



Planning and Transportation Committee

Date: TUESDAY, 2 JUNE 2015

Time: 10.30 am

Venue: LIVERY HALL

Members:

Michael Welbank (Chairman)	Gregory Jones QC
Marianne Fredericks (Deputy Chairman)	Deputy Henry Jones
Randall Anderson	Oliver Lodge
Alex Bain-Stewart	Alderman Professor Michael Mainelli
David Bradshaw	Paul Martinelli
Dennis Cotgrove	Brian Mooney
Revd Dr Martin Dudley	Deputy Alastair Moss
Peter Dunphy	Sylvia Moys
Emma Edhem	Graham Packham
Alderman Peter Estlin	Judith Pleasance
Deputy Kevin Everett	Deputy Henry Pollard
Sophie Fernandes	Alderman William Russell
Deputy Bill Fraser	Tom Sleigh
George Gillon	Graeme Smith
Alderman Timothy Hailes	Angela Starling
Deputy Brian Harris	Patrick Streeter
Christopher Hayward	Deputy James Thomson
	Vacancy

Enquiries: Katie Odling
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Lunch will be served in Guildhall Club at 1PM

N.B: Part of this meeting may be subject to audio visual recording.

John Barradell
Town Clerk and Chief Executive

AGENDA

Part 1 - Public Agenda

1. **APOLOGIES**

2. **MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**

3. **MINUTES**

To agree the public minutes and summary of the meeting held on 12 May 2015.

For Decision
(Pages 1 - 8)

4. **TOWN PLANNING AND DEVELOPMENT APPLICATIONS**

Report of the Chief Planning Officer and Development Director.

For Information
(Pages 9 - 20)

5. **VALID APPLICATIONS LIST FOR COMMITTEE**

Report of the Chief Planning Officer and Development Director.

For Information
(Pages 21 - 24)

6. **REPORTS RELATIVE TO PLANNING APPLICATIONS**

a) 2no. BT Telephone Kiosks Royal Exchange Buildings, London, EC3V 3NL

For Decision
(Pages 25 - 44)

b) 2 No. BT Telephone Kiosks On Finsbury Circus At Side of 88 - 92 Moorgate
London EC2M 6SE

For Decision
(Pages 45 - 60)

c) 1 No. BT Telephone Kiosk O/s 21 Fleet Street, London, EC4Y 1AA

For Decision
(Pages 61 - 78)

d) 1 No. BT Telephone Kiosk O/s Bank Buildings 8 Lothbury London EC2R 7HH

For Decision
(Pages 79 - 94)

7. REPORTS OF THE DIRECTOR OF THE BUILT ENVIRONMENT

- a) Rescission of City Walkway - Moorfields Highwalk - 21 Moorfields
Redevelopment

For Decision
(Pages 95 - 112)

- b) Gateway 3 Outline Options Appraisal: Tower Bridge Bascule Re-Decking and
Approach Viaduct Waterproofing

For Decision
(Pages 113 - 134)

- c) Parking Ticket Office Update and Annual Statistics for 2013-2015

For Information
(Pages 135 - 144)

8. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE

9. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

10. EXCLUSION OF THE PUBLIC

MOTION – That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Part I of the Schedule 12A of the Local Government Act.

Part 2 - Non-public Agenda

11. ISSUE REPORT: RELIGHTING OF TOWER BRIDGE 2012

Report of the City Surveyor.

For Decision
(Pages 145 - 150)

12. NON-PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE

13. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREES SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED

Any drawings and details of materials submitted for approval will be available for inspection by Members in the Livery Hall from Approximately 9:30 a.m.

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PLANNING AND TRANSPORTATION COMMITTEE

Tuesday, 12 May 2015

Minutes of the meeting of the Planning and Transportation Committee held at the Guildhall EC2 at 10.30 am

Present

Members:

Michael Welbank (Chairman)	Deputy Henry Jones
Marianne Fredericks (Deputy Chairman)	Oliver Lodge
Randall Anderson	Alderman Professor Michael Mainelli
Alex Bain-Stewart	Paul Martinelli
David Bradshaw	Brian Mooney
Revd Dr Martin Dudley	Deputy Alastair Moss
Emma Edhem	Sylvia Moys
Alderman Peter Estlin	Graham Packham
Sophie Fernandes	Judith Pleasance
Deputy Bill Fraser	Tom Sleigh
Deputy Brian Harris	Graeme Smith
Christopher Hayward	Angela Starling
Gregory Jones QC	Patrick Streeter

Officers:

Simon Murrells	Assistant Town Clerk
Katie Odling	Town Clerk's Department
Deborah Cluett	Comptroller and City Solicitor's Department
Philip Everett	Director of the Built Environment
Annie Hampson	Department of the Built Environment
Steve Presland	Department of the Built Environment
Victor Callister	Department of the Built Environment
Ted Rayment	Department of the Built Environment
Peter Shadbolt	Department of the Built Environment
Iain Simmons	Department of the Built Environment
Alison Hurley	City Surveyor's Department
Alan Rickwood	City Police
Bella Longman	Public Relations

1. APOLOGIES

Apologies for absence were received from Alderman Timothy Hailes, Henry Pollard, Alderman William Russell and Deputy James Thomson.

2. **MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**

Paul Martinelli declared a non-pecuniary through his position as Treasurer of one of the consultees (Smithfield Market Tenants Association) at item 10b.

3. **APPOINTMENT OF COMMITTEE**

The Order of the Court of Common Council, appointing the Committee and approving its Terms of Reference was received.

4. **ELECTION OF CHAIRMAN**

RESOLVED – That Michael Welbank be elected Chairman in accordance with Standing Order 29 for the year ensuing.

On being elected, the Chairman thanked the Committee for its support.

The Chairman welcomed Deputy Kevin Everett, Alderman Timothy Hailes, Judith Pleasance and Alderman William Russell to the Committee. He also thanked John Chapman, Alderman Matthew Richardson and Ken Ayers for their contribution to the Committee.

The Chairman also welcomed the Chief Commoner to the meeting.

The Chairman was pleased to inform the Committee that Carolyn Dwyer had been appointed as the new Director of Built Environment. Carolyn, an engineer and transport planner by background, has most recently been leading on the built environment in Lambeth, where she was closely involved in place-making for the Nine Elms partnership. Carolyn has held roles on the Commission for Integrated Transport and with Network Rail and is currently a Non-Executive Director for the Scottish Futures Trust and Shoreham Port Authority. Carolyn will take up the post with effect from 19 August.

5. **ELECTION OF DEPUTY CHAIRMAN**

RESOLVED – That Marianne Fredericks be elected Deputy Chairman in accordance with Standing Order 30 for the year ensuing.

6. **MINUTES**

6.1 RESOLVED - That the minutes of the meeting held on 14 April 2015 be approved.

6.2 RESOLVED - That the draft minutes of the Streets and Walkways Sub Committee meeting held on 23 March 2015 be received.

7. **APPOINTMENT OF SUB COMMITTEES**

The Committee considered a report of the Town Clerk relative to the appointment of Sub Committees for the ensuing year (2015/2016).

RESOLVED – That,

a) the Streets and Walkways Sub Committee Terms of Reference be approved;

- b) the appointment of a general Reference Sub Committee be deferred until it is required;
- c) the following memberships be agreed:-

Streets and Walkways Sub Committee

Chairman of the Grand Committee
Deputy Chairman of the Grand Committee
Randall Anderson
Alex Bain-Stewart
Sylvia Moys
Graham Packman
The Reverend Dr Martin Dudley
Deputy Brian Harris
Christopher Hayward

Together with three ex-officio Members representing the Finance, Police and Open Spaces & City Gardens Committees.

Local Plans Sub Committee and Local Plan Working Party

Chairman
Deputy Chairman
Randall Anderson
Marianne Fredericks
Sylvia Moys
Graham Packman

Together with an ex-officio Member representing the Policy and Resources Committee.

Conservation Area Advisory Committee

Randall Anderson

8. TOWN PLANNING AND DEVELOPMENT APPLICATIONS

The Committee received a report of the Chief Planning Officer and Development Director relative to development and advertisement applications dealt with under delegated authority since the previous meeting.

9. VALID APPLICATIONS LIST FOR COMMITTEE

The Committee received a report of the Chief Planning Officer and Development Director which provided details of valid planning applications received by the department.

10. REPORTS RELATIVE TO PLANNING APPLICATIONS

10.1 100 Liverpool St & 8-12 Broadgate, London

Proposal: Refurbishment and extension of the existing building including retention of building's structural frame and construction of new facade and the provision of three additional floors and rooftop plant to provide commercial office (B1) accommodation and flexible commercial floor space comprising

additional office (B1), retail (A1/A2/A3), and leisure (D2) uses at lower ground, ground and first floor levels and flexible office (B1)/restaurant (A3) use at 9th floor level; provision of car and cycle parking; hard and soft landscaping; alterations to facilities associated with the bus station; and the provision of other works ancillary to the main building. (Total 68,303sq.m GEA).

Registered No: 14/01285/FULEIA

Some concern was raised regarding the potential disruption to communities during the construction phase of the proposed development; however, the proposal would provide significant improvements to the area.

The Chief Planning Officer confirmed that it was unlikely the proposed development would be linked to Citigen.

Members were informed that recommendation 9 in the report was no longer required as Environmental Health were satisfied regarding the requirements on air pollution.

Some concern was expressed regarding the loss of small retail units and it was requested that consideration be given as to how these might be retained.

Upon being put to the vote the application was approved –

Vote: 21 in support, 1 against and 1 abstention.

RESOLVED – That,

- 1) the Chief Planning Officer be authorised to determine the above application for the above proposal in accordance with the details set out in the attached schedule subject to:
 - a) the Mayor of London being given 14 days to decide whether to allow the Corporation to grant planning permission as recommended, or to direct refusal, or to determine the application himself (Article 5(1)(a) of the Town & Country Planning (Mayor of London) Order 2008); and
 - b) planning obligations and other agreements being entered into under Section 106 of the Town & Country Planning Act 1990 and Section 278 of the Highway Act 1980 in respect of those matters set out in the report, the decision notice not to be issued until the Section 106 obligations have been executed;
- 2) Officers be instructed to negotiate and execute obligations in respect of those matters set out in "Planning Obligations" under Section 106 and any necessary agreements under Section 278 of the Highway Act 1980.

10.2 Land bounded by Charterhouse Street, Lindsey Street, Long Lane and Hayne Street London EC1

Land Bounded By Charterhouse Street, Lindsey Street, Long Lane And Hayne Street London EC1 Ground plus five storey over site development at Farringdon East Station, comprising office (B1) (11,211sq.m) with associated cycle parking, servicing, storage and plant and use of void space within the

station infrastructure fronting onto Lindsey Street, Charterhouse Square and Hayne Street for retail use (Use Classes A1- A5), (286sq.m) office entrance and servicing.

Registered No: 13/00605/FULEIA

The Chief Planning Officer informed Members that the references to Policies in the conditions would be revised to accord with those in the updated Local Plan should planning permission be granted.

Clementine Cecil and Charlie Hobson spoke against the proposal.

Some Members expressed concern regarding the lack of consultation with the community regarding changes to the proposed development. It was proposed and seconded that consideration of the application be deferred for a second time to give a final opportunity to the applicant to engage in discussions with objectors and the community regarding the proposals.

RESOLVED –That,

- a) the application for planning permission be deferred to a future meeting to give a final opportunity to the applicant to engage in discussions with objectors and the community regarding the proposals;
- b) authority be delegated to the Comptroller and City Solicitor in consultation with the Chairman and Deputy Chairman to prepare the case.

11. **REPORTS OF THE DIRECTOR OF THE BUILT ENVIRONMENT**

11.1 **Cheapside Strategy Adoption**

The Committee considered a report of the Director of the Built Environment which sought approval for the adoption of the updated Cheapside and Guildhall Area Enhancement Strategy.

Members discussed the Entrance to Guildhall Yard by St Lawrence Jewry. Members noted that the pond could potentially be lost because the pedestrian access was limited between a private vehicular access road and the pond itself, however, were keen to ensure that this popular amenity and sitting area was retained.

One Member highlighted the importance of ensuring this Strategy was aligned with the Barbican Area Strategy.

RESOLVED – That the draft Cheapside and Guildhall Area Enhancement Strategy be approved.

11.2 Vacant Building Credit - implications of revised national Planning Practice Guidance

The Committee received a report of the Director of the Built Environment regarding the implications of the revised national Planning Practice Guidance for Vacant Building Credit.

RESOLVED – That the report be received.

EXTENSION OF THE MEETING

At this point, the time limit for Committee meetings as set out in Standing Order No 40 had been reached, but there being a two-thirds majority of the Committee present who voted in favour of an extension, the Committee agreed to continue the meeting.

12. "PLANNING IN THE CITY" (DEVELOPMENT MANAGEMENT DIVISION PUBLICITY FILM)

The Committee were shown a YouTube publicity film regarding the vision and strategy for shaping the Square Mile.

The Committee requested to be informed of other videos and films relating to the work of the Committee.

13. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE

Policies for increasing offices in the City – The Director of the Built Environment informed the Committee that the Local Plan encourages developers to provide office space which accommodated the needs of City workers.

Cycle Superhighway –The Assistant Director, Local Transportation informed Members that Officers were continuing to work with Transport for London to make improvements to the scheme and work was about to start at Upper Thames Street.

Members noted that Traffic Orders have been advertised by the City of London Corporation and Transport for London and Officers were aware of concerns regarding access to Trinity Square.

The Committee agreed to write to Transport for London regarding the concerns for Trinity Square and also to ensure a safe and legal turning at Puddle Dock, Blackfriars.

**14. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT
Sugar Quay**

The Chairman reported that an application had been made to modify the Section 106 agreement in respect of the affordable housing covenant, and that an appeal against non-determination had been made. The application and appeal would require specialist evaluation regarding viability, which would need to be funded. Once that evaluation had been carried out the issue would be

reported back to the committee. It was RESOLVED that authority be delegated to the Director of the Built Environment in respect of the requisite funding.

15. EXCLUSION OF THE PUBLIC

RESOLVED – That under Section 100a(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Local Government Act.

16. NON-PUBLIC MINUTES

RESOLVED – That the non-public minutes of the meeting held on 14 April 2015 be approved.

17. RISK REGISTER FOR BRIDGE HOUSE ESTATES

The Committee considered a report which provided a key risks register for Bridge House Estates.

18. NON-PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE

There were no questions.

19. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREES SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED

There were no items of urgent business.

The meeting closed at 12.55 pm

Chairman

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Agenda Item 4

Committee:	Date:	
Planning and Transportation	2 nd June 2015	
Subject:		
Delegated decisions of the Chief Planning Officer and Development Director		
Public		

1. Pursuant to the instructions of your Committee, I attach for your information a list detailing development and advertisement applications determined by the Chief Planning Officer and Development Director or those so authorised under their delegated powers since my report to the last meeting.
2. Any questions of detail arising from these reports can be sent to plans@cityoflondon.gov.uk.

DETAILS OF DECISIONS

Registered Plan Number & Ward	Address	Proposal	Date of Decision
15/00272/LBC Aldersgate	102 John Trundle Court Barbican EC2Y 8NE	Retention of partition wall and door.	07.05.2015
15/00361/MDC Aldgate	Dixon House 72 - 75 Fenchurch Street London EC3M 4BR	Details of a scheme for protecting nearby residents and commercial occupiers from noise, dust and other environmental effects pursuant to condition 3 of planning permission (application no. 14/00579/FULL) dated 25th February 2015.	07.05.2015
15/00295/FULL Aldgate	Bury House 31 Bury Street London EC3A 5AG	Change of use from use class D1(health clinic) to use class B1 (offices) at the fifth floor.	14.05.2015
15/00245/FULL Aldgate	Footway Adjacent To 138-139 Houndsditch	Installation on the carriageway of a cycle hire docking station associated	15.05.2015

	Houndsditch London EC3A	with the London Cycle Hire Scheme, containing a maximum of 28 docking points for scheme bicycles plus a terminal to secure and release bicycles and provide registration and payment facilities and way-finding mapping.	
15/00240/MDC Aldgate	60 - 70 St Mary Axe London EC3	Submission of details of Geotechnical Desk Study Report, Ground Investigation Report, Site Investigation Basement Plan and Specification pursuant to condition 2 of planning permission dated 10th June 2010 (Ref: 08/00739/FULEIA).	12.05.2015
15/00217/ADVT Aldgate	65 Fenchurch Street London EC3M 4BE	(i) Installation and Display of one internally illuminated (letters only) projecting sign measuring 0.7m high by 0.7m wide, situated at a height above ground level of 2.4m. (ii) Installation and Display of one internally illuminated (letters only) fascia sign measuring 4.5m wide by 1m high situated at height above ground of 2.5m	07.05.2015
15/00166/PODC Aldgate	60 - 70 St Mary Axe London EC3A 8JQ	Submission of details of a provisional BREEAM Assessment pursuant to Paragraph 10.1, Schedule 3 of the S106 agreement signed in relation to planning permission 08/00739/FULEIA dated 10 June 2010.	28.04.2015
15/00164/PODC Aldgate	60 - 70 St Mary Axe London EC3A 8JQ	Submission of the First Television Interference Survey pursuant to the requirements of Paragraph 7.1, Schedule 3 of the S106 signed in respect of the planning permission (ref. 08/00739/FULEIA) at 60-70 St Mary Axe dated 10 June	28.04.2015

		2010.	
14/00977/PODC Aldgate	Mitre Square, International House, Duke's Place, 11 Mitre Street & 1 Mitre Square London EC3	Submission of Training Skills and Job Brokerage Strategy pursuant to paragraph 2.2 of section 106 agreement dated 09 June 2014 in association with planning application 13/01082/FULL.	30.04.2015
14/01058/MDC Bassishaw	Land Bounded By London Wall, Wood Street, St. Alphage Gardens, Fore Street, Fore Street Avenue, Bassishaw Highwalk, Alban Gate Rotunda, Alban Highwalk, Moorfields Highwalk And Willoughby Highwalk, London, EC2	Details of permanent fire escape stairs from London Wall Car Park at ground floor level pursuant to condition 3 (in part) of planning permission dated 30th June 2014 (application reference: 14/00259/FULL).	14.05.2015
15/00250/MDC Billingsgate	Sugar Quay Lower Thames Street London EC3R 6EA	Details of kitchen extract arrangements pursuant to condition 29 of planning permission dated 16.09.13 (12/01104/FULMAJ).	14.05.2015
15/00246/MDC Billingsgate	Sugar Quay Lower Thames Street London EC3R 6EA	Submission of a scheme for protecting nearby residents and commercial occupiers from noise, dust and other environmental effects pursuant to condition 3 of planning permission dated 16.09.13 (12/01104/FULMAJ).	14.05.2015
15/00185/FULL Billingsgate	21 Lovat Lane London EC3R 8EB	(i) Conversion of the private dental clinic (D1 use) at ground and basement level to a single two bed flat (C3 use) (158 sq.m GIA) and (ii) alterations to the ground	01.05.2015

		floor shopfront.	
15/00274/FULL Bishopsgate	206 - 210 Bishopsgate London EC2M 4NR	Change of use of the 2nd, 3rd, 4th floors from office (B1) to residential (C3) use. Change of use of the 1st floor from dental surgery (D1) to residential (C3) use. Change of use of part of the ground floor and basement from shop (A1) to dental surgery (D1).	14.05.2015
15/00256/FULL Bishopsgate	110 Bishopsgate London EC2N 4AY	Installation of new entrance door into ground floor unit.	14.05.2015
15/00233/ADVT Bishopsgate	1 Primrose Street London EC2A 2EX	Installation and display of: i) one internally illuminated sign measuring 1.075m high x 4.180m wide situated at a height above ground level of 2.250m; and ii) one projecting internally illuminated sign measuring 1.800m high x 0.450m wide situated at a height above ground level of 3.655m.	12.05.2015
15/00210/FULL Bishopsgate	Eldon House 2 - 3 Eldon Street London EC2M 7LS	Change of use of sub-basement from office B1(a) offices to flexible B1(a) office use, D1 non-residential education and training centre use, and team challenge activity use (sui generis).	14.05.2015
15/00187/MDC Bishopsgate	Broadgate Circle & 3 Broadgate London EC2M 2QS	Details of the facade to the 1st floor restaurant/bar pursuant to condition 2(c) part of planning permission dated 24th July 2012 (App No. 12/00431/FULL).	14.05.2015
14/01217/ADVT Bishopsgate	Dashwood House 69 Old Broad Street London EC2	Installation and display of: (i) one projecting sign measuring 0.8 metres high by 0.6 metres wide displayed at a height of 2.2 metres above ground level; (ii) one illuminated (lettering only) frame sign measuring 2.5 metres high and 3.15	30.04.2015

		metres wide.	
14/01216/FULL Bishopsgate	Dashwood House 69 Old Broad Street London EC2M 1QS	The formation of an external seating area with associated screening and ramp and the retention of shopfront alterations.	30.04.2015
15/00346/ADVT Bread Street	1 St Paul's Churchyard London EC4M 8AP	Installation and display of: (i) three internally illuminated fascia signs each measuring 0.35m high by 1.8 m wide situated at a height above ground of 3.5m 9ii) one internally illuminated projecting sign measuring 0.6m high by 0.6m wide situated at a height above ground of 3.0m.	14.05.2015
14/01213/MDC Bridge And Bridge Without	Development Site 33 King William Street London EC4	Details of measures to resist structural damage arising from an attack with a road vehicle or road vehicle borne explosive devise pursuant to condition 8 of planning permission dated 17.01.2013 (App No 11/00933/FULMAJ).	14.05.2015
14/01074/FULEIA Bridge And Bridge Without	Arthur Street London EC4R	Works to divert utilities (telecommunication and power cables, water and waste mains) to enable the Bank Station Capacity Upgrade (BSCU) Project.	13.05.2015
15/00222/ADVT Broad Street	120 Old Broad Street London EC2N 1AR	Installation and display of i) one illuminated fascia sign measuring 0.50m high x 2.30m wide x 0.125m deep, located at a height of 2.30m above ground level. ii) One ATM sign measuring 2.80m high x 1.10m wide x 0.125m deep, located at a height of 0.20m above ground level.	14.05.2015
15/00206/MDC Broad Street	1 Angel Court & 33 Throgmorton Street London EC2N 2BR	Details of an acoustic report pursuant to condition 9 of planning permission dated 15th March 2013 (13/00985/FULL).	28.04.2015

15/00234/LDC Candlewick	1 King William Street London EC4N 8DH	Discharge of condition 2(h) pursuant to application ref. 13/00367/LBC dated 4th July 2013.	12.05.2015
15/00228/FULL Candlewick	68 King William Street London EC4N 7HR	Alterations to the external facade including the formation of two new entrances and two windows.	14.05.2015
15/00226/ADVT Candlewick	68 King William Street London EC4N 7HR	Installation and display of: (i) 2 no. projecting signs measuring 0.4 metres wide, 0.9 metres high displayed at a height of 2.75 metres above ground level; (ii) individual illuminated lettering measuring 4.8 metres wide, 0.4 metres high displayed at a height of 10 metres above ground level and (iii) 5 no. fascia signs measuring 0.37 metres high, 2.1 metres wide and 2.5 metres above ground level.	14.05.2015
15/00113/LDC Candlewick	1 King William Street London EC4N 7AR	Discharge of condition 2 part (c) (e) and (f) of listed building consent dated 4th July 2013 ref. 13/00367/LBC.	12.05.2015
14/01096/FULMAJ Candlewick	24 King William Street London EC4R 9AJ	Refurbishment and alterations to the property, including conversion of eighth floor plant level and additional floor at ninth level for Class B1 offices; new plant within roof volume; extension of floor plates at ground to seventh floors; partial change of use on ground floor for flexible shop/cafe and restaurant uses (Class A1/A3) including associated shop front alterations; recladding to exterior elevations and replacement fenestration; alterations to main office entrance on King William	11.05.2015

		Street; re-landscaping of rear ground floor terrace; the provision of basement cycle parking and other associated works.	
15/00194/FULL Castle Baynard	Blackfriars Railway Station Queen Victoria Street London EC4V 4DY	Installation of two ATMs on the Queen Victoria Street elevation through the window reveal of existing retail unit.	30.04.2015
15/00137/FULL Castle Baynard	1 - 3 Pemberton Row London EC4A 3BA	External alterations to include: erection of entrance canopy, replacement doors, lighting to front elevation and creation of new door to side elevation.	05.05.2015
15/00130/LBC Castle Baynard	Northbound Approach To Blackfriars Bridge London	Relocation of existing statue of Queen Victoria within the existing traffic island.	14.05.2015
14/00680/MDC Castle Baynard	75 Shoe Lane And The International Press Centre 76 Shoe Lane And Merchant Centre 1 New Street Square London EC4	Submission of details of the refuse storage arrangements pursuant to the discharge of condition 10 of planning permission 13/00974/FULL dated 12 February 2014.	30.04.2015
15/00220/LBC Coleman Street	London Metropolitan University 84 Moorgate London EC2M 6SQ	Creation of waiting area to right hand side of entrance foyer by forming two openings replacing existing windows. Removal of partition to right hand room. Replacement of door to left hand office with a pair of doors. Replacement of floor finishes in slate and limestone. Replacement of doors and entrance screen with structural glazing and a frameless revolving door.	08.05.2015
15/00219/FULL Coleman Street	London Metropolitan University 84 Moorgate	Creation of waiting area to right hand side of entrance foyer by forming two openings replacing existing	08.05.2015

	London EC2M 6SQ	windows. Removal of partition to right hand room. Replacement of door to left hand office with a pair of doors. Replacement of floor finishes in slate and limestone. Replacement of doors and entrance screen with structural glazing and a frameless revolving door.	
14/00519/LBC Coleman Street	67 - 71 Moorgate & 34 London Wall London EC2R 6BH	Works of alteration and extension to enable the conversion of the property into a 20 bedroom hotel with refurbishment works to the existing shop fronts at 67 and 69 Moorgate and a new shop front at 71 Moorgate. Minor facade and roof level alterations at 34 London Wall.	01.05.2015
14/00518/FULL Coleman Street	67 - 71 Moorgate & 34 London Wall London EC2R 6BH	Change of use from office (Class B1) use and retail (Class A1) use to provide a 20 bedroom hotel (Class C1) and retail (Class A1). Associated works including new shopfront at 71 Moorgate and minor facade and roof level alterations at 34 London Wall.	01.05.2015
15/00310/MDC Cornhill	55 Bishopsgate London EC2N 3AS	Details of provision made to provide access for disabled people to the lower ground floor of the Class D2 unit pursuant to Condition 7 of planning permission dated 08.08.2013 app.no. 12/01107/FULL	07.05.2015
15/00197/FULL Cornhill	Tower 42 25 Old Broad Street London EC2N 1HQ	Use of private space for Class A1 purposes and the setting out of tables and chairs ancillary to the use of the adjacent retail unit.	30.04.2015
14/01138/FULL Farringdon Within	20 Old Bailey London EC4M 7AN	Refurbishment, extension (4,723 sq.m) and partial re-cladding of existing office (Class B1) building.	18.05.2015
14/00528/MDC	St Bartholomew	Details of a construction and	30.04.2015

Farringdon Within	House 58 West Smithfield London EC1A 9DS	environmental management plan pursuant to conditions 3 and 5 of planning permission dated 3rd April 2014 (ref: 12/01145/FULL).	
15/00324/TCA Farringdon Without	Inner Temple Gardens Crown Office Row Inner Temple London	Removal of an Indian Bean Tree (<i>Catalpa bignonioides</i>) and its replacement with either an <i>Aesculus indica</i> (Indian Horse Chestnut), <i>Cercidiphyllum japonicum</i> (Katsura Tree), <i>Fagus sylvatica</i> cultivar (Beech), <i>Paulownia tomentosa</i> (Foxglove Tree), or <i>Zelkovia carpinifolia</i> (Caucasian Elm).	01.05.2015
15/00253/MDC Farringdon Without	St Bartholomew's Hospital West Smithfield London EC1A 7BE	Submission of details of archaeological evaluation pursuant to condition 5 of planning permission dated 24.02.2015 (application number 14/01283/FULL).	14.05.2015
15/00195/LBC Farringdon Without	1 - 3 Staple Inn London WC1V 7QJ	Retention of internal alterations including provision of smoke lobbies to staircase in 1 Staple Inn and new accessible wcs.	30.04.2015
15/00120/MDC Farringdon Without	St Bartholomew's Hospital West Smithfield London EC1A 7BE	Details of a scheme for protecting nearby residents and commercial occupiers from noise, dust and other environmental effects of the works pursuant to the discharge of condition 2 of planning permission 14/01283/FULL dated 24th February 2015.	07.05.2015
14/01090/FULL Farringdon Without	2 Hosier Lane London EC1A 2AL	Insertion of 15 new window openings in the south facing courtyard elevation.	14.05.2015
15/00339/PODC Langbourn	Land Bounded By Fenchurch Street, Fen Court, Fenchurch Avenue And Billiter Street (120 Fenchurch Street), London	Submission of details of Local Training Skills and Job Brokerage Strategy pursuant to paragraph 3.2 of Schedule 2 and Local Procurement Strategy pursuant to paragraph 12.1	12.05.2015

	EC3	of Schedule 2 of the S106 Agreement signed in relation to planning permission reference 11/00854/FULEIA dated 30/03/2012.	
15/00242/MDC Langbourn	Land Bounded By Fenchurch Street, Fen Court, Fenchurch Avenue & Billiter Street (120 Fenchurch Street) London EC3	Details of a construction logistics plan pursuant to condition 10 of planning permission dated 30/03/2012 (11/00854/FULEIA).	07.05.2015
15/00223/LBC Lime Street	1 Leadenhall Market London EC3V 1LR	Internal alterations at ground floor and basement levels.	14.05.2015
14/01206/MDC Portsoken	9 - 13 Aldgate High Street London EC3	Details of the off street service yard including details of the vehicle entrance height and clear unobstructed minimum headroom of at least 3.85m throughout the area to be used for loading and unloading pursuant to Condition 17 of planning permission 13/00590/FULMAJ dated 08.04.2014	07.05.2015
14/01172/FULL Portsoken	18 Mansell Street London E1 8AA	Painting of brickwork and windows. Addition of metal channel detail to bay recesses.	08.05.2015
15/00104/MDC Queenhithe	Millennium Bridge House 1 High Timber Street London EC4V 4AG	Details of integrated security measures pursuant to condition 6 of planning permission dated 18th April 2013 (ref: 12/00525/FULL).	14.05.2015
15/00229/LBC Vintry	30 Cannon Street London EC4M 6XH	Erection of an extension at 5th floor level to provide additional office (Class B1) floorspace, relocation of existing roof plant,	14.05.2015

		landscaping, and installation of glazing in lieu of existing louvres at 5th floor level.	
15/00289/LBC Walbrook	11 Ironmonger Lane London EC2V 8EY	Internal alterations at 5th floor level.	12.05.2015
15/00263/LBC Walbrook	Scottish Provident Building 1 - 6 Lombard Street London EC3V 9AA	Upgrade to an existing telecommunications installation with 6 no. new antenna and 12 no. new remote radio units fixed to existing walls and railings at roof top level and associated works.	14.05.2015
15/00262/FULL Walbrook	1 - 6 Lombard Street London EC3V 9AA	Upgrade to an existing telecommunications installation with 6 no. new antenna and 12 no. new remote radio units fixed to existing walls and railings at roof top level and associated works.	14.05.2015
15/00238/LDC Walbrook	27 - 32 Poultry London EC2R 8AJ	Details of all new works and alterations to install secondary glazing pursuant to condition 3 (l) of planning permission dated 3 June 2014. (Application No 13/01037/LBC).	28.04.2015
15/00163/LBC Walbrook	1 Prince's Street London EC2R 8BP	Internal alterations at ground, mezzanine and third floor levels including upgrading the office reception area and new door, replacement of partitions and refurbishment at mezzanine level.	14.05.2015
14/01165/LDC Walbrook	27 - 32 Poultry London EC2R 8AJ	Details of alterations to Basement 1 pursuant to condition 3 (d) (in part) of listed building consent dated 3rd June 2014 (13/01037/LBC).	01.05.2015

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Agenda Item 5

Committee:	Date:	
Planning and Transportation	2 June 2015	
Subject: Valid planning applications received by Department of the Built Environment		
Public		

1. Pursuant to the instructions of your Committee, I attach for your information a list detailing development applications received by the Department of the Built Environment since my report to the last meeting.
2. Any questions of detail arising from these reports can be sent to plans@cityoflondon.gov.uk.

DETAILS OF VALID APPLICATIONS

Application Number & Ward	Address	Proposal	Date of Validation
15/00406/FULL Aldersgate	Ferroner's House, Ironmongers' Hall, Shaftesbury Place, London, EC2Y 8AA	Two storey extension to the existing office building at Ferroner's House.	23/04/2015
15/00394/FULL Aldersgate	1 Gresham Street, London, EC1A	(i) Change of use of part ground floor and part basement from Class B1 office use to a flexible use of Class A1 / A3 retail (241sq.m.) (ii) External alterations including new shopfronts, replacement windows throughout, replacement rooflights, and a new rooftop plant enclosure.	27/04/2015
15/00372/FULL Bishopsgate	Exchange Square, London, EC2A 2EH	Erection of structure incorporating LED screen and associated advertisements for a temporary period between 13th June 2015 and 31st October 2015	20/04/2015
15/00415/FULL Bishopsgate	Tower House, 11 Artillery Lane, London, E1 7LP	Installation of new entrance door into ground floor unit.	05/05/2015
15/00471/FULL Bishopsgate	133 Middlesex Street, London, E1 7JF	Extension at roof level [55sq.m GIA] to provide an additional storey of accommodation (3rd floor) together with a change of use at 1st to new 3rd floors from office (Class B1) use to residential (Class C3) use to provide	15/05/2015

		three apartments (2 x 2 bedroom and 1 x one bedroom).	
15/00418/FULL Bread Street	Paternoster Square, London, EC4M 7DX	Installation of a temporary inflatable structure in the shape of a bowler hat, bespoke designed and built for the City of London Festival 2015 in which a programme of children's theatre, circus, cabaret and comedy will be presented for a temporary period between 19/06/2015 and 12/07/2015 (including a set up and set down period).	28/04/2015
15/00368/FULL Castle Baynard	40 Whitefriars Street, London, EC4Y 8BH	Change of use of part ground and basement from a bookmakers (Use Class A2) to a restaurant (Use Class A3) (95sq.m).	08/05/2015
15/00475/FULL Coleman Street	99 Gresham Street, London, EC2V 7NG	(i) Change of use of part ground floor from office use (Class B1) to create one retail or leisure unit (Class A1 or D2)(278sq.m) and three retail units (Class A1)(503sq.m) (ii) alterations to the Coleman Street elevation at ground floor level to create four retail unit entrances (iii) installation of ventilation louvres to the rear courtyard elevation at ground floor level.	08/05/2015
15/00441/FULLR3 Cornhill	99 Bishopsgate, North East Quadrant, London, EC2M 3XD	Temporary installation of a sculpture, 'Bells II' by Kris Martin, for a temporary period of up to one year to be removed on or before 05.06.2016	30/04/2015
15/00417/FULMAJ Farringdon Within	Site Bounded By 34-38, 39-41, 45-47 & 57B Little Britain & 20, 25, 47, 48-50, 51-53, 59, 60, 61, 61A & 62 Bartholomew Close, London EC1	Application under section 73 of the Town and Country Planning Act 1990 to vary condition 68 (approved plans) of planning permission reference 14/00432/FULMAJ dated 13th March 2015 (itself granted pursuant to an application under section 73 to vary condition 57 of planning permission reference 12/00256/FULEIA dated 29th May 2014), to refer to a revised and updated list of approved drawings that reflect the following amendments to the scheme: (i) Revisions to the design of the phase 1 residential development including a 1,083sq.m increase in residential floorspace, demolition of the gable end walls of 61/61a Bartholomew Close and revisions to;	27/04/2015

		<p>the unit mix in blocks F and G, the design of blocks A - G, the refuse storage and collection arrangements and the design of Middlesex Passage.</p> <p>(ii) Revisions to the design of the phase 2 office development resulting in an 833sq.m increase in office floorspace (Class B1) and a loss of 90sq.m of flexible retail space (Class A1/A3/A4).</p>	
15/00332/FULL Farringdon Within	69 Carter Lane, London, EC4V 5EQ	Application under section 73 of the Town and Country Planning Act to vary conditions 6 and 8 of planning permission dated 21st August 2014 (ref: 14/00446/FULL) to enable minor material amendments to the approved 5th floor roof extension including the addition of metal louvres to the southern and north facades, an increase in height of the lift overrun, and reduced window heights.	28/04/2015
15/00448/FULL Farringdon Within	69 Carter Lane, London, EC4V 5EQ	External alterations including (i) alteration to and replacement of existing main entrance; (ii) alteration and replacement of some windows at basement, ground and first level; (iii) infill of basement lightwell and addition of new rooflight; (iv) refurbishment of existing windows, railings and waste store shutter doors; (v) new plant deck within lightwell at 4th floor level.	06/05/2015
15/00426/FULL Farringdon Within	Opposite Rising Sun Court, Long Lane, London, EC1A 9EJ	Replacement of public payphone kiosk with combined public payphone and ATM booth.	12/05/2015
15/00420/FULL Farringdon Without	54 Fleet Street, London, EC4Y 1JU	Change of use of ground and basement to a restaurant with associated erection of an extract flue.	05/05/2015
15/00302/FULL Farringdon Without	Temple Bar House, 23 Fleet Street, London, EC4Y 1AA	(i) Installation of a new shopfront (ii) Change of use of part of the basement from class A1 to class C1 use. (375sq.m)	08/05/2015
15/00221/FULL Lime Street	22 - 24 Bishopsgate, 38 Bishopsgate And 4 Crosby Square, London, EC2N 4BQ	Deconstruction of existing core and sections of floorplates. Installation of new piling and transfer structures.	27/04/2015
15/00388/FULLR3	St Helen's	Temporary installation of a sculpture,	27/04/2015

Lime Street	Square, Outside 1 Undershaft, London, EC3A	'Greener Grass' by Ceal Floyer, for a temporary period of up to one year, to be taken down on or before 5th June 2016.	
15/00427/FULLR3 Lime Street	Outside 150 Leadenhall Street, London, EC3V 4QT	Temporary installation of a sculpture, 'Days of Judgement' by Laura Ford, for a temporary period of up to one year, to be taken down on or before 5th June 2016.	28/04/2015
15/00443/FULMAJ Lime Street	6 - 8 Bishopsgate & 150 Leadenhall Street, London, EC2N 4DA & EC3V 4QT	Demolition of existing buildings and redevelopment to provide a new building comprising lower ground and basement levels (including part basement mezzanine), ground and mezzanine levels plus part 8, part 20 and part 40 storeys plus plant [185.1m AOD to provide office (Class B1) use [70,053sq.m GEA], flexible shop/cafe and restaurant (Class A1/A3) uses [418sq.m GEA] at part ground floor and mezzanine levels and flexible shop/cafe/restaurant/office (A1/A3/B1) uses [235sq.m GEA] at part ground floor and mezzanine levels; and a publicly accessible roof top pavilion (sui generis) [795sq.m GEA] at level 40; the provision of hard and soft landscaping. [TOTAL 71,501sq.m GEA]	01/05/2015
15/00321/FULL Lime Street	13 Leadenhall Market, London, EC3V 1LR	Formation of new mezzanine floor to replace existing with associated internal works.	05/05/2015
15/00466/FULL Tower	Trinity House, 42 Trinity Square, London, EC3N 4DH	Replacement of the rooftop condensing unit sound enclosure with a larger enclosure to incorporate an additional DX condensing unit.	06/05/2015

Committee:	Date:
Planning and Transportation	2 June 2015
Subject: 2no. BT Telephone Kiosks Royal Exchange Buildings London EC3V 3NL Change of use of 2no. BT telephone boxes to 2no. retail kiosks (A1). Replacement of the existing telephone box glazing with toughened safety glass.	Public
Ward: Cornhill	For Decision
Registered No: 14/00984/FULL	Registered on: 6 March 2015
Conservation Area: Bank	Listed Building: No

Summary

The application relates to two K6 telephone boxes that are located to the east of the Royal Exchange buildings on a pedestrianised area that links Cornhill and Threadneedle Street.

The K6 telephone box is a public telephone kiosk that was designed by Sir Giles Gilbert Scott in 1935 to commemorate the silver jubilee of King George V.

The site is within the Bank Conservation Area and within the setting of the Grade I listed Royal Exchange and the Grade II listed Royal Exchange Buildings. The telephone boxes are not listed. They are considered to be non-designated heritage assets.

Planning permission is sought to convert the telephone boxes into retail units (Use Class A1). The telephone equipment would be removed. A self-contained modular unit would be inserted into each telephone box. It would fill the telephone box and would contain a coffee/ice cream machine, a counter, storage units, power supply, refuse storage, a drop down seat (staff use only) and swivel out basin. The modular unit would have retractable wheels that would enable it to be wheeled into and out of the telephone box as and when required.

The existing glazing would be replaced with toughened safety glass to match existing. A lock would be fitted to the doors for security purposes. The external alterations are considered to be acceptable subject to the submission of further design details.

During operational hours the doors to the telephone boxes would remain open in order to enable access to the modular units. One member of staff would stand outside the telephone boxes and serve customers. Customers would stand and queue on the highway. Details of adequate refuse storage arrangements have not been provided.

One letter of representation has been received from a local resident. It notes that there is a need to improve the pedestrian environment in the locality and ensure that the streets are accessible to all. A master plan is needed for the Royal Exchange area. It is already a mess with phone boxes, benches, bins and bike racks alongside the monuments. This is an important area historically and architecturally. Allowing a retail unit in this area would exacerbate the mess. People would queue to purchase goods and refuse sacks would be left around for collection. There would be extra litter, spillages and staining of the pavements. The proposal would not enhance the street scene. The telephone boxes should be historical objects that are admired in their own right like statues and monuments.

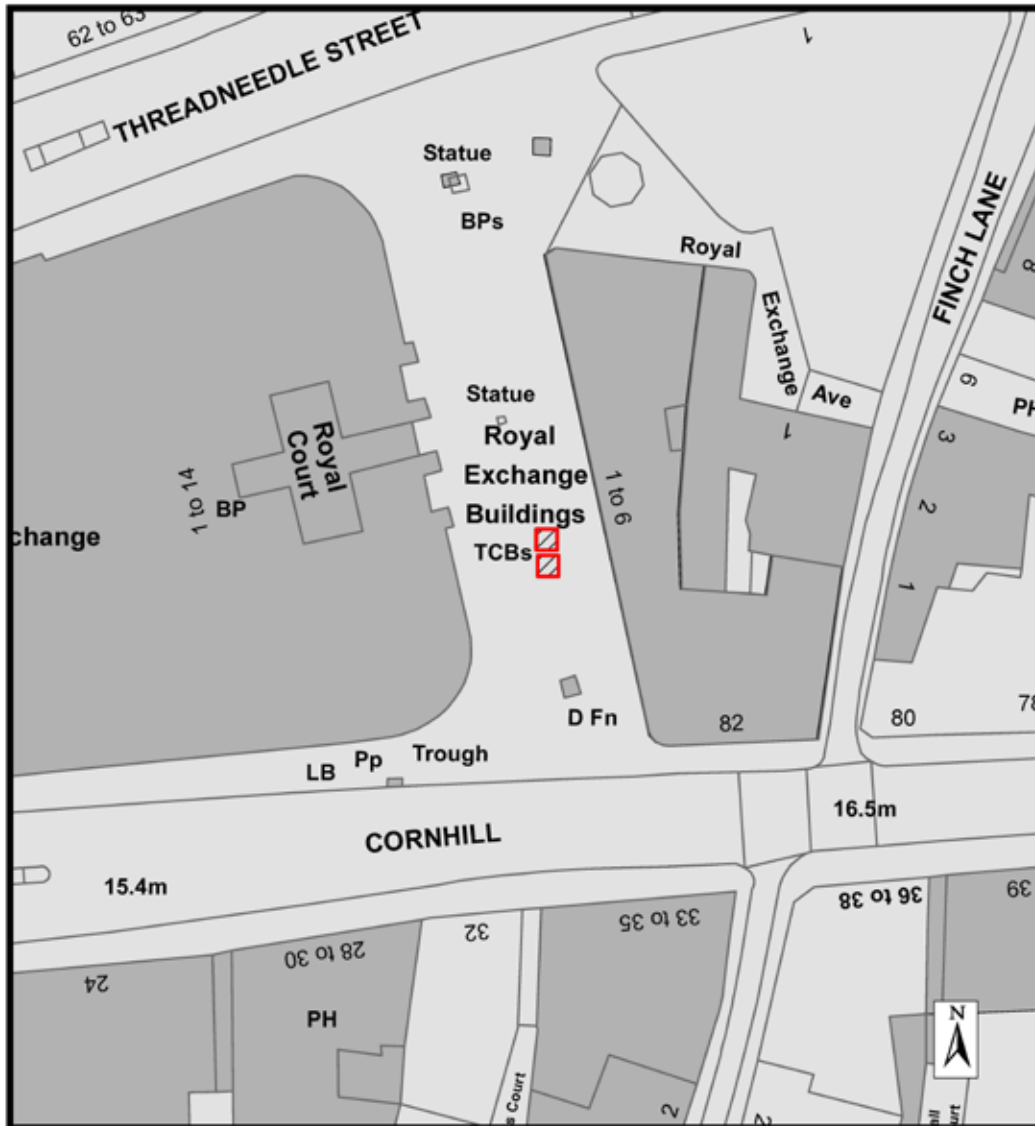
It is considered that the proposed use, its associated paraphernalia and the extent to which it would spill onto the highway would detract from the significance of the telephone boxes as non-designated heritage assets and would result in some less than substantial harm to this part of the Bank Conservation Area and the setting of the listed Royal Exchange and Royal Exchange Buildings.

The City's streets have high levels of footfall. It is anticipated that footfall will increase further over the next ten years. Increased pedestrian permeability and enhancement of the public realm is a priority for the City. The proposed use would obstruct the highway and detract from the public realm to an unacceptable degree.

Recommendation

That the application be refused for the reasons set out in the attached schedule.


Site Location Plan



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ADDRESS:
Royal Exchange Buildings

CASE No.
14/00984/FULL

-  SITE LOCATION
-  LISTED BUILDINGS
-  CONSERVATION AREA BOUNDARY



DEPARTMENT OF THE BUILT ENVIRONMENT



Looking west towards Royal Exchange

Case No. 14/00984/FULL

Main Report

Site

1. The application relates to two K6 telephone boxes that are located to the east of the Royal Exchange on a pedestrianised area that links Cornhill and Threadneedle Street. The telephone boxes have been painted green.
2. The K6 is a public telephone box designed by Sir Giles Gilbert Scott in 1935 to commemorate the silver jubilee of King George V.
3. These telephone boxes are not listed although Historic England has notified the City of the receipt of an application to list these telephone boxes. They are considered to be non-designated heritage assets. The site is within the Bank Conservation Area. The telephone boxes are within the setting of the grade I listed Royal Exchange to the west of the site, the grade II listed Royal Exchange Buildings to the east of the site.

Proposal

4. Planning permission is sought to convert the telephone boxes into retail units (Use Class A1) that could sell pre-packed cold drinks, ice cream or hot beverages.
5. The existing telephones and associated equipment would be removed. A self-contained modular unit would be inserted into each telephone box. Its footprint would fill the box and it would contain a coffee/ice cream machine, a counter, storage units, power supply, refuse storage, a drop down seat (staff use only) and swivel out basin.
6. The modular unit would not be fixed in position. It would have retractable wheels that would enable it to be wheeled into and out of the telephone box as and when required.
7. During operational hours the doors to the telephone boxes would remain open in order to enable access to the modular units. One member of staff would stand outside the telephone boxes and serve customers.
8. Stock would be delivered to the site by bicycle or on foot in pedestrianised areas and by a car or small van in non-pedestrianised area. The applicant has advised that small stock levels are required.
9. The existing glazing would be replaced with toughened safety glass to match existing. A lock would be fitted to the doors for security purposes. The red colour of the boxes would be restored.

Consultations

10. The application has been publicised on site and in the press.
11. One letter of representation has been received from a local resident. The key matters raised can be summarised as follows:
 - Y Royal Exchange is unsuited to the proposed retail use. Other locations in the City might be more appropriate.

- ÿ In 2012 the City consulted on an Enhancement Strategy for Bank. An emerging theme was the need to improve the pedestrian environment to create more space for pedestrians and to ensure that the streets were accessible and inclusive to all.
 - ÿ A master plan for the Royal Exchange area does not exist. Such a master plan that takes proper account of the need to protect the perspectives of the many monuments should be prepared before allowing this application. The area is already a mess with phone boxes, sundry benches, ugly bins, bike racks, pop up loos all alongside the monuments. It gives the impression of being unplanned. This is a hugely important area both historically and architecturally.
 - ÿ Allowing a retail unit in this location would exacerbate the current mess. People would wait outside and queue to purchase goods. Refuse sacks would be left around for collection, there would be extra litter, spillages and more staining of the pavements. The proposal would not enhance the street scene.
 - ÿ There is concern about the use of the kiosks at the weekend when street cleaning and rubbish collection are at a minimum. Unless extra resources are provided the unit should only be allowed to open Monday to Friday.
 - ÿ I understand the search for an alternative use for the boxes. Could they just be regarded as historical objects to be admired in their own right, like the statues and monuments?
12. The views of other City of London departments have been taken into account in the consideration of this scheme.
 13. Historic England, formerly English Heritage states that the application should be determined in accordance with national and local policy guidance and on the basis of the City's specialist conservation advice.
 14. The City of London Conservation Area Advisory Committee support the City's policy of seeking to reduce street clutter and objected to the proposal considering it to be detrimental to the street scene within this setting and to the conservation area by virtue of the increased advertising and the solidification which would destroy the unique character of the telephone box. This particular change would involve the telephone box door being permanently open to the detriment of the conservation area.

15. The City of London's Licensing Manager has expressed concerns about the proposal given that it would involve a person standing on the street selling goods. The applicant has been advised of the comments from the Licensing Manager which note that "Section 15 of the City of London (Various Powers) Act 1987 creates an offence of street trading ('the selling or exposing or offering for sale of any article or thing in a street') contrary to Part III of that Act. In order to comply with Part III a street trader would either have to trade on a Sunday in a particular location in a defined area of Middlesex Street or obtain a temporary license for a maximum period of 21 days...there are currently no circumstances that would permit the sale of refreshments on the street on a permanent basis anywhere in the City of London other than in Middlesex Street on a Sunday". Notwithstanding this advice the applicant has requested that the planning application is determined.

Policy Context

16. The development plan consists of the London Plan, and the City of London Local Plan. The London Plan and Local Plan policies that are most relevant to the consideration of this case are set out in Appendix A to this report.
17. Government Guidance is contained in the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (PPG).

Considerations

18. The Corporation in determining the planning application has the following main statutory duties to perform:-
 - ÿ To have regard to the provisions of the development plan, so far as material to the application, to local finance considerations so far as material to the application, and to any other material considerations (Section 70 (2) Town & Country Planning Act 1990);
 - ÿ To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004);
 - ÿ In considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its settings or any features of special architectural or historic interest which it possesses. (S66 (1) Planning (Listed Building and Conservation Areas) Act 1990)
 - ÿ When considering the application special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area (S72 (1) Planning (Listed Buildings and Conservation Areas) Act 1990).
19. In considering the planning application before you, account has to be taken of the statutory and policy framework, the documentation accompanying the application, and the views of both statutory and non-statutory consultees.

20. Chapter 12 of the NPPF is relevant in this instance as it sets out key policy considerations for applications relating to designated and non-designated heritage assets. Other relevant guidance is provided by Historic England including the documents Conservation Principles, and The Setting of Heritage Assets. Building in Context (EH/CABE) and the PPS5 Practice Guide in respect of the setting of heritage assets.
21. Considerable importance and weight should be given to the desirability of preserving or enhancing the character or appearance of a conservation area and the setting of a listed building, when carrying out any balancing exercise in which harm to the significance of conservation areas or the setting of a listed buildings is to be weighed against public benefits. A finding that harm would be caused to a conservation area or the setting of a listed building gives rise to a strong presumption against planning permission being granted.
22. It is necessary to assess all of the policies and proposals in the Development Plan and to come to a view as to whether in the light of the whole plan the proposal does or does not accord with it.
23. The principal issues in considering this planning application are:
 - Y The extent to which the proposal complies with Government policy advice (NPPF) and the relevant policies of the Development Plan, having particular regard to:
 - The acceptability of the proposed alterations in design and heritage terms.
 - The suitability of the site to accommodate the proposed retail units.

The Acceptability of the Proposal in Design and Heritage Terms

24. Policy DM12.2 of the Local Plan states that development in conservation areas will only be permitted if it preserves and enhances the character or appearance of the conservation area. Policy DM12.1 seeks to ensure that the significance of heritage assets is sustained. Policy DM10.1 encourages a high standard of design in development proposals. Policy 7.8 of the London Plan seeks to ensure that development affecting heritage assets and their setting should conserve their significance by being sympathetic to their form, scale, materials and architectural detail. Chapters 7 and 12 of the NPPF set out relevant design and heritage policies.

25. Consideration needs to be given to the impact that the proposal would have on significance of the Bank Conservation Area and the setting of the listed Royal Exchange and Royal Exchange Buildings as designated heritage assets. The non-listed K6 telephone boxes are considered to be non-designated heritage assets for their evidential, historical and aesthetic value. They are of an iconic design, an archetypical element of British street furniture and represent a formerly commonplace means of communication. The telephone boxes in their current form are complementary to the surrounding Bank Conservation Area and they form part of the immediate setting of the grade I listed Royal Exchange and the grade II listed Royal Exchange Buildings. The grade II listed drinking fountain to the south is visually separated from the site by the presence of other street furniture. Its setting is therefore not considered to be significantly affected by the proposal.
26. A key characteristic of the K6 telephone boxes is their 8 by 3 pattern of glazing which allow light and transparency to the structure, and an appearance that is in keeping with the "moderne" aesthetics of the 1930s. The proposed replacement glazing would match the existing and the insertion of a locking system would not materially alter the appearance of the telephone box. Further details of the external alterations and a sample of the glazing could be required by condition.
27. The removal of the internal telephone equipment would be regrettable as it is visible through the predominantly glazed exterior of the telephone boxes and defines their main use. The proposed modular units would fill the telephone boxes. It is considered that this internal alteration would have a material impact on the external appearance of the telephone boxes. It would result in solidification to the appearance of the K6s to the detriment of their aesthetic character. The submitted visuals indicate that the modular units would display advertising material which would be visible through the glazing which would not be controllable under the advertisement regulations. The proposals would add visual clutter to the street scene and the setting of nearby listed buildings.
28. The proposed use would require the doors to be open permanently during operational hours, changing the visual form, character and footprint of the iconic K6s which would detract from their aesthetic qualities as heritage assets.
29. The proposed retail activity would not be contained within the telephone boxes. It would spill out on to the street. A member of staff would stand on the highway to sell the products and people would queue on the highway to buy the products.

30. The proposed retail uses and associated paraphernalia would detract from the significance of the telephone boxes as non-designated assets. The resultant visual clutter and solidification of the telephone boxes would detract from the visual amenity of the locality and result in some less than substantial harm to the significance of this part of the Bank Conservation Area and the setting of the Royal Exchange and Royal Exchange Buildings as designated assets. The Bank Conservation Area Character Summary and Management Strategy SPD notes that the quality of the public realm in the conservation area is high, reflecting the high status and historic nature of the area. In this instance the public realm forms the setting of important listed buildings.
31. Consideration has been given to paragraph 134 of the NPPF. It is not considered that the less than substantial harm to the conservation area and the setting of the listed buildings would be outweighed by the public benefits of the proposal. The proposals would therefore be contrary to policies DM 12.2, DM12.1 and DM10.1 of the Local Plan, policy 7.8 of the London Plan and the aims of chapters 7 and 12 of the NPPF.

The Suitability of the Site to Accommodate the Proposed Retail Units

32. Policy CS10 of the Local Plan seeks to focus new retail development on the Principal Shopping Centres and encourage movements between the principal Shopping Centres by enhancing the retail environment in the retail links. The site is not within a Principal Shopping Centre. It is within a Retail Link as defined by the Local Plan.
33. The telephone boxes are sited on a pedestrianised area of public highway. Policy DM10.4 of the Local Plan encourages the enhancement of highways, the public realm and other spaces. It states that enhancement schemes should be of a high standard of design, having regard to following matters of relevance to the determination of this application:
 - ÿ Connections between spaces and the provision of pleasant walking routes;
 - ÿ The need to provide accessible and inclusive design, ensuring that streets and walkways remain uncluttered;
 - ÿ The need for pedestrian priority and enhanced permeability.
34. Policy CS16 of the Local Plan aims to improve conditions for safe and convenient walking. London Plan Policy 6.10B states that development proposals should ensure high quality pedestrian environments. London Plan policy 7.5B advises that street furniture and infrastructure should be of the highest quality, maintain uncluttered spaces and should contribute to easy movement of people through space.

35. The City's streets currently have a high level of footfall particularly during peak hours. A report was presented to the Planning and Transportation Committee on the 13th January 2015 regarding items on the highway (A boards, bike racks etc.). The report noted that the City is expecting a significant increase in commuters, shoppers and visitors. The current daily population of users of the City is estimated to be around 330,000 people and with the growth of the 'Eastern Cluster' office developments, the construction of Crossrail, Bank upgrade and the ThamesLink upgrade the City's daily population is predicted to rise to well over 400,000 in the next ten years. This would result in the streets becoming even busier. The London Plan reinforces the importance of planning for growth (e.g. "Context and Strategy" paragraph 1.47).
36. The area experiences high levels of footfall given its close proximity to Bank station and that it is a Retail Link as defined by the Local Plan. The Royal Exchange buildings house specialist retail shops and restaurants. The pedestrianised route is favoured by pedestrians given its car free nature and that it is one of the widest north south routes in the locality. The area already has a proliferation of street furniture including bins, benches, A boards, cycle racks and tables and chairs. It is anticipated that footfall will increase in this area on completion of the Bank station upgrade and the growth of the eastern cluster.
37. The proposed retail uses would spill onto the highway resulting in further obstruction and clutter, which would detract from the permeability of the locality. During operational hours the doors to the telephone boxes would remain open and project over the highway. A member of staff would stand on the highway to serve customers. The drop down seat and sink would additionally project over the highway when in use. Customers would stand and potentially queue on the highway whilst waiting to be served. There is concern that the activity has the potential to reduce the pavement width to such an extent that it would make it difficult for wheelchair users to navigate. There is already a proliferation of street furniture in the locality.
38. There is additional concern about the inadequacy of the proposed refuse storage arrangements which have the potential to cause further obstruction of the highway. Policy DM17.1 of the Local Plan encourages the provision of integrated waste storage facilities in new developments in order to avoid the need to place waste on the public highway. The modular unit would provide a waste cupboard. Waste would be collected on a daily schedule by a pre-paid sac collection service. There is concern that the proposed waste cupboards would be unable to accommodate a standard refuse sack. The applicant has not provided any information to demonstrate that a waste sack could be satisfactorily accommodated or demonstrated that the frequency and timings of collections would be sufficient to prevent the need for waste to be deposited on the highway.

39. The Waste and Amenity Manager expressed concern that the proposed use could give rise to spillages and staining on the highway. The City Corporation would then be obligated to provide additional street cleansing to these areas at additional cost.
40. The clutter and highway obstruction that the proposed uses would generate would detract from the public realm and pedestrian permeability contrary to the aims of policies DM10.4 and DM17.1 of the Local Plan and polices 6.10B and 7.5B of the London Plan.
41. The introduction of such activity on the highway would be contrary to the aims of Enhancement Team and their emerging policy to enable the safe management of footpaths and the street environment as set out in the report to Planning and Transportation Committee on the 13th January 2015. It could also potentially amount to an unacceptable change of use of the highway land proposed to be used as ancillary to the retail area.
42. Ease of pedestrian movement and the enhancement of the public realm is a priority for the City. It may be preferable for any non-listed telephone boxes that are no longer required for telecommunication purposes to be removed from the highway. While they are considered to be non-designated heritage assets a balanced judgement would need to be made of their historic significance relative to the positive impact of freeing up additional much needed highway space. The telephone boxes that are of special architectural and historic interest have been listed. There are 18 listed telephone kiosks across the City (12 K2s and 6 K6s).

Conclusion

43. These two K6 telephone boxes are non-designated heritage assets. It is considered that the proposed retail uses and associated paraphernalia would alter the form of the K6 telephone boxes which would detract from their significance as non-designated heritage assets and would result in some less than substantial harm to the significance of this part of the Bank Conservation Area and the setting of the grade II listed Royal Exchange and Royal Exchange Buildings.
44. Within the City it is projected that footfall will increase further over the next 10 years with the completion of developments such as Crossrail and the growth of the 'Eastern Cluster'. The enhancement of the public realm and enhanced pedestrian permeability is a priority for the City. The proposed conversion of the telephone boxes would obstruct the highway to an unacceptable degree. It has not been demonstrated that satisfactory refuse storage arrangements would be provided which may result in the need for refuse to be placed on the highway.
45. For these reasons the proposal is considered to be contrary to policies DM17.1, DM 12.2, DM12.1, DM10.1 and DM10.4 of the Local Plan, policies 6.10B, 7.5 B and 7.8 of the London Plan and the aims of chapters 7 and 12 of the NPPF.

Background Papers

Internal

25.03.2015 Email Department of Markets and Consumer Protection

External

Design and Access/Heritage Statement

Details of Replacement Glazing to BT Telephone Boxes

Toughened Glass Specification

Visual of converted telephone box

Existing drawing number: 9232-19 EX 04

24.03.2015 Letter English Heritage (now Historic England)

07.04.2015 Letter City of London Conservation Area Advisory Committee

08.04.2015 Email Jude Goffe

08.04.2015 Email Miles Broe Architects

14.05.2015 Email Miles Broe Architects

Appendix A

London Plan Policies

Policy 6.10 Development proposals should ensure high quality pedestrian environments and emphasise the quality of the pedestrian and street space.

Policy 7.5 Development should make the public realm comprehensible at a human scale. Landscape treatment, street furniture and infrastructure should be of the highest quality, have a clear purpose, maintain uncluttered spaces and should contribute to the easy movement of people through the space.

Policy 7.8 Development should identify, value, conserve, restore, re-use and incorporate heritage assets, conserve the significance of heritage assets and their settings and make provision for the protection of archaeological resources, landscapes and significant memorials.

Relevant Local Plan Policies

DM17.1 Provision for waste

1. Waste facilities must be integrated into the design of buildings, wherever feasible, and allow for the separate storage and collection of recyclable materials, including compostable material.
2. On-site waste management, through techniques such as recycle sorting or energy recovery, which minimises the need for waste transfer, should be incorporated wherever possible.

DM12.2 Development in conservation areas

1. Development in conservation areas will only be permitted if it preserves and enhances the character or appearance of the conservation area.
2. The loss of heritage assets that make a positive contribution to the character or appearance of a conservation area will be resisted.
3. Where permission is granted for the demolition of a building in a conservation area, conditions will be imposed preventing demolition commencing prior to the approval of detailed plans of any replacement building, and ensuring that the developer has secured the implementation of the construction of the replacement building.

DM12.1 Change affecting heritage assets

1. To sustain and enhance heritage assets, their settings and significance.

2. Development proposals, including proposals for telecommunications infrastructure, that have an effect upon heritage assets, including their settings, should be accompanied by supporting information to assess and evaluate the significance of heritage assets and the degree of impact caused by the development.
3. The loss of routes and spaces that contribute to the character and historic interest of the City will be resisted.
4. Development will be required to respect the significance, character, scale and amenities of surrounding heritage assets and spaces and their settings.
5. Proposals for sustainable development, including the incorporation of climate change adaptation measures, must be sensitive to heritage assets.

DM10.1 New development

To require all developments, including alterations and extensions to existing buildings, to be of a high standard of design and to avoid harm to the townscape and public realm, by ensuring that:

- a) the bulk and massing of schemes are appropriate in relation to their surroundings and have due regard to the general scale, height, building lines, character, historic interest and significance, urban grain and materials of the locality and relate well to the character of streets, squares, lanes, alleys and passageways;
- b) all development is of a high standard of design and architectural detail with elevations that have an appropriate depth and quality of modelling;
- c) appropriate, high quality and durable materials are used;
- d) the design and materials avoid unacceptable wind impacts at street level or intrusive solar glare impacts on the surrounding townscape and public realm;
- e) development has attractive and visually interesting street level elevations, providing active frontages wherever possible to maintain or enhance the vitality of the City's streets;
- f) the design of the roof is visually integrated into the overall design of the building when seen from both street level views and higher level viewpoints;
- g) plant and building services equipment are fully screened from view and integrated in to the design of the building. Installations that would adversely affect the character, appearance or amenities of the buildings or area will be resisted;
- h) servicing entrances are designed to minimise their effects on the appearance of the building and street scene and are fully integrated into the building's design;
- i) there is provision of appropriate hard and soft landscaping, including appropriate boundary treatments;

- j) the external illumination of buildings is carefully designed to ensure visual sensitivity, minimal energy use and light pollution, and the discreet integration of light fittings into the building design;
- k) there is provision of amenity space, where appropriate;
- l) there is the highest standard of accessible and inclusive design.

DM10.4 Environmental enhancement

The City Corporation will work in partnership with developers, Transport for London and other organisations to design and implement schemes for the enhancement of highways, the public realm and other spaces. Enhancement schemes should be of a high standard of design, sustainability, surface treatment and landscaping, having regard to:

- a) the predominant use of the space, surrounding buildings and adjacent spaces;
- b) connections between spaces and the provision of pleasant walking routes;
- c) the use of natural materials, avoiding an excessive range and harmonising with the surroundings of the scheme and materials used throughout the City;
- d) the inclusion of trees and soft landscaping and the promotion of biodiversity, where feasible linking up existing green spaces and routes to provide green corridors;
- e) the City's heritage, retaining and identifying features that contribute positively to the character and appearance of the City;
- f) sustainable drainage, where feasible, co-ordinating the design with adjacent buildings in order to implement rainwater recycling;
- g) the need to provide accessible and inclusive design, ensuring that streets and walkways remain uncluttered;
- h) the need for pedestrian priority and enhanced permeability, minimising the conflict between pedestrians and cyclists;
- i) the need to resist the loss of routes and spaces that enhance the City's function, character and historic interest;
- j) the use of high quality street furniture to enhance and delineate the public realm;
- k) lighting which should be sensitively co-ordinated with the design of the scheme.

SCHEDULE

APPLICATION: 14/00984/FULL

2no. BT Telephone Kiosks Royal Exchange Buildings London

**Change of use of 2no. BT telephone boxes to 2no. retail kiosks (A1).
Replacement of the existing telephone box glazing with toughened safety glass.**

REASONS FOR REFUSAL

- 1 The proposed conversion of the telephone boxes to retail units (Use Class A1) would detract from the significance of the K6 telephone boxes and would result in less than substantial harm to part of the Bank Conservation Area and the setting of the grade I listed Royal Exchange and grade II listed Royal Exchange Buildings. The proposal would detract from the public realm and obstruct the highway contrary to policies DM17.1, DM12.2, DM12.1, DM10.1 and DM10.4 of the Local Plan and policies 6.10B, 7.5B and 7.8 of the London Plan.

INFORMATIVES

- 1 In dealing with this application the City has implemented the requirements of the National Planning Policy Framework to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in dealing with planning applications in the following ways:

detailed advice in the form of statutory policies in the Local Plan, Supplementary Planning documents, and other written guidance has been made available;

a full pre application advice service has been offered;

where appropriate the City has been available to provide guidance on how outstanding planning concerns may be addressed.

However, notwithstanding the above, it has not been possible to achieve solutions to the problems as the proposals are contrary to planning policies, do not demonstrate other over-riding material considerations, and negotiations could not overcome the problems.

- 2 The Plans and Particulars accompanying this application are: 9232-19 PL01; 9232-19 PL03.

Wells, Janet (Built Environment)

From: PLN - Comments
Subject: FW: Comment on planning application

From: Jude Goffe
Sent: 08 April 2015 14:00
To: PLN - Comments
Subject: Comment on planning application

April 8, 2015

Gemma Delves
City of London Planning Department

Dear Sir/Madam
Ref 14/00984/FULL

Change of use of 2 BT telephone kiosks

I write in connection with the application above. I am a local resident. I applaud the idea and don't want to be a stick in the mud. But, its worthiness must not obscure the real difficulties here. I think the Royal Exchange area is unsuited to this retail use for the following reasons and would suggest that other sites in the City might be better (I am aware that other applications exist). I therefore object to the change of use.

- 1 In 2012, the City consulted on an Enhancement Strategy for Bank. An emerging theme was the need to improve the pedestrian environment, to create more space for pedestrians & to ensure that the streets were accessible & inclusive to all. Another theme was concerned with enhancing the historical & cultural aspects by having more trees and green spaces.
- 2 I understand that a master plan for the immediate Royal Exchange area does not currently exist, despite the many statues, monuments, & the old water pump which remain. In my view, such a master plan, which takes proper account of the need to protect the perspectives of the many monuments, should be prepared before allowing this application. Already, the area is a bit of a mess, with phone boxes, sundry benches, ugly bins (recently doubled in number), bike racks, a pop-up loo (infrequently used!), all competing for space alongside the statues & monuments. It certainly gives the impression of being unplanned & random (the word dogs' dinner comes to mind), and at certain angles, some of the monuments are obscured. This is a hugely important area, both historically & architecturally. It deserves to be treated as such.
- 3 Allowing a retail unit in this open area, however worthy the cause, will exacerbate the current mess. I know the application says there will be little change, but in reality, instead of having one person inside using the phone, with perhaps another waiting outside, here if it is successful, there will be queues to purchase the goods. Despite all the good intentions there will be refuse sacks left around waiting for collection; there will be extra litter, spillages from the ice cream & drinks & more staining of the pavements. The impact on the street appearance will not be enhancing. You only have to look at the open area in George Yard to see what can happen (and that is without a kiosk to buy from). There, lunchers who buy from the local shops & drinkers who buy from the pubs, congregate and leave litter and glasses & bottles. The pubs remove their glasses but do not remove the litter (the sandwich boxes, the coffee cartons, plastic bottles etc.) and they do NOT wash the stained pavements. The area has definitely not been enhanced by greater use of this area.

- 4 I am particularly concerned about the kiosk being opened at weekends when street cleaning and rubbish collection are at a minimum. Unless extra resources will be provided by COL, then if the application is allowed, then I think the opening hours should be restricted to Monday to Friday only.

I understand the search for an alternative use for the boxes. But, we could just regard them as historical objects to be admired in their own right, just like the statues & monuments.

Regards

Jude Goffe

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Committee:	Date:
Planning and Transportation	2 June 2015
Subject: 2 No. BT Telephone Kiosks On Finsbury Circus At Side of 88 - 92 Moorgate London EC2M 6SE Change of use of 2no. BT telephone boxes to 2no. retail kiosks (A1). Replacement of the existing telephone box glazing with toughened safety glass.	Public
Ward: Coleman Street	For Decision
Registered No: 15/00039/FULL	Registered on: 6 March 2015
Conservation Area: Finsbury Circus	Listed Building: No

Summary

The application relates to two K6 telephone boxes that are on the south side of Finsbury Circus, close to its junction with Moorgate.

The K6 is a public telephone box that was designed by Sir Giles Gilbert Scott in 1935 to commemorate the silver jubilee of King George V.

The site is within the Finsbury Circus Conservation Area and is within the setting of the grade II listed 76 to 92 Moorgate. The telephone boxes are not listed. They are considered to be non-designated heritage assets.

Planning permission is sought to convert the telephone boxes into retail units (Use Class A1). The telephone equipment would be removed. A self-contained modular unit would be inserted into each telephone box. It would fill the telephone box and would contain a coffee/ice cream machine, a counter, storage units, power supply, refuse storage, a drop down seat (staff use only) and swivel out basin. The modular unit would have retractable wheels that would enable it to be wheeled into and out of the telephone box as and when required.

The existing glazing would be replaced with toughened safety glass to match existing. A lock would be fitted to the doors for security purposes. The external alterations are considered to be acceptable subject to the submission of further design details.

During operational hours the doors to the telephone boxes would remain open in order to enable access to the modular units. One member of staff would stand outside the telephone boxes and serve customers. Customers would stand and queue on the highway. Details of adequate refuse storage arrangements have not been provided.

It is considered that the proposed use, its associated paraphernalia and the extent to which it would spill onto the highway would detract from the

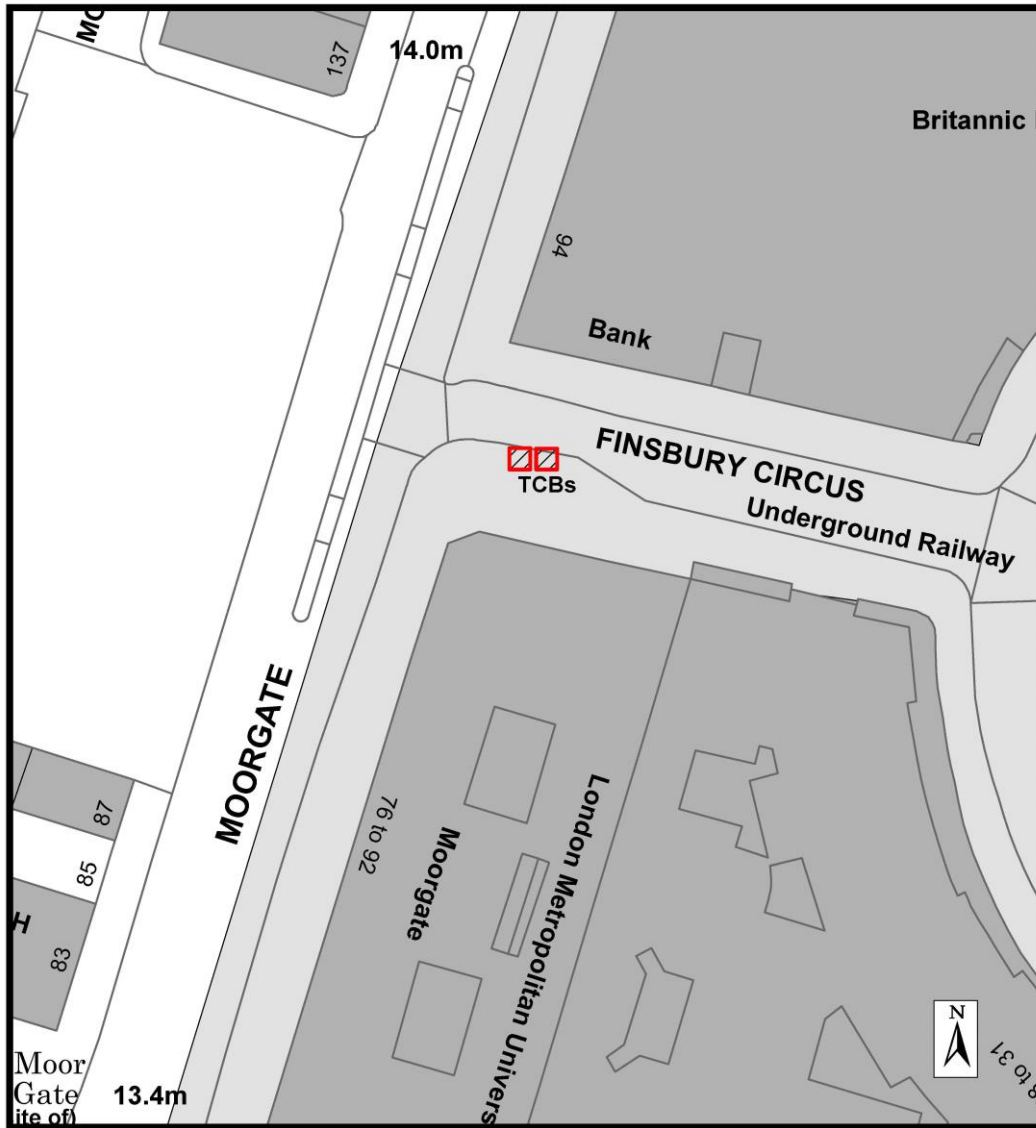
significance of the telephone boxes as non-designated heritage assets and would result in some less than substantial harm to this part of the Finsbury Circus Conservation Area and the setting of the grade II listed 76 to 92 Moorgate.

The City's streets have high levels of footfall. It is anticipated that footfall will increase over the next ten years. Increased pedestrian permeability and enhancement of the public realm is a priority for the City. The proposed use would obstruct the highway and detract from the public realm to an unacceptable degree.

Recommendation

That the application be refused for the reasons set out in the attached schedule.

Site Location Plan



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ADDRESS:
Finsbury Circus, at side of 88-92 Moorgate

CASE No.
15/00039/FULL

-  SITE LOCATION
-  LISTED BUILDINGS
-  CONSERVATION AREA BOUNDARY



DEPARTMENT OF THE BUILT ENVIRONMENT



Looking west towards Moorgate (prior to Crossrail works)



Telephone boxes currently concealed by hoarding

Case No. 15/00039/FULL

Main Report

Site

1. The application relates to two K6 telephone boxes that are on the south side of Finsbury Circus, close to its junction with Moorgate.
2. The K6 is a public telephone box that was designed by Sir Giles Gilbert Scott in 1935 to commemorate the silver jubilee of King George V.
3. These telephone boxes are not listed. They are considered to be non-designated heritage assets. The site is within the Finsbury Circus Conservation Area. It is within the setting of the grade II listed number 76 to 92 Moorgate (London Metropolitan University). Salisbury House to the south of the site is grade II listed, number 1 to 6 Finsbury Circus (Britannic House) to the north of the site is grade II* listed.

Proposal

4. Planning permission is sought to convert the telephone boxes into retail units (Use Class A1) that could sell pre-packed cold drinks, ice cream or hot beverages.
5. The existing telephones and associated equipment would be removed. A self-contained modular unit would be inserted into each telephone box. It would fill the box and would contain a coffee/ice cream machine, a counter, storage units, power supply, refuse storage, a drop down seat (staff use only) and swivel out basin.
6. The modular unit would not be fixed in position. It would have retractable wheels that would enable it to be wheeled into and out of the telephone box as and when required.
7. During operational hours the doors to the telephone boxes would remain open in order to enable access to the modular unit. One member of staff would stand outside the telephone boxes and serve customers.
8. Stock would be delivered to the site by bicycle or on foot in pedestrianised areas and by a car or small van in non-pedestrianised area. The applicant has advised that small stock levels are required.
9. The existing glazing would be replaced with toughened safety glass to match existing. A lock would be fitted to the doors for security purposes.

Consultations

10. The application has been publicised on site and in the press.
11. The views of other City of London departments have been taken into account in the consideration of this scheme.
12. Historic England, formerly English Heritage states that the application should be determined in accordance with national and local policy guidance and on the basis of the City's specialist conservation advice.

13. The City of London Conservation Area Advisory Committee support the City's policy of seeking to reduce street clutter and objected to the proposal considering it to be detrimental to the street scene within this setting and to the conservation area by virtue of the increased advertising and the solidification which would destroy the unique character of the telephone boxes. This particular change would involve the telephone box door being permanently open to the detriment of the conservation area.
14. The City of London's Licensing Manager has expressed concerns about the proposal given that it would involve a person standing on the street selling goods. The applicant has been advised of the comments from the Licensing Manager which note that "Section 15 of the City of London (Various Powers) Act 1987 creates an offence of street trading ('the selling or exposing or offering for sale of any article or thing in a street') contrary to Part III of that Act. In order to comply with Part III a street trader would either have to trade on a Sunday in a particular location in a defined area of Middlesex Street or obtain a temporary license for a maximum period of 21 days...there are currently no circumstances that would permit the sale of refreshments on the street on a permanent basis anywhere in the City of London other than in Middlesex Street on a Sunday". Notwithstanding this advice the applicant has requested that the planning application is determined.

Policy Context

15. The development plan consists of the London Plan, and the City of London Local Plan. The London Plan and Local Plan policies that are most relevant to the consideration of this case are set out in Appendix A to this report.
16. Government Guidance is contained in the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (PPG).

Considerations

17. The Corporation in determining the planning application has the following main statutory duties to perform:-
 - To have regard to the provisions of the development plan, so far as material to the application, to local finance considerations so far as material to the application, and to any other material considerations (Section 70 (2) Town & Country Planning Act 1990);
 - To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004);
 - In considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its settings or any features of special architectural or historic interest which it possesses. (S66 (1) Planning (Listed Building and Conservation Areas) Act 1990)

- When considering the applications special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area (S72 (1) Planning (Listed Buildings and Conservation Areas) Act1990).
18. In considering the planning application before you, account has to be taken of the statutory and policy framework, the documentation accompanying the application, and the views of both statutory and non-statutory consultees.
 19. Chapter 12 of the NPPF is relevant in this instance as it sets out key policy considerations for applications relating to designated and non-designated heritage assets. Other relevant guidance is provided by Historic England including the documents Conservation Principles, and The Setting of Heritage Assets. Building in Context (HE/CABE) and the PPS5 Practice Guide in respect of the setting of heritage assets.
 20. Considerable importance and weight should be given to the desirability of preserving or enhancing the character or appearance of a conservation area and the setting of a listed building, when carrying out any balancing exercise in which harm to the significance of conservation areas or listed buildings is to be weighed against public benefits. A finding that harm would be caused to a conservation area or setting of a listed building gives rise to a strong presumption against planning permission being granted.
 21. It is necessary to assess all of the policies and proposals in the Development Plan and to come to a view as to whether in the light of the whole plan the proposal does or does not accord with it.
 22. The principal issues in considering this planning application are:
 - The extent to which the proposal complies with Government policy advice (NPPF) and the relevant policies of the Development Plan, having particular regard to:
 - The acceptability of the proposed alterations in design and heritage terms.
 - The suitability of the site to accommodate the proposed retail units.

The Acceptability of the Proposal in Design and Heritage Terms

23. Policy DM12.2 of the Local Plan states that development in conservation areas will only be permitted if it preserves and enhances the character or appearance of the conservation area. Policy DM12.1 seeks to ensure that the significance and setting of heritage assets is sustained. Policy DM10.1 encourages a high standard of design in development proposals. Policy 7.8 of the London Plan seeks to ensure that development affecting heritage assets and their setting should conserve their significance by being sympathetic to their form, scale, materials and architectural detail. Chapters 7 and 12 of the NPPF set out relevant design and heritage policies.

24. Consideration needs to be given to the impact that the proposal would have on significance of the Finsbury Circus Conservation Area and the setting of 76 to 92 Moorgate as designated heritage assets. The non-listed K6 telephone boxes are considered to be non-designated heritage assets for their evidential, historical and aesthetic value. They are of an iconic design, an archetypical element of British street furniture and represent a formerly commonplace means of communication.
25. The telephone boxes in their current form are complementary to the surrounding Finsbury Circus Conservation Area. 76 to 92 Moorgate London Metropolitan University, by Belcher and Joass, built 1900-3 is a grade II listed five storey, monumental classical building with rusticated stone facade on a granite podium. The K6 kiosk is complimentary to the setting of this listed building
26. A key characteristic of the K6 telephone boxes is their 8 by 3 pattern of glazing which allow light and transparency to the structure, and is in keeping with the "moderne" aesthetics of the 1930s. The proposed replacement glazing would match the existing and the insertion of a locking system would not materially alter the appearance of the telephone box. Further details of the external alterations and a sample of the glazing could be required by condition.
27. The removal of the internal telephone equipment would be aesthetically regrettable as it is visible through the predominantly glazed exterior of the telephone boxes and defines their main use. The proposed modular units would fill the telephone boxes. It is considered that this internal alteration would have a material impact on the external appearance of the telephone boxes. It would result in solidification to the appearance of the K6s to the detriment of their aesthetic character. The submitted visuals indicate that the modular units would display advertising material which would be visible through the glazing but would not be controllable under the advertisement regulations.
28. The proposed use would require the doors to be open permanently during operational hours, changing the visual form, character and footprint of the iconic K6s which would detract from their aesthetic qualities as heritage assets.
29. The proposed retail activity would not be contained within the telephone boxes. It would spill out on to the street. A member of staff would stand on the highway to sell the products and people would queue on the highway to buy the products.
30. The proposed retail uses and associated paraphernalia would detract from the significance of the telephone boxes as non-designated assets. The resultant visual clutter and solidification of the telephone boxes would detract from the visual amenity of the locality and result in some less than substantial harm to the significance of this part of the Finsbury Circus Conservation Area and the setting of the grade II listed 76 to 92 Moorgate as designated heritage assets. The draft Finsbury Circus Conservation Area Character Summary and Management Strategy SPD notes how the west side of Finsbury Circus and external standpoints on Moorgate are

important as they provide views of the Finsbury Circus gardens and interior of the conservation area. The proposal would detract from these local views.

31. Consideration has been given to paragraph 134 of the NPPF. It is not considered that the less than substantial harm to the conservation area and the setting of 76 to 92 Moorgate would be outweighed by the public benefits of the proposal. The proposals would therefore be contrary to policies DM 12.2, DM12.1 and DM10.1 of the Local Plan, policy 7.8 of the London Plan and the aims of chapters 7 and 12 of the NPPF.

The Suitability of the Site to Accommodate the Proposed Retail Units

32. Policy CS10 of the Local Plan seeks to focus new retail development on the Principal Shopping Centres and encourage movements between the principal Shopping Centres by enhancing the retail environment in the retail links. The site is not within a Principal Shopping Centre or along a Retail Link as defined by the Local Plan. It is on the periphery of the Moorgate Principal Shopping Centre.
33. The telephone boxes are sited on public highway. Policy DM10.4 of the Local Plan encourages the enhancement of highways, the public realm and other spaces. It states that enhancement schemes should be of a high standard of design, having regard to following matters of relevance to the determination of this application:
 - Connections between spaces and the provision of pleasant walking routes;
 - The need to provide accessible and inclusive design, ensuring that streets and walkways remain uncluttered;
 - The need for pedestrian priority and enhanced permeability.
34. Policy CS16 of the Local Plan aims to improve conditions for safe and convenient walking. London Plan Policy 6.10B states that development proposals should ensure high quality pedestrian environments. London Plan policy 7.5B advises that street furniture and infrastructure should be of the highest quality, maintain uncluttered spaces and should contribute to easy movement of people through space.
35. The City's streets currently have a high level of footfall particularly during peak hours. A report was presented to the Planning and Transportation Committee on the 13th January 2015 regarding items on the highway (A boards, bike racks etc.). The report noted that the City is expecting a significant increase in commuters, shoppers and visitors. The current daily population of users of the City is estimated to be around 330,000 people and with the growth of the 'Eastern Cluster' office developments, the construction of Crossrail, Bank upgrade and the Thameslink upgrade the City's daily population is predicted to rise to well over 400,000 in the next ten years. This could result in the streets becoming even busier. The London Plan reinforces the importance of planning for growth (e.g. "Context and Strategy" paragraph 1.47).

36. The site is in close proximity to Moorgate Station on a key access route to Finsbury Circus Gardens. Moorgate accommodates high levels of pedestrian flows particularly during commuter and lunchtime periods. The site is in close proximity to the point where pedestrians cross the Finsbury Circus and Moorgate junction. The area will be subject to uplift in pedestrian numbers following the completion of the new Moorgate Crossrail station. It is anticipated that pedestrian flows on the west side of Finsbury Circus will increase further.
37. There is already a number of bike racks in close proximity to the site which somewhat limit accessibility of the telephone boxes. The telephone boxes and bike racks are already in close proximity to the point where pedestrians cross the Finsbury Circus and Moorgate junction. The proposed retail uses would spill onto the highway and would result in further obstruction and clutter, and would detract from the permeability of the locality. During operational hours the doors to the telephone boxes would remain open and project over the highway. A member of staff would stand on the highway to serve customers. The drop down seat and sink would additionally project over the highway when in use. Customers would stand and potentially queue on the highway whilst waiting to be served. When in operation the queues would potentially conflict with those waiting to cross the Finsbury Circus and Moorgate junction. There is concern that the activity has the potential to obstruct the pavement to such an extent that it would make it difficult for wheelchair users to pass.
38. There is additional concern about the inadequacy of the proposed refuse storage arrangements which have the potential to cause further obstruction of the highway. Policy DM17.1 of the Local Plan encourages the provision of integrated waste storage facilities in new developments in order to avoid the need to place waste on the public highway. The modular unit would provide a waste cupboard. Waste would be collected on a daily schedule by a pre-paid sac collection service. There is concern that the proposed waste cupboards would be unable to accommodate a standard refuse sack. The applicant has not provided any information to demonstrate that a waste sack could be satisfactorily accommodated or demonstrated that the frequency and timings of collections would be sufficient to prevent the need for waste to be deposited on the highway.
39. The Waste and Amenity Manager expressed concern that the proposed use could give rise to spillages and staining on the highway. The City Corporation would then be obligated to provide additional street cleansing to these areas at additional cost.
40. The clutter and highway obstruction that the proposed uses would generate would detract from the public realm and pedestrian permeability contrary to the aims of policies DM10.4 and DM17.1 of the Local Plan and policies 6.10B and 7.5B of the London Plan. With the anticipated increase in pedestrian flows from the completion of the Crossrail development street furniture should be kept to a minimum in this area.

41. The introduction of such activity on the highway would be contrary to the aims of the Enhancement Team and their emerging policy to enable the safe management of footpaths and the street environment as set out in the report to Planning and Transportation Committee on the 13th January 2015. It could also potentially amount to an unacceptable change of use of the highway land proposed to be used as ancillary to the retail area.
42. Ease of pedestrian movement and the enhancement of the public realm is a priority for the City. It may be preferable for any non-listed telephone boxes that are no longer required for telecommunication purposes to be removed from the highway. While they are considered to be non-designated heritage assets a balanced judgement would need to be made of their historic significance relative to the positive impact of freeing up additional much needed highway space. The telephone boxes that are of special architectural and historic interest have been listed. There are 18 listed telephone kiosks across the City (12 K2s and 6 K6s).

Conclusion

43. These K6 telephone boxes are non-designated heritage assets. It is considered that the proposed retail uses and associated paraphernalia would alter the form of the K6 telephone boxes which would detract from their significance as non-designated heritage assets and would result in some less than substantial harm to the significance of this part of the Finsbury Circus Conservation Area and the setting of the grade II listed 76 to 92 Moorgate as designated heritage assets.
44. Within the City it is projected that footfall will increase further over the next 10 years with the completion of developments such as Crossrail and the growth of the 'Eastern Cluster'. The enhancement of the public realm and enhanced pedestrian permeability is a priority for the City. The proposed conversion of the telephone boxes would obstruct the highway to an unacceptable degree. It has not been demonstrated that satisfactory refuse storage arrangements would be provided which may result in the need for refuse to be placed on the highway.
45. For these reasons the proposal is considered to be contrary to policies DM17.1, DM 12.2, DM12.1, DM10.1 and DM10.4 of the Local Plan, policies 6.10B, 7.5B and 7.8 of the London Plan and the aims of chapters 7 and 12 of the NPPF.

Background Papers

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25.03.2015 Email Department of Markets and Consumer Protection

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Visual of converted telephone box

Existing drawing number: 9232-19.1 PL01

24.03.2015 Letter English Heritage (now Historic England)

07.04.2015 Letter City of London Conservation Area Advisory Committee

08.04.2015 Email Miles Broe Architects

14.05.2015 Email Miles Broe Architects

Appendix A

London Plan Policies

Policy 6.10 Development proposals should ensure high quality pedestrian environments and emphasise the quality of the pedestrian and street space.

Policy 7.5 Development should make the public realm comprehensible at a human scale. Landscape treatment, street furniture and infrastructure should be of the highest quality, have a clear purpose, maintain uncluttered spaces and should contribute to the easy movement of people through the space.

Policy 7.8 Development should identify, value, conserve, restore, re-use and incorporate heritage assets, conserve the significance of heritage assets and their settings and make provision for the protection of archaeological resources, landscapes and significant memorials.

Relevant Local Plan Policies

DM17.1 Provision for waste

1. Waste facilities must be integrated into the design of buildings, wherever feasible, and allow for the separate storage and collection of recyclable materials, including compostable material.
2. On-site waste management, through techniques such as recycle sorting or energy recovery, which minimises the need for waste transfer, should be incorporated wherever possible.

DM12.2 Development in conservation areas

1. Development in conservation areas will only be permitted if it preserves and enhances the character or appearance of the conservation area.
2. The loss of heritage assets that make a positive contribution to the character or appearance of a conservation area will be resisted.
3. Where permission is granted for the demolition of a building in a conservation area, conditions will be imposed preventing demolition commencing prior to the approval of detailed plans of any replacement building, and ensuring that the developer has secured the implementation of the construction of the replacement building.

DM12.1 Change affecting heritage assets

1. To sustain and enhance heritage assets, their settings and significance.
2. Development proposals, including proposals for telecommunications infrastructure, that have an effect upon heritage

assets, including their settings, should be accompanied by supporting information to assess and evaluate the significance of heritage assets and the degree of impact caused by the development.

3. The loss of routes and spaces that contribute to the character and historic interest of the City will be resisted.
4. Development will be required to respect the significance, character, scale and amenities of surrounding heritage assets and spaces and their settings.
5. Proposals for sustainable development, including the incorporation of climate change adaptation measures, must be sensitive to heritage assets.

DM10.1 New development

To require all developments, including alterations and extensions to existing buildings, to be of a high standard of design and to avoid harm to the townscape and public realm, by ensuring that:

- a) the bulk and massing of schemes are appropriate in relation to their surroundings and have due regard to the general scale, height, building lines, character, historic interest and significance, urban grain and materials of the locality and relate well to the character of streets, squares, lanes, alleys and passageways;
- b) all development is of a high standard of design and architectural detail with elevations that have an appropriate depth and quality of modelling;
- c) appropriate, high quality and durable materials are used;
- d) the design and materials avoid unacceptable wind impacts at street level or intrusive solar glare impacts on the surrounding townscape and public realm;
- e) development has attractive and visually interesting street level elevations, providing active frontages wherever possible to maintain or enhance the vitality of the City's streets;
- f) the design of the roof is visually integrated into the overall design of the building when seen from both street level views and higher level viewpoints;
- g) plant and building services equipment are fully screened from view and integrated in to the design of the building. Installations that would adversely affect the character, appearance or amenities of the buildings or area will be resisted;
- h) servicing entrances are designed to minimise their effects on the appearance of the building and street scene and are fully integrated into the building's design;
- i) there is provision of appropriate hard and soft landscaping, including appropriate boundary treatments;

- j) the external illumination of buildings is carefully designed to ensure visual sensitivity, minimal energy use and light pollution, and the discreet integration of light fittings into the building design;
- k) there is provision of amenity space, where appropriate;
- l) there is the highest standard of accessible and inclusive design.

DM10.4 Environmental enhancement

The City Corporation will work in partnership with developers, Transport for London and other organisations to design and implement schemes for the enhancement of highways, the public realm and other spaces. Enhancement schemes should be of a high standard of design, sustainability, surface treatment and landscaping, having regard to:

- a) the predominant use of the space, surrounding buildings and adjacent spaces;
- b) connections between spaces and the provision of pleasant walking routes;
- c) the use of natural materials, avoiding an excessive range and harmonising with the surroundings of the scheme and materials used throughout the City;
- d) the inclusion of trees and soft landscaping and the promotion of biodiversity, where feasible linking up existing green spaces and routes to provide green corridors;
- e) the City's heritage, retaining and identifying features that contribute positively to the character and appearance of the City;
- f) sustainable drainage, where feasible, co-ordinating the design with adjacent buildings in order to implement rainwater recycling;
- g) the need to provide accessible and inclusive design, ensuring that streets and walkways remain uncluttered;
- h) the need for pedestrian priority and enhanced permeability, minimising the conflict between pedestrians and cyclists;
- i) the need to resist the loss of routes and spaces that enhance the City's function, character and historic interest;
- j) the use of high quality street furniture to enhance and delineate the public realm;
- k) lighting which should be sensitively co-ordinated with the design of the scheme.

SCHEDULE

APPLICATION: 15/00039/FULL

2 No. BT Telephone Kiosks On Finsbury Circus At Side of 88 - 92 Moorgate London

Change of use of 2no. BT telephone boxes to 2no. retail kiosks (A1). Replacement of the existing telephone box glazing with toughened safety glass.

REASONS FOR REFUSAL

- 1 The proposed conversion of the telephone boxes to retail units (Use Class A1) would detract from the significance of the K6 telephone boxes and result in less than substantial harm to part of the Finsbury Circus Conservation Area and the setting of the grade II listed 76 to 92 Moorgate. The scheme would obstruct the highway and would detract from the public realm contrary to policies DM17.1, DM12.2, DM12.1, DM10.1 and DM10.4 of the Local Plan and policies 6.10B, 7.5B and 7.8 of the London Plan.

INFORMATIVES

- 1 In dealing with this application the City has implemented the requirements of the National Planning Policy Framework to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in dealing with planning applications in the following ways:

detailed advice in the form of statutory policies in the Local Plan, Supplementary Planning documents, and other written guidance has been made available;

a full pre application advice service has been offered;

where appropriate the City has been available to provide guidance on how outstanding planning concerns may be addressed.

However, notwithstanding the above, it has not been possible to achieve solutions to the problems as the proposals are contrary to planning policies, do not demonstrate other over-riding material considerations, and negotiations could not overcome the problems.

- 2 The Plans and Particulars accompanying this application are: 9232-19.1 PL01 rev. A; 9232-19 PL03.

Committee:	Date:
Planning and Transportation	2 June 2015
Subject: 1 No. BT Telephone Kiosk O/s 21 Fleet Street London EC4Y 1AA Change of use of 1 no. BT telephone box to 1 no. retail kiosk (A1). Replacement of the existing telephone box glazing with toughened safety glass.	Public
Ward: Farringdon Without	For Decision
Registered No: 15/00041/FULL	Registered on: 6 March 2015
Conservation Area: Fleet Street	Listed Building: No

Summary

The application relates to one red K6 telephone box that is located on the south side of Fleet Street east of its junction with Chancery Lane.

The K6 is a public telephone box that was designed by Sir Giles Gilbert Scott in 1935 to commemorate the silver jubilee of King George V.

The site is within the Fleet Street Conservation Area and the setting of the grade II listed numbers 18 and 21 Fleet Street. The telephone box is not listed. It is considered to be a non-designated heritage asset.

Planning permission is sought to convert the telephone box into a retail unit (Use Class A1). The telephone equipment would be removed. A self-contained modular unit would be inserted into the telephone box. It would fill the telephone box and would contain a coffee/ice cream machine, a counter, storage units, power supply, refuse storage, a drop down seat (staff use only) and swivel out basin. The modular unit would have retractable wheels that would enable it to be wheeled into and out of the telephone box as and when required.

The existing glazing would be replaced with toughened safety glass to match existing. A lock would be fitted to the door for security purposes. The external alterations are considered to be acceptable subject to the submission of further design details.

During operational hours the door to the telephone box would remain open in order to enable access to the modular unit. A member of staff would stand outside the telephone box and serve customers. Customers would potentially queue on the highway. Details of adequate refuse storage arrangements have not been provided.

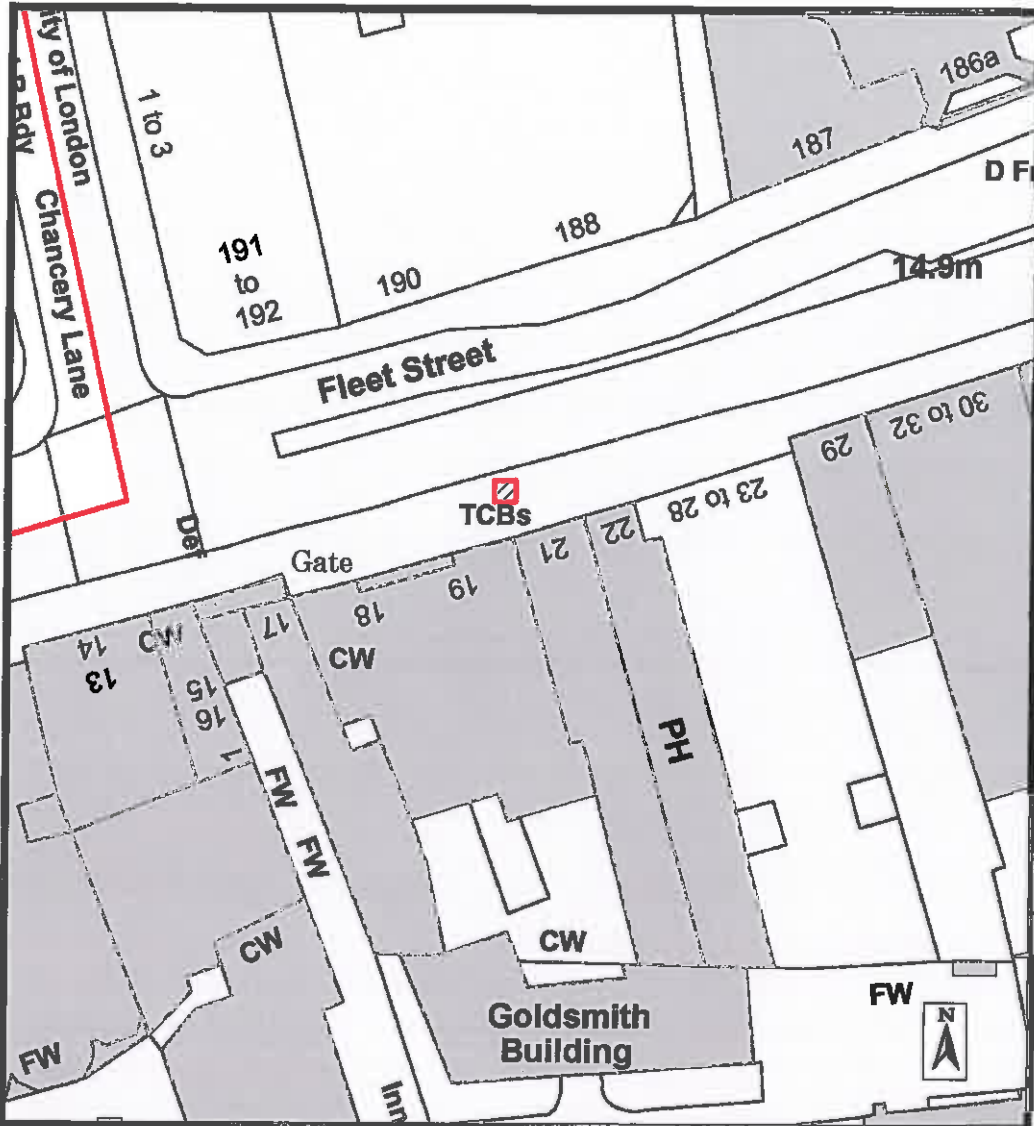
It is considered that the proposed use, its associated paraphernalia and the extent to which it would spill onto the highway would be detract from the significance of the telephone box as a non-designated heritage asset and would result in some less than substantial harm to this part of the Fleet Street Conservation Area and the setting of the grade II listed numbers 18 and 21 Fleet Street.

The City's streets have high levels of footfall. It is anticipated that footfall will increase further over the next ten years. Increased pedestrian permeability and enhancement of the public realm is a priority for the City. The proposed use would obstruct the highway to an unacceptable degree.

Recommendation

That the application be refused for the reasons set out in the attached schedule.

Site Location Plan



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ADDRESS:
Outside 21 Fleet Street

CASE No.
15/00041/FULL

-  SITE LOCATION
-  LISTED BUILDINGS
-  CONSERVATION AREA BOUNDARY
-  CITY OF LONDON BOUNDARY



DEPARTMENT OF THE BUILT ENVIRONMENT



Looking south east along Fleet Street



Looking west along Fleet Street

Case No. 15/00041/FULL

Main Report

Site

1. The application relates to one K6 telephone box that is located on the south side of Fleet Street east of its junction with Chancery Lane.
2. The K6 is a public telephone box that was designed by Sir Giles Gilbert Scott in 1935 to commemorate the silver jubilee of King George V.
3. The telephone box is not listed. It is considered to be a non-designated heritage asset. The site is within the Fleet Street Conservation Area. It is within the setting of numbers 18 and 21 Fleet Street which are grade II listed.

Proposal

4. Planning permission is sought to convert the telephone box into a retail unit (Use Class A1) that could sell pre-packed cold drinks, ice cream or hot beverages.
5. The existing telephone and associated equipment would be removed. A self-contained modular unit would be inserted into the telephone box. It would fill the box and it would contain a coffee/ice cream machine, a counter, storage units, power supply, refuse storage, a drop down seat (staff use only) and swivel out basin.
6. The modular unit would not be fixed in position. It would have retractable wheels that would enable it to be wheeled into and out of the telephone box as and when required.
7. During operational hours the door to the telephone box would remain open in order to enable access to the modular unit. A member of staff would stand outside the telephone box and serve customers.
8. Stock would be delivered to the site by bicycle or on foot in pedestrianised areas and by a car or small van in non-pedestrianised area. The applicant has advised that small stock levels are required.
9. The existing glazing would be replaced with toughened safety glass to match existing. A lock would be fitted to the door for security purposes.

Consultations

10. The application has been publicised on site and in the press.
11. The views of other City of London departments have been taken into account in the consideration of this development scheme.
12. One letter of representation has been received from a resident of 21 Fleet Street querying whether the use would be liable for business rates. The City of London's Business Rates department have confirmed that the converted telephone boxes would be liable for business rates.
13. Historic England, formerly English Heritage states that the application should be determined in accordance with national and local policy guidance and on the basis of the City's specialist conservation advice.

14. The City of London Conservation Area Advisory Committee support the City's policy of seeking to reduce street clutter and objected to the proposal considering it to be detrimental to the street scene within this setting and to the conservation area by virtue of the increased advertising and the solidification which would destroy the unique character of the telephone box. This particular change would involve the telephone box door being permanently open to the detriment of the conservation area.
15. The City of London's Licensing Manager has expressed concerns about the proposal given that it would involve a person standing on the street selling goods. The applicant has been advised of the comments from the Licensing Manager which note that "Section 15 of the City of London (Various Powers) Act 1987 creates an offence of street trading ('the selling or exposing or offering for sale of any article or thing in a street') contrary to Part III of that Act. In order to comply with Part III a street trader would either have to trade on a Sunday in a particular location in a defined area of Middlesex Street or obtain a temporary license for a maximum period of 21 days...there are currently no circumstances that would permit the sale of refreshments on the street on a permanent basis anywhere in the City of London other than in Middlesex Street on a Sunday". Notwithstanding this advice the applicant has requested that the planning application is determined.

Policy Context

16. The development plan consists of the London Plan, and the City of London Local Plan. The London Plan and Local Plan policies that are most relevant to the consideration of this case are set out in Appendix A to this report.
17. Government Guidance is contained in the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (PPG).

Considerations

18. The Corporation in determining the planning application has the following main statutory duties to perform:-
 - To have regard to the provisions of the development plan, so far as material to the application, to local finance considerations so far as material to the application, and to any other material considerations (Section 70 (2) Town & Country Planning Act 1990);
 - To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004);

- In considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its settings or any features of special architectural or historic interest which it possesses. (S66 (1) Planning (Listed Building and Conservation Areas) Act 1990)
 - When considering the application special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area (S72 (1) Planning (Listed Buildings and Conservation Areas) Act 1990).
19. In considering the planning application before you, account has to be taken of the statutory and policy framework, the documentation accompanying the application, and the views of both statutory and non-statutory consultees.
 20. Chapter 12 of the NPPF is relevant in this instance as it sets out key policy considerations for applications relating to designated and non-designated heritage assets. Other relevant guidance is provided by Historic England including the documents Conservation Principles, and The Setting of Heritage Assets. Building in Context (EH/CABE) and the PPS5 Practice Guide in respect of the setting of heritage assets.
 21. Considerable importance and weight should be given to the desirability of preserving or enhancing the character or appearance of a conservation area and the setting of a listed building, when carrying out any balancing exercise in which harm to the significance of conservation areas and the setting of listed buildings is to be weighed against public benefits. A finding that harm would be caused to a conservation area or the setting of a listed building gives rise to a strong presumption against planning permission being granted.
 22. It is necessary to assess all of the policies and proposals in the Development Plan and to come to a view as to whether in the light of the whole plan the proposal does or does not accord with it.
 23. The principal issues in considering this planning application are:
 - The extent to which the proposal complies with Government policy advice (NPPF) and the relevant policies of the Development Plan, having particular regard to:
 - The acceptability of the proposed alterations in design and heritage terms.
 - The suitability of the site to accommodate the proposed retail unit.

The Acceptability of the Proposal in Design and Heritage Terms

24. Policy DM12.2 of the Local Plan states that development in conservation areas will only be permitted if it preserves and enhances the character or appearance of the conservation area. Policy DM12.1 seeks to ensure that the significance of heritage assets is sustained. Policy DM10.1 encourages a high standard of design in development proposals. Policy 7.8 of the London Plan seeks to ensure that development affecting heritage assets and their setting should conserve their significance by being sympathetic to their form, scale, materials and architectural detail. Chapters 7 and 12 of the NPPF set out relevant design and heritage policies.
25. Consideration needs to be given to the impact that the proposal would have on significance of the Fleet Street Conservation Area and numbers 18 and 21 Fleet Street as designated heritage assets. The non-listed K6 telephone boxes are considered to be non-designated heritage assets for their evidential, historical and aesthetic value. They are of an iconic design, an archetypical element of British street furniture and represent a formerly commonplace means of communication.
26. The presence of the telephone box in its current form is complementary to the surrounding Fleet Street Conservation Area. The kiosk is within the immediate setting of the grade II listed numbers 18 and 21 Fleet Street. No. 21 Fleet Street was formerly the London and Provincial Law Life Assurance. Built in 1853 to designs by John Shaw Junior (who designed other buildings on the street), it has understated Classical details with French influences. No. 18 is the former Goslings bank, built c.1898 to designs by AC Blomfield reminiscent of Child's bank further down the street. It is a good neoclassical composition that complements No. 21 in materials and general theme. Their smart and dignified street frontages are enhanced by the K6 telephone box opposite.
27. A key characteristic of the K6 telephone boxes is their 8 by 3 pattern of glazing which allow light and transparency to the structure, and is in keeping with the "moderne" aesthetics of the 1930s. The proposed replacement glazing would match existing and the insertion of a locking system would not materially alter the appearance of the telephone box. Further details of the external alterations and a sample of the glazing could be required by condition.
28. The removal of the internal telephone equipment would be regrettable aesthetically as it is visible through the predominantly glazed exterior of the telephone box and defines its main use. The proposed modular unit would fill the telephone box. It is considered that this internal alteration would have a material impact on the external appearance of the telephone box. It would result in solidification to the appearance of the K6 to the detriment of its aesthetic character. The submitted visuals indicate that the modular unit would display advertising material which would be visible through the glazing but would not be controllable under the advertisement regulations.

29. The proposed use would require the door to be open permanently during operational hours, changing the visual form, character and footprint of the iconic K6s which would detract from its aesthetic qualities as a heritage asset.
30. The proposed retail activity would not be contained within the telephone box. It would spill out on to the street. A member of staff would stand on the highway to sell the products, people would queue on the highway to buy the products and refuse would be placed on the highway at the end of the day.
31. The proposed retail use and its associated paraphernalia would detract from the significance of the telephone boxes as a non-designated asset. The result visual clutter and solidification of the telephone boxes would detract from the visual amenity of the locality and result in some less than substantial harm to the significance of this part of the Fleet Street Conservation Area and the setting of numbers 18 and 21 Fleet Street as designated heritage assets. The proposals would diminish the quality of the setting of these listed buildings. Fleet Street is an important street within the Conservation Area as it is part of the processional route from Westminster into the City of London.
32. Consideration has been given to paragraph 134 of the NPPF. It is not considered that the less than substantial harm to the conservation area and the setting of the listed buildings would be outweighed by the public benefits of the proposal. The proposals would therefore be contrary to policies DM 12.2, DM12.1 and DM10.1 of the Local Plan, policy 7.8 of the London Plan and the aims of chapters 7 and 12 of the NPPF.

The Suitability of the Site to Accommodate the Proposed Retail Unit

33. Policy CS10 of the Local Plan seeks to focus new retail development on the Principal Shopping Centres and encourage movements between the principal Shopping Centres by enhancing the retail environment in the retail links. The site is within the Fleet Street Principal Shopping Centre. Notwithstanding, the introduction of a retail use on the highway would not necessarily be supported.
34. The telephone box is sited on public highway. Policy DM10.4 of the Local Plan encourages the enhancement of highways, the public realm and other spaces. It states that enhancement schemes should be of a high standard of design, having regard to following matters of relevance to the determination of this application:
 - Connections between spaces and the provision of pleasant walking routes;
 - The need to provide accessible and inclusive design, ensuring that streets and walkways remain uncluttered;
 - The need for pedestrian priority and enhanced permeability.

35. Policy CS16 of the Local Plan aims to improve conditions for safe and convenient walking. London Plan Policy 6.10B states that development proposals should ensure high quality pedestrian environments. London Plan policy 7.5B advises that street furniture and infrastructure should be of the highest quality, maintain uncluttered spaces and should contribute to easy movement of people through space.
36. The City's streets currently have a high level of footfall particularly during peak hours. Fleet Street is a main thoroughfare linking the City with Westminster and it provides access to the Temples. A report was presented to the Planning and Transportation Committee on the 13th January 2015 regarding items on the highway (A boards, bike racks etc.). The report noted that the City is expecting a significant increase in commuters, shoppers and visitors. The current daily population of users of the City is estimated to be around 330,000 people and with the growth of the 'Eastern Cluster' office developments, the construction of Crossrail, Bank upgrade and the Thameslink upgrade the City's daily population is predicted to rise to well over 400,000 in the next ten years. This could result in the streets becoming even busier. The London Plan reinforces the importance of planning for growth (e.g. "Context and Strategy" paragraph 1.47).
37. Fleet Street is an important route from the City to the West End. It provides access to the Temples and the Royal Courts of Justice. Fleet Street currently has high levels of footfall during morning and evening peak commuter periods and during the lunchtime periods as office workers frequent the shops and cafes located with the Fleet Street Principal Shopping Centre. Fleet Street includes a number of bus routes and stops and the City Thameslink rail station is located in close proximity on Ludgate Hill. The public transport infrastructure reinforces the pedestrian movement patterns during morning and evening periods and increases the pressure on the streets in terms of waiting passengers and bus stop infrastructure.
38. The proposed retail use would spill onto the highway and would result in obstruction and clutter, and it would further detract from the permeability of the locality. During operational hours the door to the telephone box would remain open and project over the highway. A member of staff would stand on the highway to serve customers. The drop down seat and sink would additionally project over the highway when in use. Customers would stand and potentially queue on the highway whilst waiting to be served. There is concern that the activity has the potential to reduce the pavement width to such an extent that it would make it difficult for wheelchair users to pass.
39. There is additional concern about the inadequacy of the proposed refuse storage arrangements which have the potential to cause further obstruction of the highway. Policy DM17.1 of the Local Plan encourages the provision of integrated waste storage facilities in new developments in order to avoid the need to place waste on the public highway. The modular unit would provide a waste cupboard. Waste would be collected on a daily schedule by a pre-paid sac collection

service. There is concern that the proposed waste cupboards would be unable to accommodate a standard refuse sack. The applicant has not provided any information to demonstrate that a waste sack could be satisfactorily accommodated or demonstrated that the frequency and timings of collections would be sufficient to prevent the need for waste to be deposited on the highway.

40. The Waste and Amenity Manager expressed concern that the proposed use could give rise to spillages and staining on the highway. The City Corporation would then be obligated to provide additional street cleansing to these areas at additional cost.
41. The clutter and highway obstruction that the proposed use would generate would detract from the public realm and pedestrian permeability contrary to the aims of policies DM10.4 and DM17.1 of the Local Plan and policies 6.10B and 7.5B of the London Plan.
42. The introduction of such activity on the highway would be contrary to the aims of the Enhancement Team and their emerging policy to enable the safe management of footpaths and the street environment as set out in the report to Planning and Transportation Committee on the 13th January 2015. It could also potentially amount to an unacceptable change of use of the highway land proposed to be used as ancillary to the retail area.
43. Ease of pedestrian movement and the enhancement of the public realm is a priority for the City. It may be preferable for any non-listed telephone boxes that are no longer required for telecommunication purposes to be removed from the highway. While they are considered to be non-designated heritage assets a balanced judgement would need to be made of their historic significance relative to the positive impact of freeing up additional much needed highway space. The telephone boxes that are of special architectural and historic interest have been listed. There are 18 listed telephone kiosks across the City (12 K2s and 6 K6s).

Conclusion

44. The K6 telephone box is a non-designated heritage asset. It is considered that the proposed retail use and its associated paraphernalia would alter the form of the K6 telephone box which would detract from the significance of the telephone boxes as a non-designated heritage asset and would result in some less than substantial harm to the significance of this part of the Fleet Street Conservation Area and the setting of the grade II listed numbers 18 and 21 Fleet Street as designated heritage assets.

45. Within the City it is projected that footfall will increase further over the next 10 years with the completion of developments such as Crossrail and the growth of the 'Eastern Cluster'. The enhancement of the public realm and pedestrian permeability is a priority for the City. The proposed conversion of the telephone box would obstruct the highway to an unacceptable degree. It has not been demonstrated that satisfactory refuse storage arrangements would be provided which may result in the need for refuse to be placed on the highway.
46. For these reasons the proposal is considered to be contrary to policies DM17.1, DM 12.2, DM12.1, DM10.1 and DM10.4 of the Local Plan, policies 6.10B, 7.5B and 7.8 of the London Plan and the aims of chapters 7 and 12 of the NPPF.

Background Papers

Internal

25.03.2015 Email Department of Markets and Consumer Protection

External

Design and Access/Heritage Statement

Details of Replacement Glazing to BT Telephone Boxes

Toughened Glass Specification

Visual of converted telephone box

Existing drawing number: 9232-19.2 PL01

24.03.2015 Letter English Heritage (now Historic England)

29.03.2015 Email Philip Witriol

07.04.2015 Letter City of London Conservation Area Advisory Committee

08.04.2015 Email Miles Broe Architects

14.05.2015 Email Miles Broe Architects

Appendix A

London Plan Policies

Policy 6.10 Development proposals should ensure high quality pedestrian environments and emphasise the quality of the pedestrian and street space.

Policy 7.5 Development should make the public realm comprehensible at a human scale. Landscape treatment, street furniture and infrastructure should be of the highest quality, have a clear purpose, maintain uncluttered spaces and should contribute to the easy movement of people through the space.

Policy 7.8 Development should identify value, conserve, restore, re-use and incorporate heritage assets, conserve the significance of heritage assets and their settings and make provision for the protection of archaeological resources, landscapes and significant memorials.

Relevant Local Plan Policies

DM12.2 Development in conservation areas

1. Development in conservation areas will only be permitted if it preserves and enhances the character or appearance of the conservation area.
2. The loss of heritage assets that make a positive contribution to the character or appearance of a conservation area will be resisted.
3. Where permission is granted for the demolition of a building in a conservation area, conditions will be imposed preventing demolition commencing prior to the approval of detailed plans of any replacement building, and ensuring that the developer has secured the implementation of the construction of the replacement building.

DM12.1 Change affecting heritage assets

1. To sustain and enhance heritage assets, their settings and significance.
2. Development proposals, including proposals for telecommunications infrastructure, that have an effect upon heritage assets, including their settings, should be accompanied by supporting information to assess and evaluate the significance of heritage assets and the degree of impact caused by the development.
3. The loss of routes and spaces that contribute to the character and historic interest of the City will be resisted.

4. Development will be required to respect the significance, character, scale and amenities of surrounding heritage assets and spaces and their settings.
5. Proposals for sustainable development, including the incorporation of climate change adaptation measures, must be sensitive to heritage assets.

DM10.1 New development

To require all developments, including alterations and extensions to existing buildings, to be of a high standard of design and to avoid harm to the townscape and public realm, by ensuring that:

- a) the bulk and massing of schemes are appropriate in relation to their surroundings and have due regard to the general scale, height, building lines, character, historic interest and significance, urban grain and materials of the locality and relate well to the character of streets, squares, lanes, alleys and passageways;
- b) all development is of a high standard of design and architectural detail with elevations that have an appropriate depth and quality of modelling;
- c) appropriate, high quality and durable materials are used;
- d) the design and materials avoid unacceptable wind impacts at street level or intrusive solar glare impacts on the surrounding townscape and public realm;
- e) development has attractive and visually interesting street level elevations, providing active frontages wherever possible to maintain or enhance the vitality of the City's streets;
- f) the design of the roof is visually integrated into the overall design of the building when seen from both street level views and higher level viewpoints;
- g) plant and building services equipment are fully screened from view and integrated in to the design of the building. Installations that would adversely affect the character, appearance or amenities of the buildings or area will be resisted;
- h) servicing entrances are designed to minimise their effects on the appearance of the building and street scene and are fully integrated into the building's design;
- i) there is provision of appropriate hard and soft landscaping, including appropriate boundary treatments;
- j) the external illumination of buildings is carefully designed to ensure visual sensitivity, minimal energy use and light pollution, and the discreet integration of light fittings into the building design;
- k) there is provision of amenity space, where appropriate;
- l) there is the highest standard of accessible and inclusive design.

DM17.1 Provision for waste

1. Waste facilities must be integrated into the design of buildings, wherever feasible, and allow for the separate storage and collection of recyclable materials, including compostable material.
2. On-site waste management, through techniques such as recycle sorting or energy recovery, which minimises the need for waste transfer, should be incorporated wherever possible.

DM10.4 Environmental enhancement

The City Corporation will work in partnership with developers, Transport for London and other organisations to design and implement schemes for the enhancement of highways, the public realm and other spaces. Enhancement schemes should be of a high standard of design, sustainability, surface treatment and landscaping, having regard to:

- a) the predominant use of the space, surrounding buildings and adjacent spaces;
- b) connections between spaces and the provision of pleasant walking routes;
- c) the use of natural materials, avoiding an excessive range and harmonising with the surroundings of the scheme and materials used throughout the City;
- d) the inclusion of trees and soft landscaping and the promotion of biodiversity, where feasible linking up existing green spaces and routes to provide green corridors;
- e) the City's heritage, retaining and identifying features that contribute positively to the character and appearance of the City;
- f) sustainable drainage, where feasible, co-ordinating the design with adjacent buildings in order to implement rainwater recycling;
- g) the need to provide accessible and inclusive design, ensuring that streets and walkways remain uncluttered;
- h) the need for pedestrian priority and enhanced permeability, minimising the conflict between pedestrians and cyclists;
- i) the need to resist the loss of routes and spaces that enhance the City's function, character and historic interest;
- j) the use of high quality street furniture to enhance and delineate the public realm;
- k) lighting which should be sensitively co-ordinated with the design of the scheme.

SCHEDULE

APPLICATION: 15/00041/FULL

1 No. BT Telephone Kiosk O/s 21 Fleet Street London

**Change of use of 1 no. BT telephone box to 1 no. retail kiosk (A1).
Replacement of the existing telephone box glazing with toughened safety glass.**

REASONS FOR REFUSAL

- 1 The proposed conversion of the telephone box to a retail unit (Use Class A1) would detract from the significance of the K6 telephone box and would result in less than substantial harm to part of the Fleet Street Conservation Area and the setting of the grade II listed 18 and 21 Fleet Street. The scheme would obstruct the public highway and would detract from the public realm contrary to policies DM17.1, DM12.2, DM12.1, DM10.1 and DM10.4 of the Local Plan and policies 6.10B, 7.5B and 7.8 of the London Plan.

INFORMATIVES

- 1 In dealing with this application the City has implemented the requirements of the National Planning Policy Framework to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in dealing with planning applications in the following ways:

detailed advice in the form of statutory policies in the Local Plan, Supplementary Planning documents, and other written guidance has been made available;

a full pre application advice service has been offered;

where appropriate the City has been available to provide guidance on how outstanding planning concerns may be addressed.

However, notwithstanding the above, it has not been possible to achieve solutions to the problems as the proposals are contrary to planning policies, do not demonstrate other over-riding material considerations, and negotiations could not overcome the problems.

- 2 The Plans and Particulars accompanying this application are: 9232-19.2 PL01 rev. A; 9232-19 PL03.

Hassall, Pam

From: PLN - Comments
Sent: 29 March 2015 11:11
To: PLN - Comments
Subject: Comments for Planning Application 15/00041/FULL

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 11:10 AM on 29 Mar 2015 from Mr phillp wltriol.

Application Summary

Address: 1 No. BT Telephone Kiosk O/s 21 Fleet Street London EC4Y 1AA

Proposal: Change of use of 1 no. BT telephone box to 1 no. retail kiosk (A1). Replacement of the existing telephone box glazing with toughened safety glass.

Case Officer: Gemma Delves

[Click for further information](#)

Customer Details

Name: Mr phillp wltriol

Email:

Address: 45a stanford road london

Comments Details

Commenter Type: Member of the Public

Stance: Customer made comments neither objecting to or supporting the Planning Application

Reasons for comment: - Residential Amenity

Comments: Would they pay Business rates etc to use the kiosk?



Committee:	Date:
Planning and Transportation	2 June 2015
Subject: 1 No. BT Telephone Kiosk O/s Bank Buildings 8 Lothbury London EC2R 7HH Change of use of 1no. BT telephone box to 1no. retail kiosk (A1). Replacement of the existing telephone box glazing with toughened safety glass.	Public
Ward: Walbrook	For Decision
Registered No: 15/00042/FULL	Registered on: 6 March 2015
Conservation Area: Bank	Listed Building: No

Summary

The application relates to one K6 telephone box that is located on the south side of Lothbury, east of its junction with Old Jewry and opposite its junction with Coleman Street.

The K6 is a public telephone box that was designed by Sir Giles Gilbert Scott in 1935 to commemorate the silver jubilee of King George V.

The site is within the Bank Conservation Area. The telephone box is not listed. It is considered to be a non-designated heritage asset.

Planning permission is sought to convert the telephone box into a retail unit (Use Class A1). The telephone equipment would be removed. A self-contained modular unit would be inserted into the telephone box. It would fill the telephone box and would contain a coffee/ice cream machine, a counter, storage units, power supply, refuse storage, a drop down seat (staff use only) and swivel out basin. The modular unit would have retractable wheels that would enable it to be wheeled into and out of the telephone box as and when required.

The existing glazing would be replaced with toughened safety glass to match existing. A lock would be fitted to the door for security purposes. The external alterations are considered to be acceptable subject to the submission of further design details.

During operational hours the door to the telephone box would remain open in order to enable access to the modular unit. A member of staff would stand outside the telephone box and serve customers. Customers would stand and queue on the highway. Details of adequate refuse storage arrangements have not been provided.

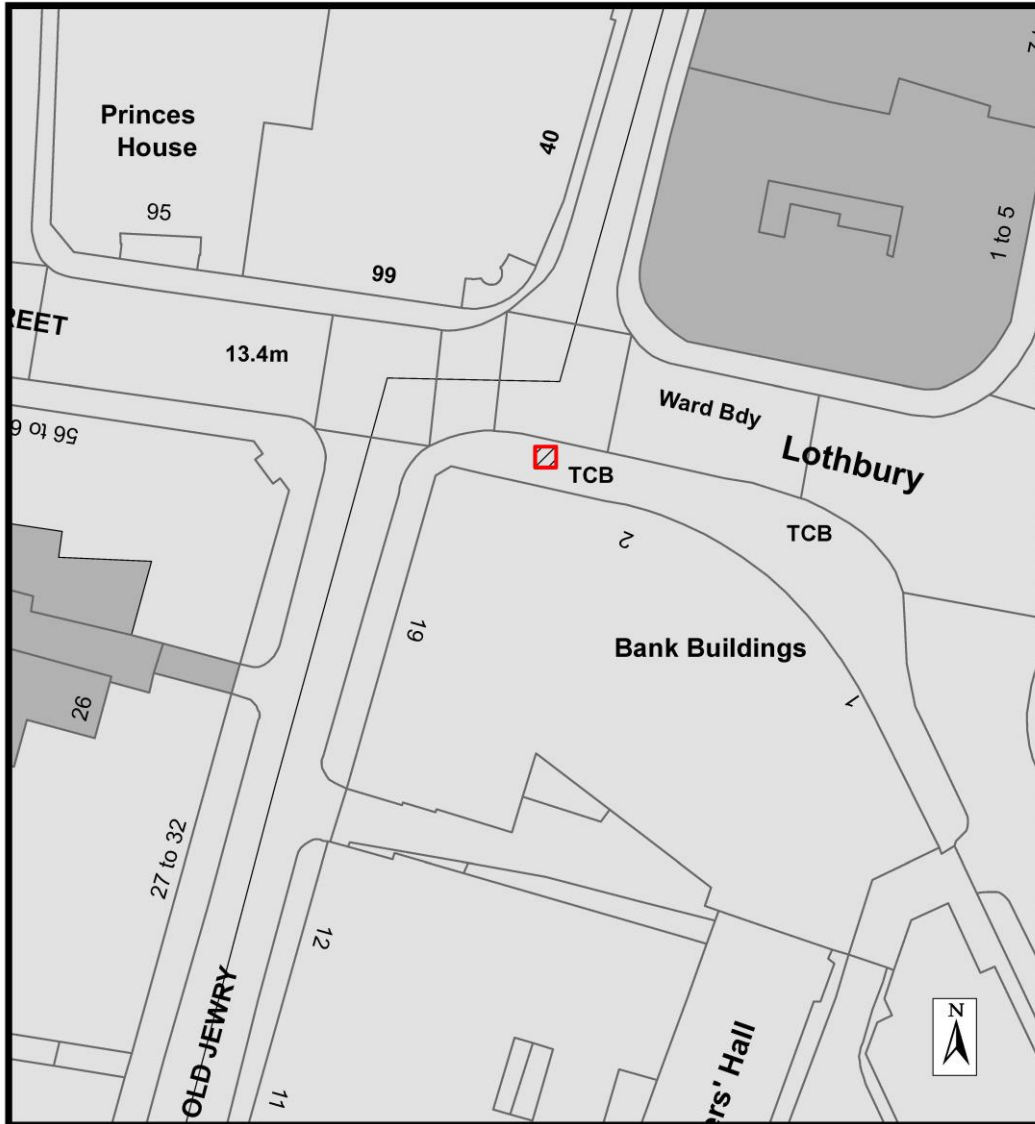
It is considered that the proposed use, its associated paraphernalia and the extent to which it would spill onto the highway would detract from the significance of the telephone box as a non-designated heritage asset and would result in some less than substantial harm to this part of the Bank Conservation Area.

The City's streets have high levels of footfall. It is anticipated that footfall will increase over the next ten years. Increased pedestrian permeability and enhancement of the public realm is a priority for the City. The proposed use would obstruct the highway to an unacceptable degree.

Recommendation

That the application be refused for the reasons set out in the attached schedule.

Site Location Plan



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ADDRESS:
Outside Bank Buildings, 8 Lothbury

CASE No.
15/00042/FULL

-  **SITE LOCATION**
-  **LISTED BUILDINGS**
-  **CONSERVATION AREA BOUNDARY**



DEPARTMENT OF THE BUILT ENVIRONMENT



Looking south east along Lothbury



Looking west along Lothbury

Case No. 15/00042/FULL

Main Report

Site

1. The application relates to one K6 telephone box that is located on the south side of Lothbury, east of its junction with Old Jewry and opposite its junction with Coleman Street.
2. The K6 is a public telephone box that was designed by Sir Giles Gilbert Scott in 1935 to commemorate the silver jubilee of King George V.
3. The telephone box is not listed. It is considered to be a non-designated heritage asset. The site is within the Bank Conservation Area. The grade II listed 3–4 Lothbury is to the north east of the site and the grade I listed Bank of England is to the east of the site.

Proposal

4. Planning permission is sought to convert the telephone box into a retail unit (Use Class A1) that could sell pre-packed cold drinks, ice cream or hot beverages.
5. The existing telephone and associated equipment would be removed. A self-contained modular unit would be inserted into the telephone box. Its footprint would fill the box and it would contain a coffee/ice cream machine, a counter, storage units, power supply, refuse storage, a drop down seat (staff use only) and swivel out basin.
6. The modular unit would not be fixed in position. It would have retractable wheels that would enable it to be wheeled into and out of the telephone box as and when required.
7. During operational hours the door to the telephone box would remain open in order to enable access to the modular unit. A member of staff would stand outside the telephone box and serve customers.
8. Stock would be delivered to the site by bicycle or on foot in pedestrianised areas and by a car or small van in non-pedestrianised area. The applicant has advised that small stock levels are required.
9. The existing glazing would be replaced with toughened safety glass to match existing. A lock would be fitted to the door for security purposes.

Consultations

10. The application has been publicised on site and in the press.
11. The views of other City of London departments have been taken into account in the consideration of this scheme.
12. Historic England, formerly English Heritage states that the application should be determined in accordance with national and local policy guidance and on the basis of the City's specialist conservation advice.
13. The City of London Conservation Area Advisory Committee support the City's policy of seeking to reduce street clutter and objected to the proposal considering it to be detrimental to the street scene within this setting and to the conservation area by virtue of the increased

advertising and the solidification which would destroy the unique character of the telephone box. This particular change would involve the telephone box door being permanently open to the detriment of the conservation area.

14. The City of London's Licensing Manager has expressed concerns about the proposal given that it would involve a person standing on the street selling goods. The applicant has been advised of the comments from the Licensing Manager which note that "Section 15 of the City of London (Various Powers) Act 1987 creates an offence of street trading ('the selling or exposing or offering for sale of any article or thing in a street') contrary to Part III of that Act. In order to comply with Part III a street trader would either have to trade on a Sunday in a particular location in a defined area of Middlesex Street or obtain a temporary license for a maximum period of 21 days...there are currently no circumstances that would permit the sale of refreshments on the street on a permanent basis anywhere in the City of London other than in Middlesex Street on a Sunday". Notwithstanding this advice the applicant has requested that the planning application is determined.

Policy Context

15. The development plan consists of the London Plan, and the City of London Local Plan. The London Plan and Local Plan policies that are most relevant to the consideration of this case are set out in Appendix A to this report.
16. Government Guidance is contained in the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (PPG).

Considerations

17. The Corporation in determining the planning application has the following main statutory duties to perform:-
 - To have regard to the provisions of the development plan, so far as material to the application, to local finance considerations so far as material to the application, and to any other material considerations (Section 70 (2) Town & Country Planning Act 1990);
 - To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004);
 - In considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its settings or any features of special architectural or historic interest which it possesses. (S66 (1) Planning (Listed Building and Conservation Areas) Act 1990)

- When considering the applications special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area (S72 (1) Planning (Listed Buildings and Conservation Areas) Act1990).
18. In considering the planning application before you, account has to be taken of the statutory and policy framework, the documentation accompanying the application, and the views of both statutory and non-statutory consultees.
 19. Chapter 12 of the NPPF is relevant in this instance as it sets out key policy considerations for applications relating to designated and non-designated heritage assets. Other relevant guidance is provided by Historic England including the documents Conservation Principles, and The Setting of Heritage Assets. Building in Context (HE/CABE) and the PPS5 Practice Guide in respect of the setting of heritage assets.
 20. Considerable importance and weight should be given to the desirability of preserving or enhancing the character or appearance of a conservation area and the setting of a listed building, when carrying out any balancing exercise in which harm to the significance of conservation areas or the setting of listed buildings is to be weighed against public benefits. A finding that harm would be caused to a conservation area or the setting of a listed building gives rise to a strong presumption against planning permission being granted.
 21. It is necessary to assess all of the policies and proposals in the Development Plan and to come to a view as to whether in the light of the whole plan the proposal does or does not accord with it.
 22. The principal issues in considering this planning application are:
 - The extent to which the proposal complies with Government policy advice (NPPF) and the relevant policies of the Development Plan, having particular regard to:
 - The acceptability of the proposed alterations in design and heritage terms.
 - The suitability of the site to accommodate the proposed retail unit.

The Acceptability of the Proposal in Design and Heritage Terms

23. Policy DM12.2 of the Local Plan states that development in conservation areas will only be permitted if it preserves and enhances the character or appearance of the conservation area. Policy DM12.1 seeks to ensure that the significance of heritage assets is sustained. Policy DM10.1 encourages a high standard of design in development proposals. Policy 7.8 of the London Plan seeks to ensure that development affecting heritage assets and their setting should conserve their significance by being sympathetic to their form, scale, materials and architectural detail. Chapters 7 and 12 of the NPPF set out relevant design and heritage policies.

24. Consideration needs to be given to the impact that the proposal would have on significance of the Bank Conservation Area as a designated heritage asset. The non-listed K6 telephone boxes are considered to be non-designated heritage assets for their evidential, historical and aesthetic value. They are of an iconic design, an archetypical element of British street furniture and represent a formerly commonplace means of communication. The presence of the telephone box in its current form is complementary to the surrounding Bank Conservation Area.
25. The K6 kiosk lies within the wider setting two listed buildings. Grade II listed 3-4 Lothbury lies across the road to the north and grade I listed Bank of England lies to the east, across the other side of the junction with Prince's Street. As the kiosk is some distance from both listed buildings and separated by busy carriageways, the immediate setting of these listed buildings is not considered to be affected by the proposals.
26. A key characteristic of the K6 telephone boxes is their 8 by 3 pattern of glazing which allow light and transparency to the structure, and is in keeping with the "moderne" aesthetics of the 1930s. The proposed replacement glazing would match the existing and the insertion of a locking system would not materially alter the appearance of the telephone box. Further details of the external alterations and a sample of the glazing could be required by condition.
27. The removal of the internal telephone equipment would be regrettable aesthetically as it is visible through the predominantly glazed exterior of the telephone box and defines its main use. The proposed modular unit would fill the telephone box. It is considered that this internal alteration would have a material impact on the external appearance of the telephone box. It would result in solidification to the appearance of the K6 to the detriment of its aesthetic character. The submitted visuals indicate that the modular unit would display advertising material which would be visible through the glazing but would not be controllable under the advertisement regulations.
28. The proposed use would require the door to be open permanently during operational hours, changing the visual form, character and footprint of the iconic K6 which would detract from its aesthetic qualities as a heritage asset.
29. The proposed retail activity would not be contained within the telephone box. It would spill out on to the street. A member of staff would stand on the highway to sell the products and people would queue on the highway to buy the products.
30. The proposed retail use and its associated paraphernalia would detract from the significance of the telephone boxes as a non-designated asset. The resultant visual clutter and solidification of the telephone boxes would detract from the visual amenity of the locality and result in some less than substantial harm to the significance of this part of the Bank Conservation Area as a designated heritage asset. The Bank Conservation Area Character Summary and Management Strategy

SPD notes that the quality of the public realm in the conservation area is high, reflecting the high status and historic nature of the area.

31. Consideration has been given to paragraph 134 of the NPPF. It is not considered that the less than substantial harm to the conservation area would be outweighed by the public benefits of the proposal. The proposals would therefore be contrary to policies DM 12.2, DM12.1 and DM10.1 of the Local Plan, policy 7.8 of the London Plan and the aims of chapters 7 and 12 of the NPPF.

The Suitability of the Site to Accommodate the Proposed Retail Unit

32. Policy CS10 of the Local Plan seeks to focus new retail development on the Principal Shopping Centres and encourage movements between the principal Shopping Centres by enhancing the retail environment in the retail links. The site is not within a Principal Shopping Centre or along a Retail Link as defined by the Local Plan.
33. Policy DM10.4 of the Local Plan encourages the enhancement of highways, the public realm and other spaces. It states that enhancement schemes should be of a high standard of design, having regard to following matters of relevance to the determination of this application:
 - Connections between spaces and the provision of pleasant walking routes;
 - The need to provide accessible and inclusive design, ensuring that streets and walkways remain uncluttered;
 - The need for pedestrian priority and enhanced permeability.
34. Policy CS16 of the Local Plan aims to improve conditions for safe and convenient walking. London Plan Policy 6.10B states that development proposals should ensure high quality pedestrian environments. London Plan policy 7.5B advises that street furniture and infrastructure should be of the highest quality, maintain uncluttered spaces and should contribute to easy movement of people through space.
35. The City's streets currently have a high level of footfall particularly during peak hours. A report was presented to the Planning and Transportation Committee on the 13th January 2015 regarding items on the highway (A boards, bike racks etc.). The report noted that the City is expecting a significant increase in commuters, shoppers and visitors. The current daily population of users of the City is estimated to be around 330,000 people and with the growth of the 'Eastern Cluster' office developments, the construction of Crossrail, Bank upgrade and the Thameslink upgrade the City's daily population is predicted to rise to well over 400,000 in the next ten years. This could result in the streets becoming even busier. The London Plan reinforces the importance of planning for growth (e.g. "Context and Strategy" paragraph 1.47).

36. The application site is in close proximity to Bank station. The area has high levels of footfall particularly during commuter and lunchtime periods. The site forms part of the route from Bank Station to Moorgate. Environmental Enhancement schemes have taken place in the locality at 1 Lothbury and 60 Gresham Street in order to widen the footways, reduce clutter and improve the pedestrian environment in the locality.
37. The existing telephone box already forms a pinch point on the footway. The proposed retail use would spill onto the highway to such a degree that it would result in obstruction and clutter, and it would detract from the permeability of the locality particularly the enhancement schemes that have been carried out in the area. During operational hours the door to the telephone box would remain open and project over the highway. A member of staff would stand on the highway to serve customers. The drop down seat and sink would additionally project over the highway when in use. Customers would stand and potentially queue on the highway whilst waiting to be served. There is concern that the activity has the potential to reduce the pavement width to such an extent that it would make it difficult for wheelchair users to pass.
38. There is additional concern about the inadequacy of the proposed refuse storage arrangements which have the potential to cause further obstruction of the highway. Policy DM17.1 of the Local Plan encourages the provision of integrated waste storage facilities in new developments in order to avoid the need to place waste on the public highway. The modular unit would provide a waste cupboard. Waste would be collected on a daily schedule by a pre-paid sac collection service. There is concern that the proposed waste cupboards would be unable to accommodate a standard refuse sack. The applicant has not provided any information to demonstrate that a waste sack could be satisfactorily accommodated or demonstrated that the frequency and timings of collections would be sufficient to prevent the need for waste to be deposited on the highway.
39. The Waste and Amenity Manager expressed concern that the proposed use could give rise to spillages and staining on the highway. The City Corporation would then be obligated to provide additional street cleansing to these areas at additional cost.
40. The clutter and highway obstruction that the proposed use would generate would detract from the public realm and pedestrian permeability contrary to the aims of policies DM10.4 and DM17.1 of the Local Plan and policies 6.10B and 7.5B of the London Plan.
41. The introduction of such activity on the highway would be contrary to the aims of the Enhancement Team and their emerging policy to enable the safe management of footpaths and the street environment as set out in the report to Planning and Transportation Committee on the 13th January 2015. It could also potentially amount to an unacceptable change of use of the highway land proposed to be used as ancillary to the retail use.

42. Ease of pedestrian movement and the enhancement of the public realm is a priority for the City. It may be preferable for any non-listed telephone boxes that are no longer required for telecommunication purposes to be removed from the highway. While they are considered to be non-designated heritage assets a balanced judgement would need to be made of their historic significance relative to the positive impact of freeing up additional much needed highway space. The telephone boxes that are of special architectural and historic interest have been listed. There are 18 listed telephone kiosks across the City (12 K2s and 6 K6s).

Conclusion

43. The K6 telephone box is a non-designated heritage asset. It is considered that the proposed retail use and its associated paraphernalia would alter the form of the K6 telephone box which would detract from the significance of the telephone boxes as a non-designated heritage asset and would result in some less than substantial harm to the significance of this part of the Bank Conservation Area as a designated heritage asset.
44. Within the City it is projected that footfall will increase further over the next 10 years with the completion of developments such as Crossrail and the growth of the 'Eastern Cluster'. The enhancement of the public realm and pedestrian permeability is a priority for the City. The proposed conversion of the telephone box would obstruct the highway to an unacceptable degree. It has not been demonstrated that satisfactory refuse storage arrangements would be provided which may result in the need for refuse to be placed on the highway.
45. For these reasons the proposal is considered to be contrary to policies DM17.1, DM 12.2, DM12.1, DM10.1 and DM10.4 of the Local Plan, policies 6.10B, 7.5B and 7.8 of the London Plan and the aims of chapters 7 and 12 of the NPPF.

Background Papers

Internal

25.03.2015 Email Department of Markets and Consumer Protection

External

Design and Access/Heritage Statement

Details of Replacement Glazing to BT Telephone Boxes

Toughened Glass Specification

Visual of converted telephone box

Existing drawing number: 9232-19.3 PL01

24.03.2015 Letter English Heritage (now Historic England)

07.04.2015 Letter City of London Conservation Area Advisory Committee

08.04.2015 Email Miles Broe Architects

14.05.2015 Email Miles Broe Architects

Appendix A

London Plan Policies

Policy 6.10 Development proposals should ensure high quality pedestrian environments and emphasise the quality of the pedestrian and street space.

Policy 7.5 Development should make the public realm comprehensible at a human scale. Landscape treatment, street furniture and infrastructure should be of the highest quality, have a clear purpose, maintain uncluttered spaces and should contribute to the easy movement of people through the space.

Policy 7.8 Development should identify, value, conserve, restore, re-use and incorporate heritage assets, conserve the significance of heritage assets and their settings and make provision for the protection of archaeological resources, landscapes and significant memorials.

Relevant Local Plan Policies

DM12.2 Development in conservation areas

1. Development in conservation areas will only be permitted if it preserves and enhances the character or appearance of the conservation area.
2. The loss of heritage assets that make a positive contribution to the character or appearance of a conservation area will be resisted.
3. Where permission is granted for the demolition of a building in a conservation area, conditions will be imposed preventing demolition commencing prior to the approval of detailed plans of any replacement building, and ensuring that the developer has secured the implementation of the construction of the replacement building.

DM12.1 Change affecting heritage assets

1. To sustain and enhance heritage assets, their settings and significance.
2. Development proposals, including proposals for telecommunications infrastructure, that have an effect upon heritage assets, including their settings, should be accompanied by supporting information to assess and evaluate the significance of heritage assets and the degree of impact caused by the development.
3. The loss of routes and spaces that contribute to the character and historic interest of the City will be resisted.

4. Development will be required to respect the significance, character, scale and amenities of surrounding heritage assets and spaces and their settings.
5. Proposals for sustainable development, including the incorporation of climate change adaptation measures, must be sensitive to heritage assets.

DM10.1 New development

To require all developments, including alterations and extensions to existing buildings, to be of a high standard of design and to avoid harm to the townscape and public realm, by ensuring that:

- a) the bulk and massing of schemes are appropriate in relation to their surroundings and have due regard to the general scale, height, building lines, character, historic interest and significance, urban grain and materials of the locality and relate well to the character of streets, squares, lanes, alleys and passageways;
- b) all development is of a high standard of design and architectural detail with elevations that have an appropriate depth and quality of modelling;
- c) appropriate, high quality and durable materials are used;
- d) the design and materials avoid unacceptable wind impacts at street level or intrusive solar glare impacts on the surrounding townscape and public realm;
- e) development has attractive and visually interesting street level elevations, providing active frontages wherever possible to maintain or enhance the vitality of the City's streets;
- f) the design of the roof is visually integrated into the overall design of the building when seen from both street level views and higher level viewpoints;
- g) plant and building services equipment are fully screened from view and integrated in to the design of the building. Installations that would adversely affect the character, appearance or amenities of the buildings or area will be resisted;
- h) servicing entrances are designed to minimise their effects on the appearance of the building and street scene and are fully integrated into the building's design;
- i) there is provision of appropriate hard and soft landscaping, including appropriate boundary treatments;
- j) the external illumination of buildings is carefully designed to ensure visual sensitivity, minimal energy use and light pollution, and the discreet integration of light fittings into the building design;
- k) there is provision of amenity space, where appropriate;
- l) there is the highest standard of accessible and inclusive design.

DM17.1 Provision for waste

1. Waste facilities must be integrated into the design of buildings, wherever feasible, and allow for the separate storage and collection of recyclable materials, including compostable material.
2. On-site waste management, through techniques such as recycle sorting or energy recovery, which minimises the need for waste transfer, should be incorporated wherever possible.

DM10.4 Environmental enhancement

The City Corporation will work in partnership with developers, Transport for London and other organisations to design and implement schemes for the enhancement of highways, the public realm and other spaces. Enhancement schemes should be of a high standard of design, sustainability, surface treatment and landscaping, having regard to:

- a) the predominant use of the space, surrounding buildings and adjacent spaces;
- b) connections between spaces and the provision of pleasant walking routes;
- c) the use of natural materials, avoiding an excessive range and harmonising with the surroundings of the scheme and materials used throughout the City;
- d) the inclusion of trees and soft landscaping and the promotion of biodiversity, where feasible linking up existing green spaces and routes to provide green corridors;
- e) the City's heritage, retaining and identifying features that contribute positively to the character and appearance of the City;
- f) sustainable drainage, where feasible, co-ordinating the design with adjacent buildings in order to implement rainwater recycling;
- g) the need to provide accessible and inclusive design, ensuring that streets and walkways remain uncluttered;
- h) the need for pedestrian priority and enhanced permeability, minimising the conflict between pedestrians and cyclists;
- i) the need to resist the loss of routes and spaces that enhance the City's function, character and historic interest;
- j) the use of high quality street furniture to enhance and delineate the public realm;
- k) lighting which should be sensitively co-ordinated with the design of the scheme.

SCHEDULE

APPLICATION: **15/00042/FULL**

1 No. BT Telephone Kiosk O/s Bank Buildings 8 Lothbury

**Change of use of 1no. BT telephone box to 1no. retail kiosk (A1).
Replacement of the existing telephone box glazing with toughened safety glass.**

REASONS FOR REFUSAL

- 1 The proposed conversion of the telephone box to a retail unit (Use Class A1) would detract from the significance of the K6 telephone box and result in less than substantial harm to part of the Bank Conservation Area. The scheme would obstruct the highway and detract from the public realm contrary to policies DM17.1, DM12.2, DM12.1, DM10.1 and DM10.4 of the Local Plan and policies 6.10B, 7.5B and 7.8 of the London Plan.

INFORMATIVES

- 1 In dealing with this application the City has implemented the requirements of the National Planning Policy Framework to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in dealing with planning applications in the following ways:

detailed advice in the form of statutory policies in the Local Plan, Supplementary Planning documents, and other written guidance has been made available;

a full pre application advice service has been offered;

where appropriate the City has been available to provide guidance on how outstanding planning concerns may be addressed.

However, notwithstanding the above, it has not been possible to achieve solutions to the problems as the proposals are contrary to planning policies, do not demonstrate other over-riding material considerations, and negotiations could not overcome the problems.

- 2 The Plans and Particulars accompanying this application are: 9232-19.3 PL01 rev. A; 9232-19 PL03.

Committee(s):	Date(s):	
Planning and Transportation Committee	2 nd June 2015	
Subject: Rescission of City Walkway – Moorfields Highwalk – 21 Moorfields Redevelopment		
Report of: Director of Built Environment		Public For Decision
Ward (if appropriate): Coleman Street/Cripplegate		
<u>Executive Summary</u>		
<p>This report recommends the rescission of part of the existing city walkway known as Moorfields Highwalk and seeks authority to enter into Section 106 covenants to safeguard its re-provision. The walkway rescission is to enable the redevelopment of 21 Moorfields which was approved by your Committee on the 17 March 2015, subject to a Section 106 Agreement (Registered No. 14/01179/FULEIA).</p> <p>Recommendation</p> <p>I RECOMMEND THAT</p> <p>a) Members delegate to the City Planning Officer the authority to agree the final terms of the proposed Section 106 covenants relating to the re-provision of city walkway as part of the 21 Moorfields development</p> <p>b) subject to the Section 106 covenants referred to above and outlined under the “Section 106 Covenants” heading in this report, Members resolve to vary the resolution of the Court of Common Council dated 26th May 1977 to alter the city walkway known as Moorfields Highwalk so as to exclude the area shown cross hatched on the City Walkway Variation Drawing No. M000040-HB-010 (Appendix D to this report) in accordance with the resolution set out in Appendix C to this report.</p> <p>c) Members authorise the Director of the Built Environment to insert an appropriate date for the coming into force of the resolution at (b) above.</p> <p>d) Members note the proposed temporary closure under delegated authority prior to the City Walkway rescission coming into effect.</p>		

Main Report

Background

1. On 26th May 1977 the Court of Common Council resolved to declare as City Walkway all that way or place being above Moorgate Station bounded by Moorfields, Moor Lane, Fore Street and the former BP Development including

the stairs giving access from Moorfields and situated between the two escalators and the amp and stairs giving access from Fore Street Avenue and Moor Lane respectively but excluding the planting boxes and planting tubs on the piazza.

2. On the 17th March 2015 your Committee gave permission for the redevelopment of 21 Moorfields (Registered No 14/01179/FULEIA) which includes the provision of new high level city walkway to replace the existing one.

Current Position

3. The proposed changes to the city walkway and public realm are illustrated in the drawing attached at Appendix A. The existing city walkway to be rescinded is shown coloured purple, and the new replacement city walkway shown cross hatched black. There will be two new open areas both of which will be privately owned. The public square shown cross-hatched blue is to be kept open largely 24/7, and the new retail area shown cross-hatched red is intended to be kept open during office hours to provide access to the retail units, but subject to closure at the landowner's discretion.
4. Details of the city walkway proposals were detailed at paragraphs 80 to 91 of the report to your committee of 17 March 2015 regarding the 21 Moorfields planning application, and these are reproduced at Appendix B to this report. It was envisaged (see paragraph 90 of Appendix B) that the planning permission would be issued on the basis of an initial Section 106 Agreement, and that a subsequent supplemental Section 106 Agreement dealing with city walkway re-provision arrangements would be negotiated at a later stage and in connection with the city walkway rescission resolution.
5. However, the 21 Moorfields redevelopment programme proposes commencement of demolition in June 2015, and due to the complexities of the structure to be demolished the city walkway needs to be closed in order that demolition can proceed. Permanent city walkway closure could not be recommended without enforceable covenants for its re-provision being in place. Therefore, in order that the permission can be implemented promptly and demolition can commence to programme it is proposed to include the city walkway re-provision covenants in the initial Section 106 Agreement and seek authority for the city walkway rescission at this stage.

Proposals

6. The proposed variation of the city walkway will be implemented when the re-provision covenants in the Section 106 Agreement have been settled and entered into and officers are content that the provision of suitable replacement walkway has been secured, and that there is sufficient comfort that a temporary route through the site would be provided in the event of redevelopment stalling. It is hoped that this position will have been reached by the date of your committee meeting.
7. However, the city walkway rescission would not take effect for 28 days from the erection of the statutory site notice, which would delay commencement of

demolition. Therefore, subject to the city walkway re-provision covenants being in place and public notice having been given, it would be proposed to close the city walkway prior to the expiry of the 28 days' notice period under delegated powers to authorise temporary closure. This would be on the basis that if the city walkway rescission did not take effect any works carried out under the temporary closure would be made good and public access re-provided.

Financial Implications

8. As part of the proposed Section 106 agreement there is an undertaking for the developer to cover the costs associated with entering into the Section 106 agreement as well as all costs arising from the walkway alterations.

Section 106 Covenants

9. The proposed covenants aimed at securing delivery of the city walkway and public square proposals include the requirements set out below.

9.1 City Walkway - The key covenants proposed in the Section 106 Agreement to secure the re-provision of the City Walkway are as follows:

9.1.1 The Developer must construct the new City Walkway including connections to the Willoughby House and Fore Street Bridges, and all stair and lift accesses and the Development must not be occupied until the new city walkway has been provided to the City's satisfaction. Construction (including of the new City Walkway) is to be carried out in accordance with a Programme to be agreed by the City prior to implementation of the planning permission.

9.1.2 In the event of the development stalling the developer must provide an alternative route through the site and must provide reasonable financial security and landowner's consent to the City to enable the City to reinstate an alternative route through the site in default of the Developer doing so.

9.1.3 Following provision in accordance with 9.1.1 above the new city walkway will be provided for declaration as City Walkway (and an appropriate resolution would be recommended to your committee at that time).

9.1.4 The connections to the existing Willoughby House and Fore Street bridges are not to be removed until (a) the design and specification for the new bridge link structures has been approved in principle by the City ; (b) the City is satisfied that no other consents from the owners of adjoining buildings are required to enable the construction of the bridge links; and (c) appropriate indemnities and/or collateral warranties/third party rights being in place for the City.

9.2 Public Square and Retail Area (see Plan at Appendix A) – The public square must be kept open for public access on foot at all times (subject to closure one day each year to prevent creation of rights of way, and provision of: (a) retail seating and associated facilities; (b) facilities for public events, and (c) occasional private events which above a certain number each year would need to be agreed by the City). The retail area is intended to be kept open for public access during office hours but can be closed to the public at the discretion of the landowner.

9.3 Maintenance – the maintenance arrangements for the different areas differ as set out below and as detailed in the planning application report of 17 March 2015 at Appendix B at paragraph 91

9.3.1 Maintenance of City Walkway - the landowner wishes to adopt responsibility for the maintenance of the city walkway including the stairs, lift and escalators. The City of London (Various Powers) Act 1967 (“the 1967 Act”) allows for landowners to be responsible for paving, repairing, draining, cleansing and lighting of city walkway (other than bridges) by agreement in writing (S.9(1) of the 1967 Act). Therefore it is proposed that the 106 Agreement provide in writing for paving, repairing etc. to be carried out by the landowner at the landowner’s expense, but with step-in rights for the City in the event of the landowner’s default or in emergency. The specifications and materials would need to be first approved by the City, construction would have to be to the City’s satisfaction, and contractor’s warranties/third party rights provided to the City

9.3.2 In respect of maintenance of the **lifts and escalators**, in addition to the city walkway requirements identified above, covenants will be imposed requiring the landowner to maintain the lifts and escalators in good working order and condition, giving step-in rights for the City in default of the landowner maintaining them, requirements on the owner to provide and maintain an insurance policy or maintenance fund or other reasonable financial security available to the City, and compliance with the City’s public lift and escalator specifications.

9.3.3 In respect of **city walkway bridges** statutory liability for maintenance and constructions rests with the City (S.9(2) of the 1967 Act). Therefore construction would be undertaken by the developer/landowner as agents of the City subject to the same assurances as relate to the city walkway, and appropriate indemnities and/or collateral warranties/third party rights (see paragraph 9.1.4 above).

9.3.4 In order to enable them to carry out maintenance and reparation the landowner would wish to be able to suspend public access to all relevant areas as necessary to permit maintenance and reparation to take place, and if approved by the City, in limited circumstances in the interests of public safety or security. As regards **suspension of public access to the city walkway**, S.6(1A) of the 1967 Act allows for a resolution declaring city walkway to specify limitations to give effect to reservations agreed by the City and the landowner. It is proposed that the S.106 Agreement allows for the new City Walkway Declaration to specify limited reservations to the public rights of access over the new city walkway, solely for purposes of maintenance and reparation or in the interests of public safety or security (subject to the City’s agreement). (This would reflect the reservations agreed in the London Wall Place 106 provisions).

Equalities Impacts

10. The City access officer advises that loss of access over Moorfields Highwalk will involve longer alternative routes, most significantly between Barbican Highwalk and Moorgate Station. The alternative routes which will be available at various stages are shown at Appendix E. The additional routes are estimated to add up to 10 minutes to journey times from Barbican Highwalk to Moorgate Station. The

closing of Moorfields Highwalk could also create navigational difficulties for those with visual impairments and those with learning difficulties. Both these groups of people often familiarise themselves with a single route to help navigate between one place and another. The introduction of alternative, unfamiliar routes, could cause stress and impede access, particularly in this case due to the length and complexity of the alternative routes. It is noted that long term improvements to routes will be achieved. It is proposed that during the works the alternative routes will be clearly signed to show non-stepped access routes and using RNIB clear sign design guide. It is also noted that in the event of construction stalling, an alternative accessible route through the site will be provided which will mitigate the additional journey times. Subject to those mitigation measures being in place the impacts are considered acceptable, given the long term improvements which would be secured on completion.

Consultees

11. The Chamberlain, the Comptroller and City Solicitor, the City Surveyor and the Director of Environmental Services have been consulted in the compilation of this report. The report has also been circulated to ward members and representatives of the Barbican Association, and any views expressed will be reported to committee.

Conclusion

12. In order for the approved 21 Moorfields redevelopment go ahead, the city walkway within the redevelopment site needs to be closed and subsequently removed. To enable this to take place its city walkway status must be rescinded, which will require the variation of the Moorfields Highwalk City Walkway Resolution of 1977. The approved scheme includes the provision of new city walkway and related open areas which are considered an enhancement over existing provision. The proposed Section 106 covenants aim to ensure the provision and future maintenance of the city walkways, including lifts and escalators, and provision of the public square. This will require the resolution of your Committee to vary the original resolutions of the Court of Common Council, as well as the delegation for the City Planning Officer to enter into the Section 106 covenants relating to the city walkway re-provision and for the Director of the Built Environment to insert an appropriate date into the resolution to vary the walkways once the Section 106 agreement has been entered into.

Background Papers:

Resolution of the Court of Common Council dated 26th May 1977

Contact:

Lucy Cannell
020 7332 1489 lucy.cannell@cityoflondon.gov.uk

Appendices:








- A. Proposed City Walkway Changes;
- B. Extract from planning report;
- C. Rescission Resolution;
- D. Rescission Plan;
- E. Alternative Route



NOTES

- Do not scale from this drawing. If in doubt refer to the Project Manager for clarification.

LEGEND

-  Existing City Walkway Boundary (Boundary estimated from plans and is therefore indicative only)
-  Proposed City Walkway Boundary
-  Existing City Walkway to be rescinded
-  Proposed City Walkway
-  Area rescinded by Crossrail
-  Private Realm- Publicly accessible during office hours, but subject to closure at owners discretion.
-  Private Realm- Publicly accessible 24/7, except for closure one day each year to prevent creation of rights of way

Data Sourced: 26th June 2013

K	20/05/15	YS	Layout amended	VT	DH
J	19/05/15	YS	Key/ Layout amended	VT	DH
I	15/05/15	YS	Key/ Layout amended	VT	DH
H	14/05/15	YS	Key/ Layout amended	VT	DH
G	08/05/15	YS	Key/ Layout amended	VT	DH
F	06/05/15	YS	Key amended	VT	DH
E	27/02/15	YS	Minor amendments	VT	DH
D	05/02/15	YS	Minor amendments	VT	DH
C	05/02/15	YS	Added Hatching	VT	DH
B	19/01/15	AM	Minor amendments	TG	DH
A	19/01/15	AM	First Issue	TG	DH

Rev	Date	By	Remarks	Chkd	Appd



Client



Job Title

21 MOORFIELDS

Drawing Title

PROPOSED CITY WALKWAY BOUNDARY LEVEL 1 REINSTATEMENT

Scale at A3

1:500

Job No

M000040

Drawing No

M000040-HB-007

Issue

K

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Committee:	Date:
Planning and Transportation	17 March 2015
Subject: 21 Moorfields, Land Bounded By Moorfields, Fore Street Avenue, Moor Lane & New Union Street London EC2P 2HT Demolition of existing building and structures to existing ground slab level and construction of a mixed use development above and around the new Crossrail station entrance to provide office (Class B1) space [64,683sqm GEA], retail (Class A1/A3/A4) space [1,156sqm GEA], a replacement City walkway, a new public square, cycle parking, serving, storage, plant, landscaping and associated works. [Total 65,839sqm GEA]	Public
Ward: Coleman Street	For Decision
Registered No: 14/01179/FULEIA	Registered on: 28 November 2014
Conservation Area: NO	Listed Building: No

Extract regarding City Walkway

City Walkway

80. Moorfields Highwalk is an eastern extension of the City Walkways in and around the Barbican, connecting the Barbican Highwalk to the escalator and stairs adjacent to Moorgate station. There is also a bridge connection northwards over New Union Street to a stair and lift at City Point and a bridge southwards over Fore Street Avenue to Moor House and St. Alphage Highwalk. A long ramp provides wheelchair access between Fore Street Avenue and Moorfields Highwalk.

81. The proposal is to build a new upper level walkway along the southern side of the new building between the bridge over Moor Lane and escalators, stair and a lift on the corner of Moorfields and Fore Street Avenue. This would be a direct route providing a clear line of sight from one end to the other. The lift would provide an accessible link to the Highwalk in lieu of the existing long ramp which does not meet the appropriate gradients.

82. On Moor Lane there would be a new set of stairs and a lift between the highwalk and street levels. This avoids the need for the short north/south walkway and replacement of the bridge over New Union

- Street. The stairs and lift on the southwest corner of City Point would become redundant. This proposed arrangement would be better than the current stairs and lift, which are a little hidden away at ground level.
83. The City Highwalk route to the Barbican and Barbican Centre would be enhanced via the proposed podium level of the development, with new lifts and escalator accesses. This would be high quality linkage with active retail frontages and a public square which would promote passive surveillance.
 84. The escalators and stair on the Moorfields/ Fore Street Avenue corner are part of the Crossrail proposal. These would need to be made longer as the Highwalk would be at 0.4m higher than the existing level in this area. Crossrail and the applicant have been discussing the mechanism for making this change and a separate report will be put before you on this.
 85. The northern end of the bridge over Fore Street Avenue would need to be raised to the new walkway level. A Grampian style condition is included requiring evidence that the structures can accommodate this change and that the owners of Moor House agree to allow the change.
 86. There is an existing lease between the Corporation and the owners of the land which covers maintenance of the existing escalators and a Section 106 Agreement was drawn up in 2001 covering the lifts and escalators in the approved scheme.
 87. The Crossrail proposals include moving the escalators and stair to the southeast corner of the site and at the City's request, enclosing them under a canopy with glazed sides. The applicants would use the Crossrail structural box for their longer escalators and stair but do not want to enclose them. They want the link to the Highwalk to be as open, visible marker to encourage the public to use the Highwalk and its facilities and to create a welcoming access to the Barbican. They consider there would be sufficient shelter provided by the overhang of the building above and proximity of Moor House.
 88. The City Surveyor's concerns were that escalators exposed to the weather may be prone to mechanical failure and are potentially slippery. He advised the applicants that he would not recommend your Committee to take responsibility for these escalators if they are not enclosed in view of possible maintenance and injury liabilities.
 89. The applicants state that the escalators they would install would meet the standards that are suitable for outdoor use. They have expressed a desire to be responsible for the whole walkway on the site, including the Highwalk, stairs, lifts and escalators and to maintain it to the City's standard. This has the advantage that there would be personnel on site at all times who could respond immediately if there were to be a mechanical failure to the lifts or escalators.
 90. The City Surveyor has advised that he would be prepared to recommend acceptance of this offer. This would need to be the subject of a legal agreement, which would need to be negotiated as part of the order to rescind the existing City Walkway.

Temporary Highwalk works

91. The existing Highwalk would be demolished and unavailable during the redevelopment and it would be unsafe to maintain access through the site whilst construction takes place. The applicants propose to install a temporary public stair on the eastern side of Moor Lane as part of the accommodation works and to provide route marking to help pedestrians move around the area. During the works the pedestrian routes between Moorgate Station and the Barbican are expected to be via Fore Street Avenue, Fore Street and Moor Lane, and Moorfields, Ropemaker Street and Silk Street. The nearest public lifts would be at the Moor Lane/Silk Street junction and The Postern. Depending upon timing, the lift proposed at the St Alphage may become available.

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RESOLUTION OF THE PLANNING AND TRANSPORTATION COMMITTEE

(under powers delegated to them by the Court of Common Council on 19th July 2001)

DATED day of 2015

WHEREAS the Mayor and Commonalty and Citizens of the City of London acting by the Planning and Transportation Committee pursuant to the delegation to that Committee specified above (hereinafter called "the City") are authorised by Section 6 of the City of London (Various Powers) Act 1967 (hereinafter called "the Act") **BY RESOLUTION TO DECLARE** any way or place in the City of London appearing to the City:

- (i) to be laid out or otherwise suitable for a City Walkway within the meaning of Section 5 of the Act,
- (ii) to which access is available directly from a street or another way or place which is a City Walkway, and
- (iii) which is laid out or rendered suitable for a City Walkway in accordance with one of the provisions specified in subsection (1) of the said Section 6.

TO BE A CITY WALKWAY as from such date as may be specified in such resolution

AND WHEREAS the City are further authorised by the said Section 6, by resolution, to vary or rescind any resolution declaring a City Walkway.

AND WHEREAS it appears to the City that the resolution made by them on the 26th May 1977 (hereinafter called "the Resolution") should be varied to exclude the area shown hatched on the drawing attached hereto and numbered CWVP-[] as "Area of City Walkway To Be Discontinued."

NOW THEREFORE the City in pursuance of Section 6(5) of the Act by resolution **HEREBY VARIES the Resolution** to exclude the way or place described in the Schedule on and after the (DATE OF RESOLUTION TO BE INSERTED)

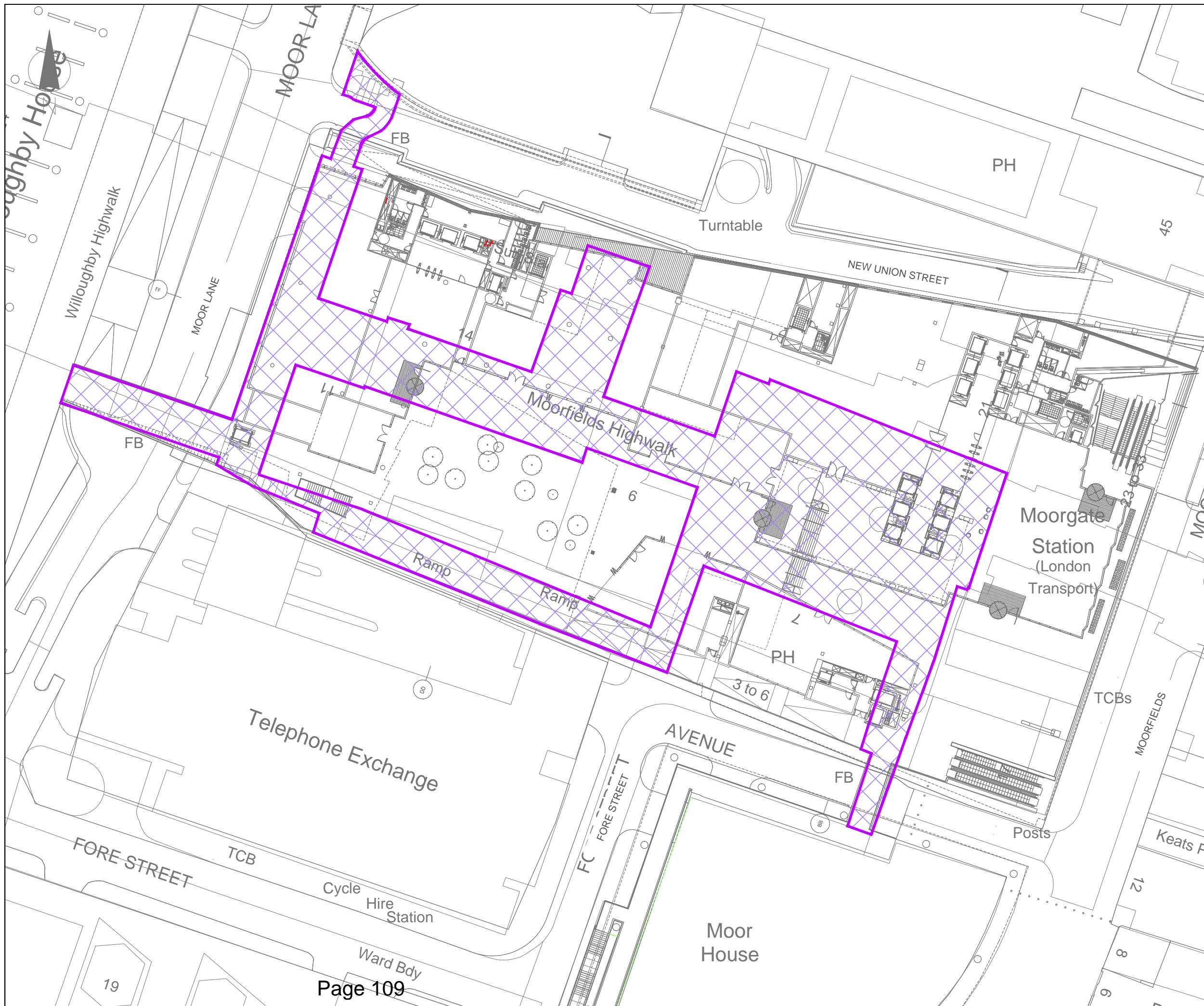
THE SCHEDULE

ALL THAT way or place more particularly shown hatched on the said drawing number CWVP- [] as “Area of City Walkway To Be Discontinued” being the highwalk and bridges leading to and including Moorfields Highwalk

Dated the day of 2015

THE COMMON SEAL OF THE MAYOR
AND COMMONALTY AND CITIZENS
OF THE CITY OF LONDON
was hereunto affixed in the presence of:-

Authorised Officer
Guildhall, London, EC2P 2EJ



NOTES

1. Do not scale from this drawing. If in doubt refer to the Project Manager for clarification.

LEGEND

 Area of City Walkway to be discontinued

Data Sourced: 26th June 2013

B	20/05/15	YS	Layout amended	VT	DH
A	19/05/15	YS	First Issue	VT	DH
Rev	Date	By	Remarks	Chkd	Appd



Client



Job Title

21 MOORFIELDS

Drawing Title

PROPOSED CITY
WALKWAY BOUNDARY
TO BE DISCONTINUED
LEVEL 1

Scale at A3 1:500

Job No	Drawing No	Issue
M000040	M000040-HB-010	B

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Committees:	Dates:
Planning and Transportation Committee Projects Sub-Committee	02 June 2015 16 June 2015
Subject: Gateway 3 Outline Options Appraisal: Tower Bridge Bascule Re-Decking and Approach Viaduct Waterproofing	Public
Report of: Director of the Built Environment	For Decision

Summary

Dashboard

- Project Status - Green
- Timeline - Construction planned for Oct to Dec 2016
- Total Estimated Cost - £3,350,000 identified in Bridge House Estates 50 year plan for FY 2016/17
- Spend to Date - Staff costs only, approx. £2,000
- Overall Project Risk - Green

Progress to date including resources expended and any changes since previous gateway

Since starting with this project, it has become clear that we need to view the project as covering Tower Bridge and its approaches as a whole. Given that the original proposal of replacing the bascule decking would require (at the most) an estimated three month road closure, it makes sense to see what else can be done in that period. This report explains why we need that closure period, and what other works from the Bridge House Estates 50 year Repair & Maintenance Fund might be sensibly included in the project, to make best use of the closure. It also explains that investigations are needed at this stage to mitigate risks to the project, to assess possible alternative solutions and to ensure that the scope of the works is clearly identified prior to commencing.

Following Gateway 2 approval, further discussions have taken place with City Procurement regarding the procurement strategy for both consultancy services and works. The City's legal responsibility with respect to maintaining opening of the bascules to river traffic during works has also been clarified, as has the responsibility for maintaining the approach viaduct arches. Discussions with the Port of London Authority (PLA) and Transport for London (TfL) on the programming of the works have continued, as have preliminary discussions with potential specialist materials suppliers.

Whilst the project value and risk register dictates that this project should follow the *Regular* gateway project approval route, it is proposed to separate gateways 3 and 4 for this project. This is to allow investigations to take place to confirm or mitigate/eliminate risks, which will require the resources hereby requested at gateway 3 and which are considered necessary to fully inform a gateway 4 report, especially given the special importance of Tower Bridge.

Overview of options

The following options were presented at Gateway 1/2:-

1. "Do Nothing"
2. Replace timber decking to Tower Bridge bascules only (retaining existing polyurethane block substrate)
3. Full re-decking of Tower Bridge bascules, including exposure and repair to underlying steel structure and replacement of lightweight carriageway construction
4. Full re-decking of Tower Bridge bascules (option 3) plus waterproofing works to approach viaduct arches

Proposed way forward and summary of recommended option

It is proposed that further investigations and resources are procured in order to arrive at a firm recommendation for a construction option that best protects the City's long term interests. It is proposed that in order to obtain best use of the road closure, the works include maintenance to the operating equipment of the Bridge, and works to the approach viaducts (which have occupiers under them), and which require waterproofing to meet our obligations to Historic Royal Palaces.

In relation to the deck, to help establish exactly what needs to be done, it is considered necessary to carry out further investigation works to better assess the condition of the current polyurethane substrate to the bascule road decking, as well as the underlying steelwork. If it is found that both are in an acceptable condition with minimal risk of long term deterioration, there may be a considerable economic benefit of considering a further option that would allow replacement of just the timber road decking to the bascules (without renewal of steelwork protection and polyurethane fill, as well as waterproofing works to those approach viaduct works which are found to be in need of further protection.

To facilitate the bascule works, a road closure of 3 months is estimated as necessary, which has already been discussed with Transport for London, in terms of network coordination and diversion route planning. The bascules will be maintained as operable to river traffic at 24 hours' notice, in order to meet our obligations under Act of Parliament. The programmed date for October to December 2016 coincides with those months of the year that the bascules are typically least lifted – hence limiting disruption to both river traffic and the construction works to maintain the Bridge.

We have considered whether the work could be done in a different way, for example, whether the road could be closed one half-width at a time. However, this would not allow sufficient safety clearances beyond the centreline of the carriageway for construction and also maintain an adequate road width for single lane traffic (including buses). It is also considered a very high risk that unequal unloading of the bascules caused by these works (if worked on in halves longitudinally) will give rise to unacceptable twisting forces on the bascules and bracing system when these are lifted to any river traffic during the works. This may also adversely affect the mechanical operation of the bridge due to these

twisting effects, as well as complicating the removal/adding of counterbalance ballast that will be required as the works proceed.

However, we will consider as part of the GW4 report whether by allowing 24 hour working the duration for the works could be reduced and at what cost.

Subject to the above considerations and further investigations, it is proposed to coordinate and programme other significant mechanical maintenance works to the bridge at the same time (e.g. pawls, seating blocks), to take full advantage of closures.

Further resources are considered necessary to adequately inform the recommendations of the preferred construction option in a Gateway 4 report and to reduce project risks, namely:-

1. Consultancy services from the term structural consultant for the Bridge House Estates structures (AECOM), to assist in investigating practical outline solutions to the works, assist in the brief/tender for a Design & Build (D&B) contractor, as well as specifying and supervising exploratory works to inform the GW4 recommendations, the subsequent design proposals and to reduce construction stage risks – working in conjunction with the design and build contractor when appointed.
2. Cost consultancy services. Tender and appointment of a Cost Consultant for the project, to give high level cost advice.
3. Appointment of a Design & Build contractor, initially on an Early Contractor Involvement (ECI) basis up to Gateway 4 (GW4), to give logistical and practical support and develop outline design solutions.
4. Exploratory investigation works. Instruction to the term highways maintenance contractor and or Design & Build Contractor to conduct exploratory investigations to the bridge/approach, under the supervision of AECOM
5. Staff costs

Procurement approach

Between GW3 and GW4 it is proposed to instruct AECOM on a limited brief as stated above, to include assisting with the brief/tendering of a Design & Build (D&B) contractor and a Cost Consultant.

Post-GW4, it is proposed that the D&B contractor will take forward the development of detailed design proposals and provide a fully priced solution at GW5 that is based on open-book tendering. In the event that the City is not satisfied that the D&B's contractor's proposals offer the City best value, it will retain the right to re-tender the work.

It is proposed that the services of AECOM will be retained in a client advisor role as checking engineers and contract administrators post-GW4, in respect of checking the proposals of the D&B contractor, thus protecting the City's interests and the BHE structures

Please refer to the appended procurement strategy approach by City Procurement for full details (Appendix 1), as well as the estimates of required

resource in Appendix 2

Table with financial implications

The following figures have been taken from the BHE 50 year Repair & Maintenance Plan for 2016/17. These costs are inclusive of fees (but exclude staff costs), but which are not specifically broken down in this plan. Please refer to Appendix 2 for a breakdown of estimated project fees. No funds are currently allocated to Tower Bridge for this project in 2015/16

Description	Option 1 ("Do nothing")	Option 2 (Bascule deck only)	Option 3 (Full bascule works - deck and substrate)	Option 4 (Full bascule works plus approach viaduct waterproofing)
	£	£	£	£
Works Costs	-	1,150,000	2,350,000	3,350,000
Fees	-	(inc.)	(inc.)	(inc.)
Staff Costs	-	(inc.)	(inc.)	(inc.)
Total	-	1,150,000	2,350,000	3,350,000
Tolerance +/-	-			
Funding Strategy				
BHE 50 yr plan	-	1,150,000	2,350,000	3,350,000
Total Funding Requirement	-	1,150,000	2,350,000	3,350,000
Investment Appraisal (e.g. NPV/IRR)	-	N/A	N/A	N/A

Recommendations

It is recommended that:-

1. Approval is given to the Director of Built Environment to progress further investigations, in order to provide a firm recommendation on the preferred construction option at Gateway 4 to reduce construction risks.
2. Approval is given to the Director of Built Environment to instruct AECOM in a limited initial role, to investigate practical outline solutions to the works, assist in the brief/tender for a Design & Build (D&B) contractor, as well as specifying and supervising exploratory works to inform the GW4 recommendations, the

subsequent design proposals and to reduce construction stage risks – working in conjunction with the design and build contractor when appointed. It is recommended that this be on hourly rates as “additional services” under their current term contract, capped at an estimated value of £62,000 to Gateway 4

3. Approval is given to the Director of Built Environment to tender and appoint a Cost Consultant for the duration of the project (with estimated costs to GW4 as £39,000).
4. Approval is given to the Director of Built Environment to tender and appoint a Design and Build Contractor, with an initial appointment in an ECI role to GW4, estimated at £47,000
5. Approval is given to the Director of Built Environment to instruct intrusive investigation works to be carried out, to inform the design, estimated at £50,000 to GW4
6. Approval is given to the Director of Built Environment to allocate staff resources to an estimated value of £25,000, to progress the project to GW4
7. To allocate resources to the value of £223,000 to GW4 in Financial Year 2015/16 to this project, to cover the costs of consultant fees, investigations and staff costs (the breakdown for which is Appended to this report). It is proposed that the cost of these resources is covered by re-allocating from the sum of £459,000 in the current plan for 2015/16 for re-tensioning the suspension cables to Millennium Bridge, which are not required this financial year.

Options Appraisal Matrix (Options as presented at GW1/2)

Please note that a further, hybrid option of 2 and 4 will be considered at GW4, following further exploratory investigations

	Option 1	Option 2	Option 3	Option 4
1. Brief description	“Do Nothing”	Replace timber decking to Tower Bridge bascules only (retaining existing polyurethane blocks substrate)	Full re-decking of Tower Bridge bascules, including exposure and repair to underlying steel structure	Full re-decking of Tower Bridge bascules (option 3) plus waterproofing works to approach viaducts
2. Scope and exclusions	n/a	<ul style="list-style-type: none"> Replaces timber decking only Does not expose existing hidden steel structure and assess/address potential corrosion Does not include works to approach viaduct 	<ul style="list-style-type: none"> Replaces timber decking and substrate (currently polyurethane blocks) Addresses hidden steel corrosion risks Does not include works to approach viaduct 	As option 3, plus includes waterproofing of approach viaducts
Project Planning				
3. Programme and key dates	n/a	Works programmed for Oct-Dec 2016, during months with least bridge lifts, following early consultation with TfL and PLA		
4. Risk implications	<ul style="list-style-type: none"> Increased reactive (unplanned) maintenance costs of decking to bridge, with risks of more frequent closures 	<ul style="list-style-type: none"> Unknown deterioration of substrate and primary structure of bridge. Future risk of bridge closure to address this 	<ul style="list-style-type: none"> Increased reactive (unplanned) maintenance costs of approach arches due to sustained water ingress. 	<u>Construction Risks</u> <ul style="list-style-type: none"> Failure to secure PLA approval for longer duration bascule closures (>24 hours)

	Option 1	Option 2	Option 3	Option 4
	<ul style="list-style-type: none"> • Unknown deterioration of substrate and primary structure of bridge. Risk of bridge closure • Increased reactive (unplanned) maintenance costs of approach arches due to sustained water ingress. • Deterioration of arch structures from sustained water ingress • Breach of agreement with Historic Royal Palaces to maintain vaults in a dry condition • Depreciation in asset value of bridge and approaches, including let-able value of arches and tourist/amenity value of bridge. • Risk of legal challenge on the duties of the City to maintain the 	<ul style="list-style-type: none"> • Increased reactive (unplanned) maintenance costs of approach arches due to sustained water ingress. • Deterioration of arch structures from sustained water ingress • Breach of agreement with Historic Royal Palaces to maintain vaults in a dry condition • Depreciation in asset value of bridge and approaches, including let-able value of arches and tourist/amenity value of bridge. • Risk of legal challenge on the duties of the City to maintain the bridge under the Tower Bridge Act • Consequential reputational value to City 	<ul style="list-style-type: none"> • Deterioration of arch structures from sustained water ingress • Breach of agreement with Historic Royal Palaces to maintain vaults in a dry condition • Depreciation in asset value of approaches, including let-able value of arches and tourist/amenity value of bridge. • Risk of legal challenge on the duties of the City to maintain the bridge (and approaches) under the Tower Bridge Act • Consequential reputational value to City • See also construction risks (Option 4) 	<ul style="list-style-type: none"> • Failure to secure TFL approval for works (road closures) • Adverse weather during construction • Unforeseen conditions during construction • Public dissatisfaction at works and road closures • Failure to obtain Listed Building Consent for works • Limited contractors / suppliers & competition due to specialist nature of works & products

	<i>Option 1</i>	<i>Option 2</i>	<i>Option 3</i>	<i>Option 4</i>
	bridge under the Tower Bridge Act <ul style="list-style-type: none"> Consequential reputational value to City 	<ul style="list-style-type: none"> See also construction risks (Option 4) 		
5. Benefits and disbenefits	<ul style="list-style-type: none"> Short term cost benefits only, plus lack of disruption by major works Disbenefits as risks above, including depreciation in asset value and let-able value 	<ul style="list-style-type: none"> Cheapest works option, which addresses the short-term deterioration of the bridge decking However, does not address other key risks (hidden structural deterioration of bridge) or approach arches 	<ul style="list-style-type: none"> Addresses the issues/risks associated directly with the bridge Does not address the approach arch problems and risks 	<ul style="list-style-type: none"> Addresses all risks Most expensive construction cost
6. Stakeholders and consultees	n/a	<ul style="list-style-type: none"> Port of London Authority Transport for London English Heritage London Boroughs of Tower Hamlets and Southwark Department of Culture, Heritage & Libraries City Surveyors Department, Investment Property Group Thames Water (Tideway project) Bank Station upgrade project 		
Resource Implications				
7. Total Estimated cost	n/a	£ 1,150,000 (including replacement of expansion joints and road flaps)	£ 2,350,000 (including replacement of expansion joints and road flaps)	£ 3,350,000 (including replacement of expansion joints and road flaps)

	<i>Option 1</i>	<i>Option 2</i>	<i>Option 3</i>	<i>Option 4</i>
8. Funding strategy	n/a	Bridge House Estates, 50 year Bridge Repair & Maintenance Fund		
9. Estimated capital value/return	n/a	n/a	n/a	n/a
10. Ongoing revenue implications	Increased annual reactive maintenance costs (un-quantified). Reduced let-able/amenity value of assets	Reducing annual reactive maintenance costs. Increasing let-able/amenity value of asset		Reduced annual reactive maintenance costs (un-quantified) Maintain asset value
11. Investment appraisal	n/a	n/a	n/a	n/a
12. Affordability	n/a	Funds already identified in 50 year plan, although subject to review as project develops to GW4		
13. Procurement strategy	n/a	See appended report by City Procurement		
14. Legal implications	Breach of agreement with Historic Royal Palaces to maintain vaults and curved facing stone in an adequate condition	Normal construction & procurement contract risks Breach of agreement with Historic Royal Palaces to maintain vaults and curved facing stone in an adequate condition	Normal construction & procurement contract risks Breach of agreement with Historic Royal Palaces to maintain vaults in a dry condition	Normal construction & procurement contract risks
15. Corporate property	<ul style="list-style-type: none"> Reduced lettability of approach viaduct arches, due to sustained or increasing water ingress and damage 			<ul style="list-style-type: none"> Access to the Tower Bridge Exhibition and

	<i>Option 1</i>	<i>Option 2</i>	<i>Option 3</i>	<i>Option 4</i>
implications				<p>all other tenanted areas will be maintained (wherever possible) throughout the duration of the works.</p> <ul style="list-style-type: none"> • Reduced water ingress to the tenanted arches will improve their lettability.
16. Traffic implications	Increased risk of frequent maintenance closures	Major disruption due to closure of Tower Bridge to road traffic, with diversions and alternative bus services	As option 2, but longer construction period anticipated	As option 2, but longer construction period anticipated (approach works would run concurrent with option 3 works)
17. Sustainability and energy implications	Negative sustainability effects of increasing structural depreciation and more regular maintenance interventions	The project proposes to investigate the potential for using sustainable materials with greater longevity, to reduce the frequency and extent of future maintenance interventions	The project proposes to investigate the potential for using sustainable materials with greater longevity, to reduce the frequency and extent of future maintenance interventions	The project proposes to investigate the potential for using sustainable materials with greater longevity, to reduce the frequency and extent of future maintenance interventions
18. IS implications	n/a	n/a	n/a	n/a
19. Equality Impact	n/a	n/a	n/a	n/a

	<i>Option 1</i>	<i>Option 2</i>	<i>Option 3</i>	<i>Option 4</i>
Assessment				
20. <u>Recommendation</u>	Not recommended	Not recommended	Not recommended	Recommended
21. Next Gateway	n/a	Gateway 4	Gateway 4	Gateway 4
22. Resource requirements to reach next Gateway	Item	Reason	Cost (£)	Funding Source
	Consultancy Services	To better define project risk and preliminary design	£148,000	BHE 50 year plan
	Exploratory Works	To better define project risk and preliminary design	£50,000	BHE 50 year plan
	Staff Costs	To manage the above and coordinate project with stakeholders/consultees	£25,000	BHE 50 year plan

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City Procurement

Procurement Options Report

Tower Bridge Re-decking and Approach Viaduct Works 2016

Date Issued: 27th February 2015
Issued for Approval: 27th February 2015
Reviewed by: Mark Bailey
Author: Toni Peters
Version: Version 3.1

1 Introduction

The bascules on Tower Bridge are currently constructed of riveted steel girders and decking plates, above which the carriageway is formed by timber decking above polyurethane block fill. This fill construction form (above the original steel structure) has been in situ for approximately 50 years and the current condition of both the polyurethane blocks and the top surfaces of steel girders and decking plates is currently unknown. The timber decking to the bascules has reached the end of its service life and requires replacement.

In addition, water ingress to the approach viaduct arches are a nuisance to tenants and have the potential to cause deterioration of the structure.

The City of London have term contracts with AECOM who are engaged as a structural consultant and J B Riney who undertake Highways Maintenance; neither of these contracts have the capacity; in line with the procurement undertaken to incorporate the substantial repair/maintenance works proposed below.

1.1 Associated papers

Tower Bridge Redecking Gateway 1&2
Tower Bridge Redecking Gateway 3

2 Executive summary

The aim of the projects is to carry out essential Civil Engineering maintenance works to Tower Bridge and its approach structures. The works will include; stripping down of the bascules' timber decking and fill, to expose the steelwork; repairs and repainting of steelwork and then reinstatement of the road build-up. Also, major excavation to the approach viaduct arches to provide a new waterproofing layer to these structures and mitigate current water ingress problems. At this early stage, the works are estimated in the region of £3.35m (including fees), as currently outlined in the BHE 50 year plan.

3 Options

3.1 Professional Services

The following services will be required:

- Exploratory/Condition investigation surveys: to be delivered by J B Riney under term contract (and/or by specialists) estimated at £80,000
- Client Engineering services (high level advice, outline design, checking and project management/supervision)– to be delivered by AECOM under term contract (value depends on design procurement option selected)
- Cost consultancy services: to provide client advice post gateway 3 and through the design and construction stages, estimated at £150,000
- Engineering Design: will require procurement, estimated c.10% of the contract value; options are considered below:

Option	Pros	Cons/Risks
1. Instruct AECOM under term contract.	Consistency of supply. Speed to market. Retention of knowledge.	Not within scope of original OJEU tender. Cost likely to exceed OJEU tender price. AECOM not able to dually act as Client Engineer.
2. Open procurement; invite companies to express an interest	Access to full market. Specialist designer can be procured.	Speed to market is not as short as other options. May not receive appropriate level of EOI (too many or too few)
3. Procurement via framework	Timescales are defined and framework is a compliant route to market	May not have the most appropriate suppliers
4. Transfer design responsibility to the contractor, with AECOM retained in a Client/checking role	Retains AECOM's long term & intimate knowledge of the structures in a checking role, whilst transferring design/procurement risks to the contractor	May not receive appropriate level of EOI from suitably experienced contractors with full design capability (too few)

3.2 Construction

Whilst the works to the approach viaduct structures are less specialist and within the capabilities of many medium-to-large Civil Engineering contractors, the timber and polyurethane components currently used in the bascule sections of the bridge itself are fairly “niche” items with a very limited supply base in the UK. The cost of these has been reviewed and purchase of the goods alone would require the majority of the budget allocation; therefore the City will need to investigate alternative products. In addition, strong consideration is given to using the services of an ECI/D&B contractor from the early stages of the project development, as the programming and methodology of the works in relation to road and river closures is considered to be critical to the success of the project.

3.2.1 Contractor Procurement Strategy

#	Option	Pros	Cons/Risks
1.	Traditional Approach (City procure a designer on the basis of a full design and contract supervision role; then procure a contractor for works)	City's consultant is responsible for finding suitable or alternative products in the market. City retains ultimate responsibility for the design.	No contractor input on logistics or practicalities that could inform the design. Time consuming; City may not be able to find suitable or alternative products. Market currently not responsive to traditional approach. Any new product will require approval by English Heritage. Risk is retained by the City
2.	Two stage Design and Build (City procure a contractor who takes responsibility for both the design and build elements of the project from Concept stage – Gateway 3 onwards - until completion and handback). D&B contractor develops a fully priced solution based on open book tendering	Contractor is responsible for sourcing suitable or alternative products and develops the design and full scheme of works. Supplier can be incentivised to deliver within budget. Buildability is ensured. Risk is transferred to the Supplier. Invest supplier into the success of the project	Any new product will require approval by English Heritage. Retention of contractor from concept through to build may not realise benefits
3.a	Early Contractor involvement - City procure a contractor who provide guidance and support to the Project team from concept design to detailed design stage (GW3 to GW4 only), followed by procurement of a D&B contractor (3.b below) at GW4	Contractor provides specialist advice during concept phase only.	Requires additional procurement projects to be undertaken (time consuming)
3.b	Two stage Design and Build (City procure a contractor who takes responsibility for both the design and build elements from detailed design onwards (GW4+))	City responsible for finding alternative products in the market. Price certainly for construction element. Buildability is ensured. Risk is transferred to the Supplier	Any new product will require approval by English Heritage. Any knowledge and experience from the works contractor is not necessarily included in early stages of project.

3.2.2 Route to market

Option	Pros	Cons/Risks
1 – Framework	Speed to market. Suppliers are known to the City.	No appropriate framework has been identified.
2 – Open Tender	Allows for specialist contractors to bid for the works	Can be time consuming.

4 Recommendation

4.1 Professional Services

4.1.1 It is recommended that AECOM are instructed under the terms of their current term contract, to provide high level advice, design/supervision of exploratory investigations and checking services up to Gateway 5, followed by contract management and site supervision services on behalf of the City during construction (this will need to be decided based on the estimated value).

4.1.2 For the other professional services requirements (i.e. cost consultancy); which are standard services provided to the City on a regular basis; it is proposed that these will be procured via open tendering or approved frameworks.

4.2 Construction

4.2.1 It is recommended that an open tender for a two stage design and build contract (with early contract involvement) is undertaken following Gateway 3, with Contractors invited to bring ideas for innovation (option 2).

4.2.2 This will enable the City to explore the available suppliers on the market and ensure that the appropriate suppliers are contracted to deliver the works and allows the City to maintain an involvement/overview of any procurement of sub-contractors

4.2.3 The Contractor would be initially appointed post-GW3, working in liaison with AECOM to develop outline solutions, then taking these through to detailed proposals and a fully priced solution based on open-book tendering at GW5, for approval by the City, with a view to being appointed for the works post-GW5.

4.3 Terms and Conditions

4.3.1 The current contract with AECOM is based on NEC3 terms and it would be appropriate to keep this consistent and compatible with AECOM and the ECI and D&B Contractors; utilising pre-construction agreements as appropriate

4.3.2 The terms and conditions for other professional services will be also be based on NEC3 terms, or as dictated by any framework which is used to go to market.

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**TOWER BRIDGE REDECKING 2016
FEES & INVESTIGATIONS**

TRADITIONAL PROCUREMENT	GW3 to GW4	GW4 to GW5	GW5 - completion	TOTAL
Design Consultant (AECOM/other)	£ 62,000	£ 126,000	£ 52,000	£ 240,000
Cost Consultant	£ 39,000	£ 78,000	£ 33,000	£ 150,000
Investigations	£ 50,000	£ 30,000	£ -	£ 80,000
Staff Costs	£ 25,000	£ 50,000	£ 34,500	£ 109,500
TOTALS	£ 176,000	£ 284,000	£ 119,500	£ 579,500

ECI & 2-STAGE D&B PROCUREMENT	GW3 to GW4	GW4 to GW5	GW5 - completion	TOTAL
AECOM (Client Engineer)	£ 62,000	£ 46,000	£ 52,000	£ 160,000
ECI Contractor	£ 47,000		£ -	£ 47,000
D&B Design Fees (inc. in works)	£ -	£ 126,000	£ -	£ 126,000
Cost Consultant	£ 39,000	£ 78,000	£ 33,000	£ 150,000
Investigations	£ 50,000	£ 30,000	£ -	£ 80,000
Staff Costs	£ 25,000	£ 57,500	£ 34,500	£ 117,000
TOTALS	£ 223,000	£ 337,500	£ 119,500	£ 680,000

2-STAGE D&B PROCUREMENT	GW3 to GW4	GW4 to GW5	GW5 - completion	TOTAL
AECOM (Client Engineer)	£ 62,000	£ 46,000	£ 52,000	£ 160,000
D&B Design Fees (inc. in works)	£ 47,000	£ 126,000	£ -	£ 173,000
Cost Consultant	£ 39,000	£ 78,000	£ 33,000	£ 150,000
Investigations	£ 50,000	£ 30,000	£ -	£ 80,000
Staff Costs	£ 25,000	£ 57,500	£ 34,500	£ 117,000
TOTALS	£ 223,000	£ 337,500	£ 119,500	£ 680,000

ESTIMATED FEES IN FINANCIAL YEAR 2015/16

Based on GW3 approval in May 2015 and GW4 submission in late November/early December 2015
GW5 programmed for July 2016

RECOMMENDED OPTION: 2-STAGE D&B PROCUREMENT

2-STAGE D&B PROCUREMENT	GW3 to GW4	GW4 to GW5		GW5 - completion	TOTAL
	FY 2015/16	FY 2015/16	FY 2016/17	FY 2016/17	
AECOM (Client Engineer)	£ 62,000	£ 28,000	£ 18,000	£ 52,000	£ 160,000
		£ -	£ -	£ -	£ -
D&B Design Fees (inc. in works)	£ 47,000	£ 76,000	£ 50,000	£ -	£ 173,000
Cost Consultant	£ 39,000	£ 47,000	£ 31,000	£ 33,000	£ 150,000
Investigations	£ 50,000	£ 30,000	£ -	£ -	£ 80,000
Staff Costs	£ 25,000	£ 34,500	£ 23,000	£ 34,500	£ 117,000
TOTALS	£ 223,000	£ 215,500	£ 122,000	£ 119,500	£ 680,000

TOTAL RESOURCES GW3 to GW4 £ 223,000

TOTAL RESOURCES IN FY 2015/16 £ 438,500

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PROJECT RISK REGISTER

PROJECT: TOWER BRIDGE BASCULE RE-DECKING AND APPROACH VIADUCT WATERPROOFING
 TITLE: PROJECT RIKS REGISTER
 UPDATED: 20 April 2015 v2

No.	RISK	RISK CATEGORY	CONSEQUENCES	LIKELIHOOD	IMPACT	SCORE	RISK	MITIGATING MEASURES
1	Failure to secure PLA approval for longer duration bascule closures (>24 hours)	Design Risk Programme Risk	Project delay	Possible	Minor	8	MEDIUM	Early consultation with PLA. Design works to minimise or accommodate 24hr closures Early appointment of consultants & contractor (pre-works)
2	Failure to secure TFL approval for works (road closures)	Programme Risk	Project delay (years)	Unlikely	Major	17	MEDIUM	Early consultation with TFL Design works to minimise closure period Arrange bus diversions/replacement services Early appointment of consultants & contractor (pre-works)
3	Adverse weather during construction	Construction Risk (cost/time)	Project delay (days/weeks)	Likely	Moderate	16	MEDIUM	Appropriate materials choice
4	Unforeseen conditions during construction	Construction Risk (cost/time)	Project delay (days/weeks)	Possible	Moderate	13	MEDIUM	Intrusive investigations during design stages
5	Public dissatisfaction at works and road closures	Organisation/reputation risk	Bad image	Possible	Minor	8	MEDIUM	Public Information & Engagement
6	Failure to obtain Listed Building Consent for works	Statutory and approvals risk	Project delay (years)	Unlikely	Major	17	MEDIUM	Early consultation (may not be needed) Appropriate and sympathetic materials choice (as existing)
7	Limited contractors/competition due to specialist nature of works	Financial Risk	Limited competition	Possible	Moderate	13	MEDIUM	Early consultation with market Simplification of design
8	Restricted access to Tower Bridge Exhibition and event spaces	Organisation/reputation risk. Financial Risk	Bad image & loss of income	Possible	Moderate	13	MEDIUM	Contractor to explore practical options to maintain access, as well as effective Public Information & Engagement
9	Failure to fulfil statutory duty to raise Tower Bridge	Organisation/reputation risk. Legal risks	Bad image & possible legal action	Unlikely	Moderate	10	MEDIUM	Contractor to develop robust proposals to keep bascule lifting operational at 24 hours notice. PLA agreed to take reduced advance bookings
10	Increased journey times for staff attending work, if travelling from north	Organisation/reputation risk	Staff morale	Possible	Moderate	13	MEDIUM	Contractor to explore practical options to maintain access, as well as effective Public Information & Engagement

Page 133

Extract from Corporate Project Risk Management Guidance <http://colnet/Departments/Town%20Clerks/Project%20Management/Pages/How%20we%20work/Project-Risk-Guidance.aspx>

IMPACT	CATASTROPHIC	14	20	22	24	25
	MAJOR	11	17	18	21	23
	MODERATE	6	10	13	16	19
	MINOR	3	5	8	12	15
	INSIGNIFICANT	1	2	4	7	9
		RARE	UNLIKELY	POSSIBLE	LIKELY	ALMOST CERTAIN
LIKELIHOOD						

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Committee:	Date(s):
Planning and Transportation Committee	02/06/2015
Subject: Parking Ticket Office Update and Annual Statistics for 2013-2015	Public
Report of: The Director of the Built Environment	For Information
<p>Summary</p> <p>This report advises Members on the activities and progress of the Parking Ticket Office (PTO).</p> <p>This report sets out the key successes and improvements over what has been a highly successful year, particularly in relation to quality, efficiency and contract savings. It also sets out our key business challenges for the current year.</p> <p>Appendix One provides a set of key service statistics for the PTO over the last five years which assist in demonstrating service trends.</p> <p>Recommendation</p> <p>Members are asked to:</p> <ul style="list-style-type: none"> • Note the report for information. 	

Main Report

Background

1. Parking and traffic enforcement in the Square Mile plays a key role in reducing congestion, improving access and road safety, as well as providing for effective and efficient business activity. The Parking Ticket Office (PTO) is central to the effective delivery of parking and traffic enforcement in the City. To give some idea of the work of the PTO, it deals with a high volume of letters and emails each year (28,000 last year) in relation to the parking tickets issued (56,000 last year). The service is customer focused and has an ethos of continuous improvement. Examples of how the service has been developed and some of the key issues for the service are set out below:-

Examples

2. Civil Parking and Traffic Enforcement and Cash Collection Contract.
The Department of the Built Environment has always led the way with regards to its enforcement contract. Our previous contract, built around quality

performance indicators rather than commission or penalties, was the basis for the model contract developed by the British Parking Association.

Our new contract awarded last year, along with delivering significant savings, has continuous improvement and sustainability at its heart whilst retaining key quality performance indicators around service standards such as attendance, timekeeping and evidential notes. Our Traffic Manager and Assistant Traffic Manager have spent the last year embedding this contract. It is a partnership contract which is evidenced, for example, by our commitment to improve Civil Enforcement Officer (CEO) safety by sharing the funding of bodycams to improve the health and safety, along with efficiency, of our CEOs on-street; as reported to your Committee in April 2015.

Officers recognise that the CEOs have a dual enforcement/ambassadorial role; they are often the 1st point of contact for City Users on street. As part of the innovation delivered over the last 12 months the contract now requires that CEOs wear badges showing languages spoken, are equipped with phone applications to give directions and use sustainable transportation, e.g. walking or using electric bikes instead of mopeds. We have also raised quality standards and the Parking Ticket Office's (PTO's) Policy, Projects and Standards Officer has worked with the contractor's Training Officer to refine and improve training and evidential standards.

3. Parking Ticket Office Restructure, Recruitment, Relocation and Training.

i) The PTO has implemented a new structure over the last 6 months which underpins improved professional development for staff, management efficiency and better service delivery. The final appointee started in January 2015 and both management and staff agree that the structure is more fit for purpose and provides better support and development. Efficiencies delivered through the new structure and working methods allowed Officers to deliver a saving of one post as part of the process.

ii) The creation of a Policy, Projects and Standards Officer post has given a dedicated resource for the management of projects. Over the last year these have included:

- The relocation of the PTO from the 1st to 6th floor; a significant undertaking but necessary given the demand for space within the greater Transportation and Public Realm team.
- The testing and upgrade of our system to allow for real time downloads for CEOs handhelds.
- The mobilisation of our new printing and payment contracts.
- Improved procedures.
- Better quality and standards monitoring.

iii) The introduction of career grades facilitates effective succession planning as lower grade officers are being trained on, and will be given occasional exposure to, higher graded work so if a senior officer leaves there are trained replacements already available.

iv) The PTO has also undergone group training with consultants (Votive). Votive had delivered leadership and followership training elsewhere in the City of London with great success and given the restructuring of the PTO the opportunity has been taken to extend this training to the team. The training was rated highly by the participants and has provided a happier and more effective office.

4. Key Performance Indicators (Letters/Recovery Rate) - Quality and Efficiency

i) We reported last year that our revised staff targets, improved systems and processes had improved our response times by 50% and we averaged 6 days to respond to letters, against a target of 10 days, and had a recovery rate of over 80%, also above target. Last year we improved further and our average response time was 5 days and our recovery rate was over 85%. This is the highest recovery rate in the UK, a record of which we are proud. The London average is circa 76% on data available to us via benchmarking groups.

ii) In addition to the above we have introduced quality monitoring. Quality is more important than timeliness as we need to ensure that we are drafting letters to the high standards which customers and the City of London itself expects. Our monitoring of circa 30% of all letters prior to despatch initially showed a number of opportunities for improvement. We went, within 4 months, from a position where 37% of letters needed improvement in terms of content, grammar or customer focus to a position where our monitoring showed only 4% needed such improvement. A considerable improvement showing that quality monitoring and effective training, support and guidance has moved us to a point currently where 96% of all letters checked are to the quality we expect. We will continue with an aspiration of 100%.

5. Printing and Payment Contracts.

We have, during the course of the last year, re-tendered both of the above contracts. The printing contract went live in October 2014 and is delivering savings of 33% (from £32k to £22k per annum) along with delivering added value in the provision of an on-line archive of all documents sent and reducing administrative time when providing copies of documents for appeals or court cases. The payment contract went live on 21st April 2015. This is a like for like service when compared with the previous supplier and the savings are also considerable, circa 70% (£22k to £7k per annum in year one), rising to 86% with the contract costing under £3k per annum in years two and three.

6. Appeals.

The PTO team have continued to maintain their success rate for contested appeals at around 65%. It is a credit to the team that we went from a poor success rate position in 2012-13 (20%) to a stable and credible position over the last two years.

Appeals to the Parking and Traffic Appeal Service (PATAS) come in via two sources. The first way is through the statutory appeal provisions where we

send them an appeal form and they request a personal or postal hearing. With these cases our success rate for personal appeals is 50% and 73% for postal hearings; 65% overall as above. The second way is by referral from Northampton County Court which is where a motorist who was out of time to appeal through the initial route has made a successful application to the Court to have the case transferred to PATAS. Our success rate for these referrals/appeals is 87%; partly due to PATAS being more stringent in relation to appeals via this route and partly due to the high level of evidence we provide opposing the appellant's application.

7. Working to support business

The PTO continues to engage with the many companies who provide services, goods and materials to the Square Mile. We previously reported on our successes with the Cash and Valuables in Transit companies over the past few years. This is complemented by the work which we have done with the telecoms, delivery, document shredding, etc. companies over the last year. We have met with companies and discussed problem locations, their working practices, agreed measures to improve driver education and drive down administration on both sides.

The efficiency savings of this approach are considerable. Across all these companies we dealt with circa 4,000 cases last year. These customers used to send a pro-forma challenge on each case; some used to take the cases all the way through to formal appeal. Dealing with these 4,000 cases through 5/6 single exchanges each month delivers staff resource savings equating to one full time member of staff. Along with the structural changes referenced earlier, it was this saving that enabled the PTO to reduce from 13 Full Time Equivalent (FTE) staff to 12 FTE, a saving contributing to Departmental savings required under the service based reviews.

8. Repeat offenders

We continue to be both pro-active and reactive in relation to areas where high volumes of Penalty Charge Notices (PCNs) are issued or contraventions, particularly moving traffic, present a danger to pedestrians and/or other road users. A prime example is a local business who noted that vehicles were regularly making a banned turn from Moorgate into London Wall. We deployed our CCTV vehicle as a visible deterrent and the customer fed back. The PTO continues to engage with the many companies who provide services, goods and materials to the Square Mile.

9. Website

We reported last year on significant improvement made to our website. The trend for payment via our website continues with over 57% of our PCN payments last year being made via the website, compared with 42% 5 years ago.

We continue to review and improve the content on our website and customer feedback via the ratings mechanism on the site consistently rates our pages highly. We will build and improve on this solid foundation over the coming year.

Parking accounts for circa 10% of all the traffic on the City of London website. There are peaks around Public Holidays where drivers coming into the City are looking for parking within the Square Mile. Use of the website is increasing year on year at a substantial level. Use of the website for parking information has gone from 200,000 users in 13-14 to 425,000 users in 14-15; over the same period overall CoL website usage went from 3 million to 4 million customers. The parking pages have a much higher percentage of mobile device users; 55% compared with the corporate average of 37%.

10. Pay by Phone (mobile phone ‘pay and display’ payments)

We reported last year on our effectiveness in encouraging drivers to use electronic services. The take up for mobile phone payment for pay and display has been exceptional, table below. This service is delivered without any cost for DBE and delivers savings in terms of cash collection from machines and card fees; as mobile payments have better security they have lower processing costs. Better service for customers, improved efficiency for the City of London.

	Machine (Cash)	Machine (Card Payments)	Payments via Mobile Phone
2010-2011	32%	68%	0%
2011-2012	26%	59%	13%
2012-2013	16%	27%	54%
2013-2014	13%	17%	69%
2014-2015	12%	10%	76%

The huge decline in payments made to our machines by card has allowed us to remove outdated and charge costly card readers from our machine over this Easter whilst implementing, at the same time, the change in charges on-street. As reported to your Committee on 17 July 2014, the removal of card readers may save up to £55k per annum in card authorisation fees.

Statistics

11. Appendix One is a table with the statistics for the service for the last five years. A number of those statistics are those which we use to measure the effectiveness of our service and to carry out trend analysis to inform and identify changes we need to make. We also report statistics which we are regularly asked for by motorists or journalists (top 5 streets, amount of income, etc.). To highlight some of the statistics, what they mean and how they are used:

Levels of Penalty Charge Notices (PCNs) by type:

	2014/2015
PCNs issued:	
On-street PCNs	31,966
Stationary CCTV PCNs	18,806
Moving Traffic PCNs	4,669
Vehicle drove away/prevented from serving	1,196
Total (excludes void/unissued PCNs):	56,637
Previous Years Totals:	
Total - 2013/2014	62,271
Total - 2012/2013	65,016
Total - 2011/2012	73,847
Total - 2010/2011	62,372

12. PCN levels throughout London have decreased year on year for the last few years. The City of London continues to issue fewer PCNs year on year. This trend is not necessarily a negative one. We need to ensure that enforcement is commensurate to the level of non-compliance and as compliance increases the level of PCNs will decrease. What is important is that we remain efficient and do issue PCNs where there are parking or moving traffic contraventions. The peaks in 2011/2013 were almost wholly attributable to the CCTV enforcement of 'no-entry'
13. Top five streets for PCNs (2014/2015). All of these pre-dominantly no-loading or no waiting (yellow line) locations:

Top 5 streets for PCNs (income).
Old Broad Street (£283,015)
Old Bailey (£94,000)
Cannon Street (£88,855)
Finsbury Circus (£87,425)
Cornhill (£84,760)

14. Last year we reported that our signage for Old Broad Street was changed in March 2013 as Officers were concerned about the potential road danger risk resulting from the high level of breaches. Over the last 2 years the income from PCNs in this street has reduced from nearly £1m to £280k, i.e. back to 2010/2011 levels, showing that changing the signage for the no-entry restriction has worked. We carried out a similar review in Finsbury Circus which had almost half the bays suspended for Crossrail works. The review identified high levels of illegal parking at the suspended bays at weekends. Whilst it could be argued that drivers should understand the suspension notices however as the suspension relate to Crossrail works and will be in place until 2018, officers have taken a pragmatic view and where possible have removed suspended bays.
15. Cancellations and write offs (2014/2015):

Cancellations and Write Offs	6,543
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% of PCNs resulting in cancellation/write off	12%
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Whilst our current cancellation rate for 2014/15 is 12% given the number of PCNs still being processed for that year Officers expect the final year out turn to be approximately 14-15%. With our recovery rate increasing year on year, the percentage of PCNs cancelled and written off has decreased over the years as we have become more efficient and timely in debt collection.

16. The number of PCNs resulting in a challenge has risen over the last few years. This is due to the fact that motorists are aware that we follow statutory guidance and will hold the PCN at the discounted rate whilst we deal with the initial challenge. The level of people taking cases to formal appeal has however reduced year on year. This is because we are being more robust in dealing with appeals and have maintained our success rate over the last two years. Typically 14/15% of all PCNs are either cancelled for various reasons (proof they were delivering and not parked, disabled driver's first PCN, vehicle breakdown, signs not compliant, etc.) or written off where, for example, we are unable to trace the debtor (who may be a company that has gone into liquidation).
17. Income and expenditure (2013/2014):

Payments for PCN received	(£3,373,695)
Payments received for TFL enforcement (Red Route)	(£36,388)
Enforcement (PCN) expenditure	£2,245,635
Net Enforcement Expenditure (Income)	(£1,164,448)
Historic Net Expenditure (Income)	
Total – 2013/2014	(£905,234)
Total - 2012/2013	(£142,503)
Total - 2011/2012	(£821,021)
Total - 2010/2011	£299,900

18. The City of London received income from parking and traffic enforcement in 2014-15. This mostly due to a reduction in expenditure through the re-tender of the enforcement contract. This is a considerable improvement when contrasted with 2010/11 where we had around the same income but expenditure provided a net loss of nearly £300k at the end of the year. Any income is ring fenced for transport and highways improvements.

Future business challenges

19. Our key challenge for 2015-16 is to respond to the Government's ban of the use of CCTV for most parking contraventions. The impact of this and other

Department for Communities and Local Government initiatives will be reported separately to your Committee.

20. Other opportunities for the year ahead include building on existing efficiencies by managing an increasing workload, e.g. rising % ratio of PCNs to challenges, with reduced resources, sustaining our commitment to staff professional development and support and moving the service from a 'top 10' to a 'top 3' position in London.

Conclusion

21. Members are asked to note this report for information.

Appendices

- Appendix 1 – Parking Ticket Office Statistics for last 5 years

Contact

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	2010/2011	2011/2012	2012/2013	2013/2014	2014/2015
	£, Number, days or %	£, Number, days or %	£, Number, days or %	£, Number, days or %	£, Number, days or %
PCNs issued:					
On-street PCNs	35,245	41,690	39,575	34,643	31,966
Stationary CCTV PCNs	21,609	18,320	6,469	21,907	18,806
Moving Traffic PCNs	3,463	14,399	17,461	4,508	4,669
Vehicle drove away/prevented from serving	2,055	2,342	1,511	1,213	1,196
Total (excludes void/unissued PCNs):	62,372	73,847	65,016	62,271	56,637
Top 5 contraventions:					
Contravention 1	Loading ban - 23,779	Loading ban - 20,249	Loading ban - 20,343	Loading ban - 26,229	Loading ban - 21,174
Contravention 2	Yellow lines - 11,348	Yellow lines - 13,040	No-entry sign - 14,162	Yellow lines - 11,784	Yellow lines - 10,466
Contravention 3	Footway parking - 4,775	No-entry sign - 10,548	Yellow lines - 11,965	Suspended Bay - 3,988	Footway parking - 3,687
Contravention 4	Paid time expired - 3,706	Footway parking - 4,118	Suspended bay - 4,138	Footway Parking - 3,673	Suspended Bay - 3,168
Contravention 5	Pedestrian crossing - 3,365	Suspended bay - 3,940	Paid time expired - 2,933	Wrong class of vehicle - 3,581	No-entry sign - 2,422
Top 5 streets for PCNs.					
Street 1	OLD BROAD STREET - £218,300	OLD BROAD STREET - £840,633	OLD BROAD STREET - £973,730	OLD BROAD STREET - £420,524	OLD BROAD STREET - £283,015
Street 2	FINSBURY CIRCUS - £122,980	FINSBURY CIRCUS - £201,860	FINSBURY CIRCUS - £159,510	LOMBARD STREET - £130,720	OLD BAILEY - £94,000
Street 3	WEST SMITHFIELD - £95,280	CORNHILL - £124,030	ROPEMAKER STREET - £104,802	GRESHAM STREET - £113,191	CANNON STREET - £88,855
Street 4	LIVERPOOL STREET - £89,339	CANNON STREET - £119,005	CORNHILL - £89,194	WEST SMITHFIELD - £107,357	FINSBURY CIRCUS - £87,425
Street 5	GRESHAM STREET - £54,320	WEST SMITHFIELD - £91,280	WEST SMITHFIELD - £65,171	FLEET STREET - £104,104	CORNHILL - £84,760
Clamp/Removals					
Clamps	0	1	0	0	0
Removals/Relocations	373	363	368	293	32
Totals:	373	364	368	293	32
Night-time Economy PCNs					
On-Street - 10pm to 6am	1327	2116	2369	1977	1325
CCTV - 7pm to 11pm	1287	1276	924	1261	1095
Total (includes void/unissued PCNs):	2,614	3,392	3,293	3,238	2,420
Recovery Rate					
	81%	81%	81%	84%	85%
No. of Letters in response to initial PCN					
Letter response times	19 days	12 days	6 days	5 days	5 days
% of PCNs resulting in letter or email	26%	40%	40%	45%	50%
No. of Formal Appeals to Tribunal					
Appeal success rate for contested appeals	0%	15%	20%	65%	63%
Appeals not contested	1,521	1,700	534	582	190
% of PCNs resulting in formal appeal	3%	3%	2%	2%	1%
Cancellations and Write Offs					
% of PCNs resulting in cancellation/write off	16%	15%	17%	10%	12%
Payments for PCN received					
Payment received for TfL enforcement	(£46,052)	(£34,799)	(£35,777)	(£34,858)	(£36,388)
Enforcement expenditure	£3,665,518	£3,730,064	£4,109,629	£2,379,816	£2,245,635
Net Enforcement Expenditure (Income)	£299,900	(£821,021)	(£142,503)	(£905,234)	(£1,164,448)
Parking Payments by type:					
Web	42%	46%	46%	50%	57%
Phone	34%	31%	33%	29%	24%
Post	24%	23%	21%	11%	19%
Parking Payments by stage:					
PCN/NTO stage (first stage)	91.23%	95.47%	95.17%	94.47%	96.62%
Charge Certificate (increased charge stage)	8.12%	4.44%	4.38%	4.25%	3.38%
Order for recovery (debt reg. stage)	0.49%	0.06%	0.31%	0.76%	0.00%
Warrant (bailiff stage)	0.17%	0.03%	0.15%	0.52%	0.00%

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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