Regulating the impact of proposals for new tall buildings on the built heritage

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In the past few years there has been increasing concern amongst built environment professionals in England about development proposals for tall buildings, fuelled by talk of an ‘urban renaissance’. Responses to the impact of tall buildings include height control, architecture panels, digital modelling, transferable development rights and characterisation studies. In many instances the regulation and assessment of the merits of such development is highly politicised and contentious.

This paper is based upon a preliminary literature review for an English Heritage sponsored PhD at the University of Manchester. It will set the scene for the primary research in the coming 3 years. Firstly, a definition of what is meant by ‘tall buildings’ is discussed thus providing an understanding of why the topic is of relevance in contemporary urban studies. Secondly, an analysis of the context for the regulation of tall buildings will be attempted looking at what regulation is, why the built environment is regulated and by whom. Thirdly, an analysis of how tall building regulation operates within England will be attempted, followed by the use of two proposals for tall buildings in London as case studies to illustrate how the conflicts inherent in regulating the built environment. Finally, in the conclusions, it will summarise the main issues in tall building regulation, thus setting a context for the primary PhD research.
Introduction

In recent years there has been increasing concern amongst built environment professionals in England about development proposals for tall buildings and their impact upon the city in general, and upon the built heritage in particular. Talk of an urban renaissance (ODPM, 2001) and attempts at re-imaging cities (McNeill, 2002) have also fuelled this concern. Whilst many of these development proposals have been submitted in London, there are high profile examples in the larger regional cities of Manchester, Brighton and Birmingham. Internationally, the regulation of the impact of high-rise development is critical for the conservation of the built heritage of cities such as Kyoto, Jerusalem and Paris. Many other cities suffer from a lack of a strategic approach to managing tall buildings. Buenos Aires, Tel-Aviv, Sao Paolo and Mexico City are losing the local distinctiveness of urban form through the ad-hoc building of such tall structures (Cohen, 1999). Responses to the impact of tall buildings include height control, architecture panels, digital modelling, transferable development rights and characterisation studies. In many instances the regulation and assessment of the merits of such development is highly politicised and contentious.

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Tall buildings

It is first useful to define what is understood by a tall building and why this issue has contemporary significance. The urge to build tall is not new (Abel, 2003) yet the definition of what may constitute tall depends upon the urban, cultural and societal context. For centuries building height was controlled by the limit of a person’s ability to build staircases, thus setting a maximum attainable height of around 4 or 5 stories (Yeang, 1996). For the purposes of this discussion, a tall building is defined by “…some aspects of ‘tallness’...It is a building whose height creates different conditions in the design, construction, and operation from those that exist in ‘common’ buildings of a certain region and period” (Beedle, 1986).

Tall buildings have multiple functions and meanings depending upon a range of contextual factors. Until recently, the church and mosque dominated the skylines of European, central and south American, north African and Middle Eastern cities (Vickers, 1999). The modern movement, however, resulted in great change in many cities around the world, much of it immediate and rapid (Watkin, 2000). Modern movement architects sought new forms of height control that would rationalise the city into segregated uses (Vickers, 1999). The style of this time held that “architecture ought to do you good and should serve as an instrument of moral and social reform” (Watkin, 2000) and hinted at the paternalistic ideas of the main proponents of the movement. It represents a time when “planning...completely disregarded the concept of...
the urban web and of cultural continuity” (Cohen, 1999: 317). The regulation of built form in general, and height in particular, spread rapidly during this time as a means of controlling the worst excesses of modernism (Cohen, 1999).

Tall buildings symbolise the dominance of particular cities and cultures over others. They are often seen as beacons of capital (Sudjic, 1992) and political power (Kostoff, 2001) and therefore can be prominent symbols of inequality as well as modernity (Abel, 2003). There is a sexual prowess attached to the power and symbolism of tall building which has alluded to “city’s virility” (Sudjic, 1992: 87). In almost all instances however, the tall building is iconic as a landmark, whether it be a single building or a cluster of buildings (Lynch, 1972). The “skyscraper, more than any other building type, has the capacity to capture the public imagination” (Höweler, 2003: 8). No matter what the real or supposed function, meaning or symbolism of tall buildings however, “love or hate them, one cannot ignore them” (Abel, 2003: 13).

The current fashion for tall buildings and attempts to limit and encourage them reflects the increasing impact of globalisation on the development of the world’s major cities and has seen a plethora of proposals emerge in a diverse range of cities (Abel, 2003). Major cities compete on the global stage to have the tallest building with which to announce the confidence and global nature of their economies. Indeed, tall buildings are “an alchemical mix of real estate speculation, technological advancements, and architectural experimentation” (Höweler, 2003: 8).

Political leaders have left their mark on the urban landscape of the cities they represent (McNeill, 2002) with tall buildings. President Mitterand, for example, oversaw the building of the Grande Arche at La Défense as a personal symbol of his presidency and the power of the French capital (Sudjic, 1993), and President Mohammad of Malaysia publicly backed the building of the then tallest building in the world, the Petronas Towers in Kuala Lumpur, as a symbol of Malaysia’s entry into the global economy (McNeill, 2002).

The level and type of regulation of such buildings has substantially changed since the immediate post-war period to reflect the renewed interest in tall buildings mainly “due to the limitations of land availability in prime locations, the increasing profile of the sustainability agenda, and the re-emergence of a confident planning profession.” (DEGW, 2002). In the first instance, however, a discussion about what regulation of the built environment means, why one regulates, how and by whom is central to understanding the many conflicts inherent in this task.

Regulation

Regulation is “a rule made by an authority” (Soanes, 2002) and usually refers to “conscious and active intervention by the state or other collective organisations” (Painter, 2002: 93) in areas of concern. Regulation is of crucial importance in managing change in the built environment (CABE and English Heritage, 2003). It has evolved to address conflicts between interests, and usually to seek to control unfettered, relatively short-term development by developers in the search for profit. In this sense, land-use regulation, at least in theory, is defined in terms of the failures of market mechanisms, and the wider ‘public interest’. This means that the mode of regulation often differs between countries (and in some countries between cities and regions) reflecting different traditions of urbanisation, politics and attitudes to profit, amongst other things.

One of the main aims of planning policy is to regulate the market in the wider public interest. This form of intervention in the market seeks to protect and enhance the various “cultural and urban strata” (Cohen, 1999: 11) of the city. This intervention takes place within a dynamic environment which is often the result of chaotic forces (Sudjic, 1993). It reflects that
“the man-made environment is continually rebuilt to reflect changing motives, attitudes and
tastes as societies evolve politically, economically and technically” (Kain, 1981: 2).” Regulating
in the public interest in terms of tall-buildings means taking into account the rights of those
who own adjacent buildings, or who use the surrounding urban spaces, but it also involves
decisions about the impact on the existing historic fabric of the surroundings in terms of visual
impact.

The case of London

In England, the issue of new tall buildings has been given impetus through the publication of
the Urban Task Force report _Towards an Urban Renaissance_ which suggests a strategy to provide
homes for almost 4 million additional households in England over a 25 year period whilst trying
to achieve the quality of life and vitality that makes living in English towns and cities desirable
(Urban Task Force, 1999). In such a highly urbanised country as England, the addition of 4
million new homes (with a target of at least 60% being built on brownfield land) will have
enormous impacts upon the shape of urban areas, and will require increased building densities,
improved public transport and more sustainable ways of living. Within this context, the land
use planning system plays a vital part in securing positive change in towns and cities (Urban
Task Force, 1999) and therefore has a key role to play in providing for coherent and streamlined
systems for development control.

Tall buildings proposals in England have multiplied in recent years and have a range of
advocates from politicians to global business, and appear to offer a solution to the land
shortages in the capital. In response to this increase in pressure, the Commission for
Architecture and the Built Environment (CABE) and English Heritage have produced England-
specific guidance on tall buildings which, for the first time, has attempted a national policy
framework. The government however, deems this guidance inadequate, and suggests an
amendment to national planning policy guidance to give local planning authorities the tools
with which to “do their jobs effectively” (House of Commons, 2002: 31). There are, however,
voices in the country which are seeking to question the assumption that by building tall, the
current space shortages in urban areas will be solved. The House of Commons report into tall
buildings recognises that “tall buildings are more often about power, prestige, status and
aesthetics than efficient development” (House of Commons, 2002: 5).

In London specifically, the skyline of the city was uniformly low with only the Houses of
Parliament and St. Paul’s Cathedral punctuating the skyline until the twentieth century (Simon,
1996). This by and large remained in place prior to the second world war, after which
Technological and social changes, as well as major bomb damage, created a new climate
(Catchpole, 1987). In 1947, two architects, Holden and Holford, prepared a report for the City
of London on how to plan in the post-war period (Simon, 1996; Holmes, 2003). A standard plot
ratio was proposed limiting the usable floor space in commercial buildings to a multiple of the
acreage of the site, in order to limit the height and density of new buildings. Furthermore,
these restrictions were designed to protect adjacent structures from being deprived of air and
daylight. The importance of St. Paul’s retaining dominance of the city skyline remained
paramount. These ideas were absorbed into regulations adopted by the city.

Height restrictions were relaxed from 1956 largely in the form of waivers granted to
developers, and broad guidelines were set to assess new development proposals on their merits
(Attoe, 1981; Simon, 1996). Eight criteria were established by London County Council (LCC) for
the consideration of tall buildings; visual intrusion, location, site size, over-shadowing, local
character, effects on the river Thames and open space, architectural quality and night scene.
In 1962, London County Council made these guidelines more specific, reasserting that the developer had to make a convincing case for tall buildings (Simon, 1996; Holmes, 2003). The main regulatory dilemma therefore was that any centrally located towers that would be acceptable to both developers and tenants, would have “fundamentally altered the skyline and the views of St. Paul’s and Big Ben from numerous perspectives” (Simon, 1996: 3). In 1969, the Greater London Council (GLC), successor to London County Council, identified three zones of regulation for tall building construction; i) areas inappropriate for tall buildings; ii) areas sensitive to the visual impact of tall buildings; iii) areas where tall buildings may be permitted (Simon, 1996). The GLC listed criteria for each zone and undertook photomontage as a tool of regulation and assessment (Attoe, 1981). It created a series of 80 viewpoints of London-wide significance which were later refined into a series of 28 viewpoints which were updated in the mid-1970s and early 1980s (LPAC, 1998). Even though a range of policies were in force within the metropolitan area to control buildings height, a total of 1,182 applications for 1,995 tall buildings were received by the GLC over the whole metropolitan area (Catchpole, 1987). By 1968, 109 buildings had been erected over 46m and 32 over 76m (Catchpole, 1987), many being approved by central government over the wishes of the metropolitan government.

In 1986 the GLC was abolished by the central government with the result that planning functions were taken over by the 32 constituent boroughs of the metropolitan area. The London Planning Advisory Committee sought to fill this void with a series of strategic criteria which new tall buildings had to meet for approval (LPAC, 1998). It described the importance of visual cones, visual corridors and panoramas as being of major importance in the assessment of proposals, and identified 34 strategic viewpoints as a result of this. Strategic Guidance for London Planning Authorities, known as PPG3 (LPAC, 1998), was issues in 1996 and identified ten strategic views which were to be given protection by the 32 boroughs in their planning decisions.

More recently, London has recently been granted a new devolved government for the first time since the abolition of the GLC in 1986 (Cullingworth and Nadin, 2002). The Greater London Authority and the Mayor of London have responsibilities over the strategic planning of London through the London Plan, a strategic planning document designed to guide land use and built form in the city (Mayor of London, 2002). This strategic document reflects the Mayor’s vision of a world city. Specifically the strategy suggests that “tall buildings will be particularly appropriate where they create attractive landmarks enhancing London’s character, help[ing] to provide a coherent location for economic clusters of related activities or act as a catalyst for regeneration” (Mayor of London, 2002: 248). Furthermore, in providing strategic direction to the 32 constituent boroughs, the Mayor states that they “should not impose blanket height restrictions on tall buildings” (Mayor, 2002: 248), a dramatic departure from the history of height regulation in London. The political support of tall buildings in appropriate locations in the capital, has resulted in a plethora of proposals in the city (Holmes, 2003). English Heritage, the government agency responsible for the maintenance of this historic environment, has had a key role in assessing proposals for tall buildings in the capital. In London the arguments revolve around architectural heritage and governance and conflicts between the various groups representing these interests (McNeill, 2002).

Two useful examples of proposed tall buildings in the metropolitan area are the Swiss Re building on the site of the former Baltic Exchange in the City of London, and the London Bridge tower on the south bank in Southwark. In different ways, both cases exemplify the apparent problems of reconciling the competing and conflicting demands of actors within the development process.
Swiss Re Building, City of London

The Swiss Re building has been a contentious addition to the cluster of tall buildings in the City of London (see photograph 1), although the architects assure that “the distinctive form of the 40-storey tower will add to the cluster of tall buildings that symbolise[s] the heart of London’s financial centre” (Foster and Partners, 2003). The new building is an innovative bullet-shaped structure designed to minimise resistance to wind forces (Abel, 2003) and is environmentally progressive (Höweler, 2003). The building will require no air conditioning for 4 months of the year, as a computer will open windows to let circling air sweep into the building (Calvert, 2002). Furthermore, stale air will be pushed into sky-gardens and be re-oxygenated by the plants (Calvert, 2002). Interestingly one of the many justifications for the scheme rest on the professional reputation of the architect, Sir Norman Foster. In a sense, when an architect of such stature is involved, the status of the scheme is enhanced.

The building itself is being constructed on the site of the former Baltic Exchange, a grade II* listed building containing one of the finest City interiors of the Victorian and Edwardian era (SAVE, 2003). It was badly damaged by a terrorist bomb in 1992 and the building was substantially destroyed. Both English Heritage and the City of London, at the time, insisted that any redevelopment of the site would require the restoration of the interior, the main facade and the Baltic Exchange (SAVE, 2003). Planning applications received were required to incorporate these requirements. However in 1996, having undertaken extensive detailed examination of the remains of the building, English Heritage “agreed in principle not to insist on the reinstatement of the Hall and St Mary Axe facade” (SAVE, 2003). As a result, the owners of the site submitted an application for Norman Foster’s Millennium Tower, a tower which would be the tallest in Europe. The planning application was withdrawn in the face of opposition from both English Heritage and Heathrow Airport. The site was sold in 1997 to Swiss Re and another application for a tall building was submitted in 2000, fondly known as ‘the erotic gherkin’, which proposed to demolish the listed building entirely. The planning application was approved by Mayor of London in 2000 with the support of English Heritage (SAVE, 2003). An attempt by SAVE Britain’s Heritage to make the Secretary of State call-in the application for determination and hold a public inquiry into the planning application failed (SAVE, 2003). The remains of the building were demolished and the Swiss Re building erected on the site without reference to the former historic building.

The impact of the so-called ‘erotic gherkin’ tower therefore has been felt not only the historic site where it is still being erected, but also on the skyline of London (see photographs 1 and 2), particularly upon St. Paul’s Cathedral, the Tower of London and Tower Bridge. The interplay of the main actors in the planning application for this building provides and interesting example of how decisions are made in the ‘public interest’. The obvious quality of the architecture of the building and the kudos associated with the architect appear to be the main justifications for the loss of an important listed building, the protection of which should be primary, and the surrounding historic area. The national agency responsible for this protection, English Heritage, in this instance found that the ruins of the building would be far too difficult to rebuild and that the justification for the new building outweighed concerns about the impact upon the built heritage. Interestingly, the agenda of the politicians at all levels of government converged; the Secretary of State representing central government, the Mayor of London representing the metropolitan area, and the leader of the City of London Corporation all supported the building claiming the ‘public interest’. It was left to SAVE Britain’s Heritage, a conservation charity, to challenge this unusual convergence of views between the politicians and national heritage body, also in the ‘public interest’.
London Bridge Tower, Southwark

The London Bridge Tower has recently received planning permission after nearly 3 years of due planning process. The tower, on the south bank of the Thames directly opposite the City and up river from Tower Bridge and the Tower of London will rise just over 300m (see photograph 3). It, again, has been designed by an immensely respected architect, Renzo Piano, which adds credence to the issue of quality in the proposal. The proposed building includes 125,000 sq.m. of offices and residential, whilst increasing the concourse area of the station below by 40 per cent (Donati, 2003). This building would create a significant stand-alone landmark on the south bank of the Thames separate from the cluster of tall buildings in the City of London.

A public inquiry was held into the planning application for the tower. In this case, the local planning authority (Southwark Borough Council) supported the tower mainly for its regenerative benefits to the local area, as did the Mayor of London. English Heritage, Historic Royal Palaces and the authorities of St. Paul's Cathedral opposed it. Proponents of the scheme suggested that “it would strengthen London’s status and function as a world city by removing outdated and poor-quality buildings and thus enhancing the character and appearance of the conservation area” (Wood and Moren, 2003). Opponents of the building were concerned about the oppressive impact upon views of St Paul's Cathedral and the Tower of London (Weaver, 2003).

In giving planning permission for the building, and taking into account the Planning Inspector’s recommendation from the public inquiry, the Deputy Prime Minister explained that the tower “would stand comfortably in its immediate urban...[and]...townscape context” (Weaver, 2003). Furthermore, the Deputy Prime Minister held that the building would “represent and improvement [to views of St. Paul’s] and would not reduce the cathedral’s visibility or setting. Again, the quality of the design was of critical importance to this approval, which may not have been given had the architectural quality been dis disputable (Wood and Moren, 2003). In effect, however, this building will transform the scale of London. St. Paul’s Cathedral still holds its own against tall buildings in the City, but London Bridge Tower is three times its height. The ability of the cathedral “…to retain a central and unifying role on [the] skyline” (Simon, 1996: 16) remains open to question as result of this scheme, and those which are following quick on its heels.

It remains to be seen whether this building is erected, but it does exemplify the issues inherent in the assessment and regulation of these types of buildings. Conflict within the state over whether to approve this building is more clear than in the case of the Swiss Re building. The politicians of the various strata of government clearly supported the scheme yet state agencies in the form of both English Heritage and Historic Royal Palaces opposed it, all it would seem, claiming the ‘public interest’.

Conclusions

The new tall building projects outlined in the final section of this paper have survived the regulatory process to hopefully add significant new character to London. The importance of high quality design is particularly important as “ever-diminishing percentage of...gross cost on architecture set against the computer-controlled air conditioning, cabling, and all the other technology now seen as an essential part of the accoutrements of a modern office building” (Sudjic, 1992: 73). The mistakes of the modernist period should not, and cannot, be reproduced in the contemporary city. The quality of the designs in both cases was, however, used as justification for the proposals over valid and significant concerns regarding the impact upon the
built heritage. It is evident that contemporary interventions in the cityscape need to address the surrounding historic landscape so that they “genuinely enrich the lives of citizenry...through collective and judicious combination of analogy, metaphor and reference to the collective memory of [the] culture” (Kimm, in CTBUH, 2001: 423).

One of the obstacles to undertaking this proper assessment and regulation is the role of the main actors in the process. All levels of government and national agencies are part of the state apparatus and, as such, are both judge and jury in the decision-making process. It would appear that in acting in the ‘public interest’, national, metropolitan and local planning policy can be either ignored or over-ruled thereby creating a system which has little meaning or resonance to those who are being represented. Cities are a reflection of our collective culture (Attoe, 1981) and, as such, represent cultural values and urban life. If cities are to maintain their distinctiveness, tall buildings which are significantly higher than their immediate context “should be assessed both in terms of their impact on their immediate surroundings, and their impact at the wider city scale. High buildings should be designed to the highest standard to maximise their positive contribution, and to moderate potential impacts” (DEGW, 2002: 2). As a result any regulatory process should be clearly defined and transparent with all the main actors in the process able to defend their positions publicly. In that way, decisions made in the ‘public interest’ would be defensible.
References


