

<b>Committee:</b> Planning and Transportation Committee	<b>Date:</b> 29 January 2018
<b>Subject:</b> declaration of city walkway through London Wall Place (part of Bassishaw Highwalk and part of Saint Alphage Highwalk)	<b>Public</b>
<b>Report of:</b> Director of the Built Environment	<b>For decision</b>

### **Summary**

The new highwalk network and the four new city walkway bridges at London Wall Place have now been constructed and, with the exception of the Bassishaw Highwalk city walkway bridge over London Wall, which is at a clearance height of 5.3 metres, they conform to the City Corporation's standards for new city walkways and new city walkway bridges. It is therefore now considered appropriate for the City Corporation to effect the opening of the new highwalk network to the public by accepting the vesting in it of the four new city walkway bridges and declaring the new highwalk network to be a city walkway.

### **Recommendation**

I recommend that your Committee:—

1. Approve the vesting in the City Corporation of the city walkway bridges at (i) Saint Alphage Highwalk over Fore Street; (ii) Saint Alphage Highwalk over Fore Street Avenue; (iii) Bassishaw Highwalk over London Wall; and (iv) Saint Alphage Highwalk over Wood Street; acknowledging in doing so that the city walkway bridge at Bassishaw Highwalk over London Wall is at a clearance height of 5.3 metres.
2. Declare to be a city walkway the highwalks through London Wall Place and over the city walkway bridges to be known as Bassishaw Highwalk (part) and Saint Alphage Highwalk (part) on a date to be determined in terms of the resolution set out at Appendix 1 to this report.
3. Delegate authority to the Transport Planning and Development Manager to insert an appropriate date for the declaration to come into force, such a date to be within 30 days of your Committee resolving to declare the highwalks to be a city walkway.

## **Main Report**

### **Background**

1. On 27 June 2011 your Committee resolved to grant planning permission 10/00832/FULEIA and this was granted on 26 August 2011. This is planning permission for the:

*Demolition of existing buildings and structures and erection of two buildings comprising an 18 storey west building and 14 storey east building providing 66,839 sq. m of office (Class B1) floorspace and 2,075 sq. m of retail floorspace (Classes A1/A2/A3). Alterations to City Highwalk at Willoughby Highwalk, removal, realignment and reinstatement of Bassishaw Highwalk across London Wall, alterations to Moorfields Highwalk over Fore Street Avenue, removal, realignment and reinstatement of Alban Highwalk between Wallside/The Postern and Alban Gate and removal of Alban Gate Rotunda at London Wall and Alban Gate. Removal of stair from St Alphage podium level to St Alphage Garden and Salters Garden. Hard and soft landscaping and necessary enabling works, including alterations to and within the public highway.*

2. The redevelopment involved the replacement of the majority of Saint Alphage Highwalk (except for the section around Moor House to the east and the short link into Andrewes Highwalk in the Barbican Estate to the north) and that section of Bassishaw Highwalk over the city walkway bridge over London Wall with a new highwalk network including new city walkway bridges over Fore Street, Fore Street Avenue, London Wall and Wood Street.
3. On 11 April 2013 the City Corporation and London Wall Place LP acting by its general partner London Wall Place (GP) Limited (afterwards called “the Developer”) entered into an additional agreement under section 106 of the Town and Country Planning Act 1990 relating to the provision of the new city walkway. This agreement provides that the four new city walkway bridges shall vest in and be maintained by the City Corporation. It also provides that the Developer shall be responsible for the proper cleansing, maintenance and repair (including renewal) of all surface and structural elements, drainage, lighting and other structures forming part of the new city walkway except for the new city walkway bridges; although the City Corporation shall be responsible for the cost of the supply and consumption of electricity in lighting the new city walkway.
4. On 17 December 2013 planning permission 13/00583/FULL, an application under section 73 of the Town and Country Planning Act 1990 to vary condition 47 of planning permission 10/00832/FULEIA, was granted under delegated authority; and on 30 June 2014 planning permission 14/00259/FULL, a further application under section 73 of the Town and Country Planning Act 1990 to vary condition 47 of planning permission 10/00832/FULEIA, was also granted under delegated authority.

## **Current Position**

5. The new highwalk network and the four new city walkway bridges have now been constructed and, with the exception of the Bassishaw Highwalk city walkway bridge over London Wall, which is discussed at paragraphs 6–10 *below*, they conform to the City Corporation’s standards for new city walkways and new city walkway bridges. The new city walkway bridges are therefore suitable to be vested in the City Corporation and the new highwalk network is therefore suitable to be declared to be a city walkway.

6. The approval in principle for the Bassishaw Highwalk city walkway bridge over London Wall approved a clearance height for this bridge of 5.41 metres. This approval was below the usual contemporary requirement for a clearance height of 5.7 metres because of the close proximity of other bridges below this height.
7. Unfortunately, during the design of the city walkway bridge the permanent deflection under dead load was not taken into consideration and, together with some other design development and an incorrect interpretation of the original survey, given the skew and crossfalls, which further reduced the clearance, the actual clearance height of the bridge as constructed is 5.3 metres (and not the approved 5.41 metres). Regrettably this was not picked up until the bridge was welded together and installed on site. When the reduced clearance height was identified the Developer was asked to raise the bridge. Unfortunately this was not feasible due to the continuity of the structure, the fixings to the supporting building and the proximity of other structures.
8. As a result the Developer was then asked to assess what would happen if it was to be the case that the bridge was struck by a high vehicle. The Developer's designers back-analysed the footbridge for impact forces and were able to confirm in accordance with the UK National Annex to the Eurocode that the bridge would not suffer significant structural damage or become unstable. The analysis undertaken is for high vehicles travelling at 45 miles per hour, whereas the actual speed limit on London Wall is 20 miles per hour, so it is a conservative assessment of the consequences of a bridge strike. In addition, the bridge is of significant box construction and cannot be considered to be lightweight. If the bridge does get struck damage is likely to occur to the patina that protects the weathering steel; however, this patina can reform and the thickness of all of the steel members of the bridge was incidentally but fortuitously increased during the design process to accommodate damage to the patina in order to allow for graffiti removal using dry-ice-blasting techniques.
9. The height at which bridges are considered to be "low" and require to be signed as such is 5.03 metres, so the reduced constructed height of 5.3 metres is still 0.27 metres above this "low bridge" height.
10. The non-compliance with the approved clearance height of 5.41 metres therefore need not preclude the City Corporation from accepting the vesting in it of this city walkway bridge nor declaring a city walkway over this city walkway bridge.

## **Proposal**

11. It is therefore now considered appropriate for the City Corporation to effect the opening of the new highwalk network to the public by accepting the vesting in it of the four new city walkway bridges and declaring the new highwalk network to be a city walkway.

12. Appropriate wording for a resolution to effect this declaration, including plans of the city walkway to be declared and the city walkway bridges to be vested, are appended to this report as Appendix 1.
13. It is recognized that the plans needed to provide an appropriate level of clarity as to what is to be declared and what is to be vested are necessarily complicated and that therefore they can be difficult to read when reproduced at A4 size. Color copies of the plans at A3 size are therefore available in the Members' Reading Room and will be displayed in the Livery Hall prior to and during your Committee's meeting of 29 January 2018. The plans can also be e-mailed to any Member and to any other person who wishes to receive them so that they can be viewed more conveniently using the viewing tools in Adobe Acrobat or similar document viewing software. Please let Craig Stansfield, whose contact details are at the end of this report, know if you wish to have the plans e-mailed to you.

### **Corporate and Strategic Implications**

14. Declaring the new highwalk network to be a city walkway and vesting the city walkway bridges in the City Corporation, thereby enabling the new highwalk network to be used as of right by the public, serves to assist in delivering the City Corporation's Corporate Plan 2015–2019 and the Department of the Built Environment Business Plan 2017–2020, particularly Department of the Built Environment top-line objective 6, viz "Creating an accessible city which is stimulating, safe and easy to move around in".

### **Financial Implications and Risks**

15. The City Corporation will be responsible for the city walkway bridges once they are vested in it and for the cost of the electricity used in lighting all of the city walkway once it is declared and this will involve additional costs. These costs are roughly commensurate with the costs involved in maintaining the parts of Bassishaw Highwalk and Saint Alphage Highwalk that were removed to facilitate the redevelopment and these costs can therefore be contained within the Department of the Built Environment's existing revenue budgets.
16. The Developer shall be responsible for the proper cleansing, maintenance and repair (including renewal) of all surface and structural elements, drainage, lighting and other structures forming part of the new city walkway except for the new city walkway bridges. However, should the Developer default in his obligations and the City Corporation need to exercise its step-in rights to ensure adequate management of the city walkway, and it was not possible in the circumstances to recover the costs of doing so from the Developer, there could be additional costs for the City Corporation. This is considered to be unlikely, but if it such a situation arose the costs involved may not be able to be contained within the Department of the Built Environment's existing revenue budgets.

## **Property Implications**

17. Vesting of the four new city walkway bridges in the City Corporation would replace the four city walkway bridges that were removed when the London Wall Place site was cleared for redevelopment. The new city walkway bridges would be managed by the Department of the Built Environment.
18. The city walkway would also be a new City Corporation asset for the benefit of the public, but management of the city walkway except for where it passes over the four city walkway bridges would remain with the Developer. The City Corporation would, however, have step-in rights should the Developer default in his obligations.

## **Key Risks**

19. In addition to the financial risk involved with the City Corporation needing to exercise its step-in rights should the Developer default on his obligations (discussed at paragraph 16 *above*), there is a risk involved in accepting the vesting of the city walkway bridge at Bassishaw Highwalk over London Wall at the constructed clearance height of 5.3 metres as this increases the risk of a bridge strike by a high vehicle. The risk of liability is considered to be low as the city walkway bridge at 5.3 metres is not so low as to be below the 5.03-metre standard minimum clearance over every part of the carriageway of a public road, and as a result it is recommended that the City Corporation accept this risk without taking any mitigating action.

## **Conclusion**

20. The new highwalk network and the four new city walkway bridges at London Wall Place have now been constructed and, with the exception of the Bassishaw Highwalk city walkway bridge over London Wall, which is at a clearance height of 5.3 metres, they conform to the City Corporation's standards for new city walkways and new city walkway bridges. It is therefore now considered appropriate for the City Corporation to effect the opening of the new highwalk network to the public by accepting the vesting in it of the four new city walkway bridges and declaring the new highwalk network to be a city walkway.

## **Appendices**

Appendix 1: Resolution of the Planning and Transportation Committee

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