site, freehold or leasehold. Without market testing there is no conclusive evidence that the current proposal is the optimum viable use for the site. Given the degree of harm caused, this scheme should not be allowed to proceed without such testing.

## THE AUTHOR

Alec Forshaw (MRTPI, IHBC) worked as a town planner, urban designer and conservation officer with the London Borough of Islington from 1975 – 2007. He worked on the joint City of London/L.B Islington Smithfield Plan from its inception in 1976 until its completion and adoption. From 1988 – 2007 he was Head of Conservation and Design at the London Borough of Islington. He is the author of *Smithfield, Past and Present* (1980 and 1990), *The Square Mile* (1987) and most recently *New City: Contemporary Architecture in the City of London* (March 2013).