

PLANNING AND TRANSPORTATION COMMITTEE

Tuesday, 26 January 2021

Minutes of the meeting of the Planning and Transportation Committee held via Microsoft Teams at 10.30 am

Present

Members:

Deputy Alastair Moss (Chair)	Sheriff Christopher Hayward
Oliver Sells QC (Deputy Chairman)	Michael Hudson
Munsur Ali	Alderman Robert Hughes-Penney
Randall Anderson	Deputy Jamie Ingham Clark
Douglas Barrow	Shravan Joshi
Peter Bennett	Natasha Maria Cabrera Lloyd-Owen
Mark Bostock	Deputy Brian Mooney (Chief Commoner)
Deputy Keith Bottomley	Barbara Newman
Henry Colthurst	Graham Packham
Deputy Peter Dunphy	Susan Pearson
Alderman Emma Edhem	Judith Pleasance
John Edwards	Deputy Henry Pollard
Helen Fentimen	James de Sausmarez
Marianne Fredericks	William Upton QC
Graeme Harrower	Alderman Sir David Wootton

Officers:

Gemma Stokley	- Town Clerk's Department
Emma Cunningham	- Town Clerk's Department
Amelia Ehren	- Town Clerk's Department
Emily Garland	- Town Clerk's Department
Simon Latham	- Town Clerk's Department
Rhiannon Leary	- Town Clerk's Department
Shani Annand-Baron	- Media Officer
James Gibson	- Technology Support Officer
Simon Owen	- Chamberlain's Department
Dipti Patel	- Chamberlain's Department
Deborah Cluett	- Comptroller and City Solicitor's Department
Alison Bunn	- City Surveyor's Department
Jonathan Cooper	- City Surveyor's Department
Gwyn Richards	- Interim Chief Planning Officer and Development Director
Jon Averbs	- Director of Markets & Consumer Protection
David Horkan	- Department of the Built Environment
Ian Hughes	- Department of the Built Environment
Paul Beckett	- Department of the Built Environment
Gordon Roy	- Department of the Built Environment
Bruce McVean	- Department of the Built Environment

Maria Herrera	- Department of the Built Environment
Neel Devlia	- Department of the Built Environment
Elisabeth Hannah	- Department of the Built Environment
Bhakti Depala	- Department of the Built Environment
Peter Shadbolt	- Department of the Built Environment
Matt Ball	- Department of the Built Environment
Toni Bright	- Department of the Built Environment
Ben Eley	- Department of the Built Environment
Lucy Foreman	- Department of the Built Environment
Kurt Gagen	- Department of the Built Environment
Kieran Mackay	- Department of the Built Environment
Tom Noble	- Department of the Built Environment
Joanna Parker	- Department of the Built Environment
Dom Strickland	- Department of the Built Environment
Kathryn Stubbs	- Department of the Built Environment
Sonia Williams	- Department of the Built Environment
Rachel Pye	- Department of Markets & Consumer Protection

Also in Attendance:

Meghan Allen (Objector, NTR Planning)
 Patrick Wong (Applicant, 55 Gracechurch Street)
 Keith Priest (Fletcher Priest)
 Philip Pryke (Fletcher Priest)
 Richard Ward (DP9)
 Alasdair Buckle (DP9)
 Andrew Reynolds
 David Stillman (DSA)
 Oliver Morris (TFT)
 David Hamlyn (RWDI)
 Ender Ozkan (RWDI)
 Jerome Webb (GIA)
 Eliot Hathaway (GIA)
 Richard Coleman (Citydesigner)
 John Mulhaire (Momentum)
 Giles Charlton (Spacehub)
 Ashley Patience (DPR)
 Tim Levene (Common Councillor)

Introductions

The Town Clerk opened the meeting by introducing herself and stating that the Committee was quorate.

A roll call of Members present was undertaken.

The Town Clerk highlighted that the meeting was being recorded as well as live streamed and would be made available on the City Corporation's YouTube page for a period of time after the meeting had concluded. With this in mind, it was confirmed that participants in the meeting had all individually agreed and

given their consent to being recorded and that all personal data would be processed in accordance with the Data Protection Act 2018. The Town Clerk highlighted that, for further information on this, viewers could contact the City Corporation using the details provided on the public webpages.

The Chair then introduced himself and welcomed all those in attendance and viewing the meeting via YouTube. He also took the opportunity to welcome Doug Barrow, representing the Ward of Aldgate, to his first meeting of the Committee.

1. **APOLOGIES**

Apologies for absence were received from Deputy Peter Dunphy, Tracey Graham, Alderwoman Susan Langley, Oliver Lodge and Andrew Mayer.

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

There were no declarations.

3. **MINUTES**

The Committee considered the public minutes and summary of the meeting held virtually on 5 January 2021 and, subject to the addition of the points below, approved them as a correct record.

MATTERS ARISING

Anonymisation of Member Comments/Contributions in Minutes (page 6) – A Member commented that she had also requested that her name be listed amongst those Members who had voted in favour of the Motion at the last meeting. The Town Clerk undertook to amend the minutes accordingly.

Questions to the Chair at the last meeting (page 6) – A Member commented that, as the minutes recalled, he had asked two questions of the Chair – firstly why he had not ruled the motion on 150 Aldersgate Street as premature and secondly, on the use of urgent procedures. He thanked the Chair for the written response he had received on these points and highlighted that he had responded to this via email yesterday and had copied in all members of the Committee. He commented that, in respect of his first question, there was no agreement. He added however that he hoped that the Chair would never again entertain a motion to stop a debate before Officers have had an opportunity to respond to Members questions. The Member went on to state that in regard to his second question, he hoped that the Chair and Deputy Chairman would not use delegation or urgency to reduce the amount of decisions needed to be taken by the whole committee.

186-190 Bishopsgate London EC2M 4NR (page 21) – A Member who had voted against the Officer recommendation to approve the application asked that her name be recorded as having done so and also that her vote be recorded by name against today's application. Two other Members stated that they would also like their names recorded. The Town Clerk separately advised that, in accordance with Standing Order No 38, the names of Members were only recorded against votes if they were dissenting from a majority decision but

undertook to name all three Members who had made this request should this be the case today.

4. **55 GRACECHURCH STREET LONDON EC3V 0EE**

The Committee considered a report of the Interim Chief Planning Officer and Development Director regarding 55 Gracechurch Street, London, EC3V 0EE, specifically, demolition of all existing buildings and the erection of a new building comprising basement levels and ground floor plus 29 upper storeys, including office use (Class E), flexible retail use (Class E, drinking establishment (sui generis), hot food takeaway (sui generis)) a public viewing gallery and garden terrace (sui generis), new pedestrian routes, cycle parking, servicing, refuse and plant areas, public realm improvements, and other works associated with the development.

The Town Clerk introduced the item and drew Members' attention to the fact that they had also been sent a virtual site tour, a scheme brochure from the applicant and an addendum that contained two additional representations.

The Interim Chief Planning Officer and Development Director presented the application and began by highlighting that this redevelopment application also had two associated listed building consent applications for St Benet's Place and 2-3 Philpot Lane (at agenda items 5 and 6 respectively). Members were informed that the redevelopment site was situated to the west of the 20 Fenchurch Street Tower in a major key strategic site for the City and an area that the City Plan 2036 had identified as an area of intensification and consolidation of the cluster.

The Interim Chief Planning Officer and Development Director reported that the site in question was bounded to the east by the Eastcheap Conservation Area. Members were shown an image of the existing building from Gracechurch Street and from where the emerging cluster of towers could be seen as a backdrop – with Members reminded that this would be added to fairly rapidly with the addition of the new consented schemes in that area. Members were next shown images of Talbot Court to the south of the site and of St Benet's Place to the north of the site (historically a through route to Brabant Court and Philpot Lane but currently a cul-de-sac). Members were informed that the proposal was to reinstate a pedestrian route here. Images of Brabant Court to the east of the site were also shared. Images of a Northern Courtyard to the north side of the site and not in the ownership of the developer were shared from where the rear elevation of 55 Gracechurch Street was visible and 2-3 Philpot Lane was visible to the right-hand side. Members were asked to note the chimney breast on the flank elevation of 2-3 Philpot Lane – the removal of which was the subject of one of the associated listed building consent applications.

The Committee were shown existing and proposed ground floor plans of the building with the Interim Chief Planning Officer and Development Director

reporting that proposals entailed opening up the entire ground floor of the building and providing new retail elements – intended as a curated, rich and ever-changing eco-system of flexible commercial uses such as retail, food and beverages. There would be unobstructed access through the building at this level which would be open 24/7 and would create links from St Benet's Place through to Brabant Court and beyond. Additional routes would also be created through the site. The main entrance on Gracechurch Street would feature three escalators that ascended to the second and third floor office reception areas.

Members were informed that the Class E uses would comprise of approximately 2,400 square meters at both ground and first floor level and a condition would ensure that these were retail uses within this use class.

The Interim Chief Planning Officer and Development Director highlighted the area highlighted in red at ground floor level stating that this was totally innovative for the City and would incorporate vehicular lifts which would rise up when servicing was required but then drop down and provide an extension to the public realm. Members were shown examples of this type of lift and assured that the City's Highways Team had looked in detail at these in terms of understanding their maintenance and reliability. The Interim Chief Planning Officer and Development Director reported that a maintenance strategy to ensure the resilience of the lift in operation was to be conditioned as part of any permission granted. The Committee were informed that this could be a ground-breaking concept and, in time, do away with the need for large, cavernous servicing bays that were often associated with large redevelopment schemes in the City. It was reported that deliveries would be off-site and consolidated with daily deliveries capped by a Section 106 agreement at 45 deliveries in any 24 hour period, there would also be a delivery servicing plan condition and no servicing would be permitted between the hours of 07:00-23:00 meaning that the area occupied by the vehicular lift could be utilised for public realm and vibrant uses.

Members were shown an image depicting public permeability around the existing site as well as of public permeability as part of the proposed scheme where the aspiration was to open up the ground floor plain with a new pedestrian route throughout the site. The Interim Chief Planning Officer and Development Director reported that a key part of the negotiations around this was to understand how these aspirations tied into the future plans for this part of the City to ensure free public pedestrian routes throughout. Members were informed that the pedestrian comfort level throughout the site was an A/B+, with the pedestrian comfort level at Gracechurch Street currently rated 'F'. With Section 278 work to widen the pavement by 2m this was set to improve to a D/C- depending on peak times.

In terms of public realm, it was reported that the scheme offered an approximately 80% increase when compared to the existing offering.

Members were informed that a minor area of stopping up was proposed and amounted to a depth of approximately 71mm across a length of 24m on the upper part of the site but there would also be 35 square meters of dedicated

public realm – a net increase therefore of 5 square meters of public highway would be gained as part of this scheme.

The Interim Chief Planning Officer and Development Director went on to talk further on St Benet's Place and Members were shown an image of the existing view of the cul-de-sac here looking east. The Committee were informed that the gates depicted were 18th century gates which had been repositioned here in 1993 and had had a nomadic existence. This proposal included the careful restoration and reinstatement of the gates upon completion of the scheme and would form part of the new pedestrian route allowing access to Brabant Court and Philpot Lane throughout. Members were reminded that this was also the subject of one of the associated listed building consent applications before the Committee today, featured at Item 5.

On Brabant Court, the Committee were shown images of the existing and proposed view looking west. To the top of the existing image, a chimney breast was visible and the Interim Chief Planning Officer and Development Director highlighted that this was the subject of the other associated listed building consent application (Item 6) where it was proposed that the flank chimney stack to 2-3 Philpot Lane be removed as part of the party wall resolution. Members were informed that the chimney was a late 19th century addition which was not considered to be of great significance or special interest. There was also a redundant fire escape situated here.

The Committee were shown basement level plans of the proposed scheme, depicting the vehicular lifts dropped down into the loading bay. Beneath this level, 492 long-stay cycle parking bays would be installed which was in excess of the London Plan target (467 spaces). There would also be 24 short-stay cycle parking spaces which was well below the target of the London Plan. This was, however, considered to be justified given the increased number of long-stay cycle parking spaces.

At first floor level, Members were shown that the proposed scheme would incorporate flexible class E use space conditioned to provide retail space. Above this, at levels 2-5, would be flexible incubator spaces for start-ups and co-working spaces for new SME's – described by Officers as a radical and welcome addition which would be secured by a 106 agreement with a view to creating a flexible and thriving eco system whereby new SMEs were able to establish themselves within the City. Above this at level 6, a new free to visit public garden terrace with its own mezzanine level would be introduced. This would include a tree walkway and, in total, would comprise approximately 1,600 square meters of garden terrace. The ground floor entrance to the garden terrace would include two dedicated lifts with a sufficient welcome area to enable security clearances and to avoid the need to queue onto the footway. This had gained the approval of both the City of London Highways Team and TfL. The garden terrace would be a public facility open from 10:00-19:00 or nautical dusk, seven days per week, excluding Christmas Day, Boxing Day and New Year's Day. The terrace would also include toilet facilities and would have a capacity of 150 people. Access and a Visitor Management Plan would be conditioned as would a Cultural Implementation Strategy as the embedding of

culture and education was key to the strategy of curating this space and the applicant had had discussions with local schools including the Aldgate School to understand how the educational offer could be enhanced. Officers commented that this past year in particular had highlighted the importance of outdoor space in terms of health and wellbeing and it was felt that this was a major benefit of the scheme which would be a popular, social and inclusive space and a catalyst for the City's weekend economy going forward. Members were shown an image of the treetop walkway views.

The Interim Chief Planning Officer and Development Director reported that, in total, the scheme offered 34,000 square meters of flexible office space – a significant increase in what was offered at present. This would be arranged in approximately 770 square meter floorplates which was ideal for SMEs with a workforce of 100 employees with flexibility to expand or to be sub divided. There would be a 23,500 square meter increase over the existing commercial floorspace which would also be naturally ventilated.

The Interim Chief Planning Officer and Development Director shared images of the proposed scheme alongside the existing City cluster and commented that it was considered acceptable and had been thoroughly assessed in terms of the impact on views and heritage assets. A 3D image of the proposed site in relation to all of the existing and consented tall buildings within the cluster was also shared. It was highlighted that, strategically, this proposal was an important part of the development of the City cluster.

The Committee were informed that the new City Plan 2036 identified this area as an area where the cluster could intensify and consolidate to the south-west. It was also included as a renewal opportunity site and had been informed by complex 3D modelling to better understand how the growth of the cluster could be dovetailed with the need to protect important heritage views and assets. The Interim Chief Planning Officer and Development Director commented that it was expected that this particular scheme would sit at the very far south western point of the cluster, stepping up, and it wasn't expected that there would be sufficient scope for any tall building development to the south or west of this. The installation of a tall building here was, however, supported by 3D modelling as well as by policy.

The Committee were shown various images of the existing and proposed elevations depicting the schemes relationship to the existing cluster and how it would step up to meet this. Members were informed that the scheme had been through a number of thorough redesigns and amendments to lower its height and change its massing and scale to respect views of heritage assets.

It was highlighted that a number of objections had been received in relation to the impact of the proposed scheme on views of heritage assets. The Interim Chief Planning Officer and Development Director highlighted the area of intensification on an image of a view of the existing site from Waterloo Bridge and explained that the intention was to bring the building at 20 Fenchurch Street back into the cluster rather than having it appear as an outlier to this. The view looking north from the south bank of the Thames depicted how the

proposed scheme would not impact upon the critical view of the Monument and St Magnus the Martyr and would step up to 20 Fenchurch Street and the cluster beyond which culminated towards the north. The view from the North bastion of Tower Bridge that had been debated at great length at the Tulip public inquiry depicted the Tower of London to the extreme west and demonstrated how the proposed scheme would mediate between the rather strident skyline of 20 Fenchurch Street and the nearby cluster.

With regard to the view of the proposed scheme from Butler's Wharf, Members were informed that Historic England Southwark had raised concerns as to the impact of the proposal here. The Interim Chief Planning Officer and Development Director commented that the proposal would infill more of the space between the bastions of Tower Bridge and the Tower of London and recognised that there was a degree of diminishment here. However, when considered in the round, Officers were of the view that the degree of harm caused would be slight. It was highlighted that Historic England had also raised objections as to the impact of the proposal on views from the Inner Ward of the Tower of London, a World Heritage Site. An outline of the proposal from this view was shared with Officers commenting that they did not believe that the impact here would be harmful and commenting that the view from the Inner Ward was kinetic.

In terms of local views, the Committee were shown images of the existing and proposed view looking north from Lower Thames Street. From here it was recognised that the proposal would diminish the impact of the Monument from this view where it currently sat against open sky. However, the proposal had been amended to lower the height of the building so that the flaming orb and the upper storeys of the Monument remain visible against the open sky. As people moved up towards Fish Street Hill, more of the Monument would again be visible against open sky with the proposal appearing more recessive. It was highlighted that Historic England and the Georgian Group had also objected to the impact of the proposal on St Mary Woolnoth Church (a listed building) visible from Bank Junction. Here, the proposed scheme would be visible as a backdrop and was not considered to be harmful. The Interim Chief Planning Officer and Development Director reported that the 'old' City and portland stone buildings were characteristic of this view with the listed buildings in the foreground with the dynamic contrast of the new City set behind this. He added that this juxtaposition between the old and the new was distinctive from this view. It was also added that the principal point from which people approach St Mary Woolnoth was from Lombard Street from where the proposal would not be visible with the towers of the church set against open sky.

Finally, Members were shown the view from the junction of Bishopsgate and Threadneedle Street with Officers highlighting that the original scheme had been revised and pulled back to the east to ensure that the flaming orb of the Monument remained visible as a strong wayfinding element of the townscape. The same was true of the view from the junction of Gracechurch Street and Lombard Street. From Eastcheap, the proposal would add to the view of tall buildings which already dominated the skyline.

The Committee were shown an image of the proposed scheme at dusk with Officers highlighting that the scheme had very good sustainability credentials in terms of carbon emissions, whole-life carbon and circular economy principles and would achieve a BREEAM rating of 'outstanding' with conditions. In terms of daylight and sunlight and amenity to neighbouring buildings, it was highlighted that there would be a moderate adverse effect on some neighbouring buildings but, as set out within the report, this was considered acceptable within the dense urban context of this part of the City.

In terms of heritage assets, the Interim Chief Planning Officer and Development Director reported that Officers had identified the significance of 2-3 Philpot Lane, the Eastcheap Conservation Area, the Monument and Tower Bridge where any harm caused was considered to be on the lower end of the spectrum and meet an NPPS definition of 'less than substantial harm'. Whilst great weight had to be placed on this, the report set out that the wider public benefits of the scheme is considered to outweigh this.

With regard to other issues, the Committee were informed that the wind conditions were considered to be acceptable however there were conditions proposed to ensure that landscaping features were added to the public terrace to further improve wind conditions in this area. Conditions were also proposed to ensure that lighting levels were maintained and well managed. Finally, in terms of urban greening, the Committee were informed that the scheme would exceed the recommended target within the City Plan.

The Interim Chief Planning Officer and Development Director concluded by summarising the key issues in terms of the application. He commented that the development was situated within a key strategic part of the City, an area identified within the City Plan 2036 as both an extension to the City Cluster Policy Area and also a renewal opportunity area. It was of strategic importance in terms of delivering floorspace in line with projected demand. The design was considered to be of the highest quality with a significantly amended height and massing to address sensitive heritage views including St Paul's and the Monument. The scheme would provide 34,000 square meters of office floorspace – an uplift of 23,000 square meters – with the office space designed for small and medium size businesses with flexible and adaptable layouts for subdivision, expansion and also co-working. The development was estimated to generate between 700-1,200 additional jobs and increase spending in the locality, boosting local businesses and creating a post-COVID resurgence. Members were reminded that the lower five floors of the building would provide a rich, hybrid mix of spaces - retail, food and beverage, incubator workspace for start-ups, co-working space and presentation rooms – making this a vibrant, dynamic and creative offer. The ground floor of the building would be opened up 24/7, providing new pedestrian routes through the site and offering very good pedestrian comfort levels. The scheme offered an innovative, ground-breaking servicing solution for the City with two vehicular lifts which, when not in use, would become a seamless part of the ground floor public realm. It would have off site consolidation and there would be no servicing between 07:00-23:00. Long stay cycle parking exceeded the London Plan target and the building would have excellent sustainability credentials and would achieve a

BREEAM outstanding rating. A free to visit public garden terrace with an elevated walkway would provide a place for workers and visitors to escape the bustle at street level and this area would be curated with cultural and educational needs in mind, including collaboration with local schools. It would be a socially and economically inclusive space which would also introduce vibrancy to the area seven days per week and would diversify the appeal of the City to a wider audience. It was reported that the scheme was therefore considered to represent an exciting new genre of City building which addresses key City challenges. It was a permeable, external facing, welcoming building that would be attractive to SMEs and start ups and would also offer vibrant public space which would enliven the City and put it in good stead for the future. It was commented that the scheme could provide a template for others to follow and that this and the two associated listed building consent applications were therefore recommended favourably to Members.

The Chairman thanked the Interim Chief Planning Officer and Development Director for his presentation.

The Town Clerk introduced Ms Meghan Allen addressing the Committee in objection to the proposals on behalf of the owners of Alliance House which sat immediately adjacent to the application site. Ms Allen began by highlighting that the existing building at 55 Gracechurch Street abutted Alliance House from ground to eighth floor level and had a close visual relationship with it. The new building proposed through this application was also intended to abut Alliance House with the two sides remaining intrinsically linked. The application site also included the small parcel of land in the ownership and control of Ms Allen's client and she highlighted that, to date, no agreement had been reached between the two parties meaning that the development was incapable of being implemented in its current form. Ms Allen went on to state that there were five areas that her client had concerns around - potential development, impact on daylight, impact in terms of privacy and overlooking, heritage and impact of demolition and construction. Turning firstly to potential development, Ms Allen stated that her clients were concerned that the future development potential of Alliance House, an important and prominent corner plot, would be seriously jeopardised by this development proposal in its current form. She added that the client site sat at a prominent junction at the heart of the renewal opportunity area which was clearly identified within the emerging City Plan. It was within the City cluster and crucial to the regeneration of the area. Ms Allen reported that her client supported this emerging policy allocation. Unlike the application site which was outside of the allocation, Alliance House was closely related to existing City cluster buildings by virtue of its proximity and use and, if its future development were to be blighted as a result of negative impact from neighbouring developments, the overarching policy objectives of the emerging City Plan would be undermined. Secondly, with regard to daylight, Ms Allen stated that her client objected to this application on the basis that development permitted on this scale in such close proximity to Alliance House would reduce the amount of light received by existing office space. It was not felt that the daylight and sunlight report had addressed the impact on Alliance House and Ms Allen asked Members to consider the fact that this was a functioning commercial space which was ordinarily fully occupied. In its current form, it was

felt that the proposed development would almost entirely remove natural light from open plan offices situated on the lower floors in the south east corner of Alliance House resulting in reliance on artificial light. Offices on upper floors which currently receive a good level of daylight would also see a significant reduction. The application proposals would also significantly limit opportunities for natural light for any future development which would limit the form and function of future development and may well make it less viable and therefore make it at odds with the objectives of the policies around the City cluster. Thirdly, on privacy and the potential for overlooking, Ms Allen reported that her client objected to the application on the basis of the prospect of overlooking, noting that the application proposed a public viewing gallery which represented a real and intrusive risk of overlooking by numerous visitors. This was also a serious concern in relation to future development opportunities at the site. Ms Allen reported that her client's site had been identified for large scale commercial redevelopment and there were concerns that this would be hindered with the erection of this substantial building. With regard to heritage, Ms Allen noted that Officers had confirmed that this development would result in harm to the heritage significance of the Monument and Tower Bridge and their settings due to its location, height and bulk. Harm would also be caused to Eastcheap Conservation Area and 2-3 Philpot Lane. Whilst Officers had concluded that public benefit would outweigh harm, Ms Allen highlighted that Historic England had raised a number of serious concerns and has confirmed that they cannot support the proposal in its current form. They had not withdrawn their objection and the client remained concerned that heritage matters had not therefore been satisfactorily resolved. Lastly, on construction management, Ms Allen noted that this was a large project which would involve the demolition of an existing building and construction of a 29 storey building, the site was very confined and the process could therefore have significant impacts on surrounding properties. In conclusion, Ms Allen stated that her client objected to this application on the basis that it would seriously hinder the future development potential of this pivotal allocated renewal site and in doing so would undermine the objectives of the important growth and renewal policies. The development would also impact on the amenity of existing occupiers and cause harm to heritage assets. The client was also concerned about the management of the demolition and construction of the project and the significant it will have on surrounding occupants and would respectfully request that the application be refused or at least deferred to fully consider these points.

The Chair thanked Ms Allen for her contribution and invited any questions that Members might have of her.

A Member sought clarification as to whether 55 Gracechurch Street was situated in the renewal opportunity area and whether or not it was the case that this site should not be developed in order that 60 Gracechurch Street could be going forward. Ms Allen commented that the two were linked and reiterated the point that her client's site was the prominent corner plot. She stated that the development of 55 Gracechurch Street would affect what was possible on the Alliance House site at 60 Gracechurch Street and that the two therefore had to be considered together.

The Town Clerk reported that three speakers would now address the Committee in support of the application – Mr Patrick Wong (applicant), Mr Richard Ward (DP9) and Common Councillor Tim Levene. Members were informed that there were also various other representatives of the applicant present to respond to questions only.

Mr Wong introduced himself as the founder and CEO of Tenacity Group, the owners of 55 Gracechurch Street. Pre-COVID, Mr Wong reported that he would travel to London monthly and had taken the opportunity to meet face to face with some Members and Officers at various meetings and briefings – something which he had found invaluable. Mr Wong stated that, before the acquisition of 55 Gracechurch Street, various other areas of London had been considered for this proposal. However, the Square Mile with its unique blend of history, innovation and global connections was a constant draw. The applicant had sought to reflect these qualities in their proposals for 55 Gracechurch Street and Mr Wong added that he believed that London was and would remain an attractive City for great companies large or small and for talented workers. He noted that Brexit and the ongoing pandemic had created incredibly difficult challenges for business, however, his conviction and confidence in the long-term future of the City of London remained steadfast. He added that he firmly believed that the era of the office was not over and that the challenge was to create the right kind of office space going forward which reflected the increasing importance of environmental sustainability and social interaction within the five generations that now made up the workforce. He recognised that digitisation and the introduction of things such as virtual meetings had influenced behaviours and that this was here to stay but with the vaccination programmes now being rolled out across the world, would emerge a ‘new normal’ with higher expectations from both employees and employers alike. Mr Wong stated that he believed that the right space would attract the right companies and, in return, help them to recruit the right talent that drives growth. Providing the right type of space that allows for an experience in a quality environment both within buildings and in spaces between them would be expected. The ambition of the Corporation to embrace its new Climate Action Strategy was already testimony to this changing world and Mr Wong applauded this ambition. He stated that he felt that the City had been evolving in the right direction all along and that the applicant was embracing this change wholeheartedly. Mr Wong stated that he hoped that the proposals before the Committee which had evolved over the course of the past two years with advice from the Planning Department would be seen as an exemplar of this new mindset and that 55 Gracechurch Street could be part of this vibrant and sustainable new vision for the City of London.

Mr Ward began by stating that adopting an emerging local planning policy sought to maintain the City’s position as the world’s leading international financial and business centre and driver of the national economy. He noted that emerging policy sought to increase the City’s office floorspace stock by a minimum of 2 million square meters from 2016-2036. Mr Ward reported that the six pillars of the scheme before Members were exemplary design, sustainability, permeability, flexibility, inclusivity and to be an enabling development. In terms of exemplary design, he stated that the building would

respond to its existing and emerging context and deliver a coherent, well-proportioned building with a strong overall sense of architectural integrity which would enhance the City cluster. In terms of sustainability, the applicant was targeting a BREEAM outstanding rating and would deliver integrated urban greening. The applicant had also adopted circular economy and whole life carbon principles with 98% of demolition waste to be reused or recycled. In terms of permeability, the applicant would reinstate a historic pedestrian route linking Gracechurch Street with Philpot Lane and significantly increase the amount of publicly accessible space on the site. Much improved pedestrian comfort levels would also be delivered along Gracechurch Street. In terms of flexibility, the applicant would provide adaptable office floorspace to meet the demands of different types of business occupiers including incubators, start-ups and other small and medium size companies. A flexible ground floor layout would also be created that was capable of responding to a changing retail environment. The applicant's innovative approach to servicing would transform the main courtyard space at the heart of the ground floor plan from a servicing bay by night to a public open space surrounded by active uses during the day. In terms of inclusivity, free public access to a sixth-floor terrace would be provided – a large green space offering views over the City and beyond. The applicant was also committed to implementing an overall cultural strategy for the development with the aim being to maximise the public offer both at ground floor and terrace level through organised events targeting local residents (including pupils at Aldgate School), City workers and visitors alike. Finally, in terms of being an enabling development, not only would the applicant deliver a new east-west pedestrian route, but the ground floor plan would also enable a potential additional north-south pedestrian route up to Fenchurch Street. The proposed development would create 2,000 new jobs and deliver over £7 million worth of Community Infrastructure Levy and Section 106 contributions. Mr Ward therefore hoped that Members would be minded to approve the application today, in line with Officer recommendations.

Tim Levene addressed the Committee as a Common Councillor for the Ward of Bridge in which this development would be located. He reported that he had monitored the project for some time and had been impressed at the ambition and vision of the developer but also the adaptability and focus on sustainability. He commented that it was probably recognised by all that there were areas of the City that needed regeneration and reimagination, particularly in the face of an uncertain future for the workplace in the face of Brexit and post-pandemic. Mr Levene stated that there were a number of aspects that led him to support this development – firstly the need for the City to remain competitive in order to continue to innovate and push boundaries and also the need to keep the City's building stock not only fit for purpose but to future proof this too. He stated that he felt that this project provided a fantastic opportunity to do just that. The development would also improve the surrounding area – not just aesthetically but with a real improved flow for pedestrians which many of his electorate had been asking for. Equally important he felt was the project creation with the focus on the future of work in mind and diversification that would create and attractive environment for a variety of different industries to thrive, in particular SMEs. Finally, Mr Levene spoke favourably on the developer's desire to create green space for City and Ward residents to enjoy daily. He added that he was

also very encouraged to learn of the developer's engagement with the local school - something that Mr Levene stated he would like to see other landlords and developers champion in the future.

The Chair thanked those speaking in support of the application and invited any questions that Members may have of them.

A Member noted that over the proposed building's whole lifecycle, the embodied carbon emissions would not meet the GLA's aspirational target of the RIBA 2030 Climate Challenge for Net Zero Buildings or the Leti (London Energy Transformation Initiative) roadmap to zero carbon buildings by 2030" and asked for the comparison between both the current building and the proposed building in terms of carbon emissions (including embodied and operational). For clarity, the Member stated that they did not want to know the figure per square meter, but the overall total to be able to compare the impact of keeping the current building versus demolishing and building this new building.

The Member went on to question whether refurbishment had been considered and whether it would be possible, by opting to refurbish the existing site, to target more ambitious operational energy and carbon savings and to achieve better whole life carbon performance, due to the elimination of much of the embodied carbon from construction and demolition related activities. Oliver Morris, Sustainability consultant, highlighted that whilst the proposed development did not meet the aspirational GLA target it did meet the emerging GLA plan benchmark. In terms of the proposed building versus the existing, Mr Morris highlighted that the embodied carbon would be negligible for the existing building given that this was to be retained. He stated that the proposed building, through holistic design, would adopt circularity principles to look at the reuse viability of existing materials within the building alongside extending the serviceable life of products, proposed materials and building services which meant that, looking across the whole life cycle of the development in terms of recurring emissions, the proposed building would be far more efficient whole life carbon wise from an operational perspective. It was reported that the developer was further developing a methodology for reducing the embodied carbon impacts of the scheme through material reuse and extending the serviceable life of products going into the building.

Mr Morris reported that a reuse viability assessment had been undertaken for the existing building, but the intention was not to refurbish, and Mr Morris did not believe that this option had been considered given the efficiency of the proposed scheme. Mr Ward added that refurbishment of the existing building would not be able to deliver the significant public realm benefits at ground floor due to the nature of the existing structure. It was also felt that a refurbishment with an extension would not necessarily maximise the development potential of the site.

Finally, in relation to the public lifts, the Member noted that there was reference to this being supported by City of London Police and questioned where this was to be funded from and whether this would be in perpetuity. Mr Ward reported

that access to the public terrace had been discussed and designed with the Metropolitan Police and that the costs of running, servicing and maintaining this would be met by the developer.

Another Member questioned the public benefits of the development, noting that the scheme involved the removal of a gym that had occupied approximately 1,300 square meters and would not be replaced. The Member noted that a similar amount of space would be provided instead for publicly accessible open space and that prior briefings with the applicant had suggested that the capacity for this space would be approximately 160 people with the building itself capable of accommodating 1,950 workers. She therefore questioned how much of a public benefit this open space would actually be. The Member went on to query the impact of the new 24/7 passageway on residential amenity as no reference had been made to this. In terms of making a comparison between the existing gym and the proposed public offer, Mr Ward highlighted that the gym was a members only, paid facility whereas the developer was proposing free access across the public realm at ground floor level and also at sixth floor terrace level. In terms of the new 24/7 access from east-west via Brabant Court, Mr Ward reported that there were currently serviced apartments at 4 Brabant Court as opposed to traditional C3 residential. He added that he was aware that this area had been a focus for antisocial behaviour as it was a dead end and it was felt that opening this up would be a positive in terms of installing surveillance and introducing the presence of constant on-site management to tackle any anti-social behaviour in and around the area.

A Member raised a query on the public safety aspects of the vehicular lifts which he described as incredibly innovative. He noted that the lifts retracted back into the public realm when not in use and questioned how those in the vicinity would know that the lifts were about to come into operation and whether these would be fenced off in any way.

Mr Ward reported that on-site management would be physically present during the hours when the service bays came into use (between 23:00-07:00) to ensure that they were unobstructed. Bollards would also be installed.

A Member noted that the Officer's report stated that 90% of the roof garden had two hours of sunlight in March, she questioned how much sunlight the area would have when the sun was at its highest point in June. The report also stated that, despite the developer's best endeavours to date, they had failed to create a satisfactory wind climate and the Member questioned how they planned to remedy this without creating either a physical windshield which may alter the appearance of the building/ garden or the views from it. Mr Ward stated that in the Summer the majority of the terrace space would be suitable for what was defined as frequent and occasional sitting. Currently, modelling had shown that it was slightly windier towards the western side of the terrace and the applicant was continuing to look at this. Officers had proposed a planning condition which the developer had accepted and would involve the submission of further details prior to commencement of works on site which would ensure that a sitting condition was achieved. Mr Ward explained that some of the options considered to date were additional landscaping, adjusting

levels to a certain extent to create a greater barrier to the west and also a type of lightweight structure that would ensure no impact on townscape views.

On cycling and pedestrians, the Member stated that, as a cyclist, she was disappointed to see that only 20% of the required short stay cycle parking spaces would be provided (24 spaces) and questioned what would happen with cargo bikes making deliveries in the vicinity should these spaces be fully occupied given that these could often occupy large amounts of pedestrian space. The Member also questioned how 450 bikes would be able to access the long-stay spaces during peak morning and evening periods given that each of the two lifts only held two cyclists and their bicycles at a time. It was also highlighted that St Benet's Place was just 2.6m wide with an entrance of 2.3m with a bollard in the middle of this and the Member therefore questioned where cyclists waiting to gain access to the lifts would queue without adversely impacting upon pedestrian routes. Finally, the Member noted that peak figures per day for the existing building were 242 and 253 pedestrian movements whereas the proposed scheme suggested that there would be 526 and 501 pedestrian movements which was approximately double the existing figures whilst, in terms of office floorspace alone, numbers had tripled. The Member sought further clarity and commentary on these figures. John Mulhaire, the applicant's transport consultant stated that, in relation to short stay cycle parking, achieving 24 spaces had been a difficult task and a fine balance that needed to be struck in relation to delivering pedestrian through routes. He added that if all 24 spaces were occupied, there were other opportunities to park on-street in the surrounding area. He also asked Members to note that additional long-stay cycle parking spaces had been provided so that, if a cyclist were visiting an office based employee, there was scope to build in visitor access to these spots in the Management Plan for the site. This could also be detailed in the Cycling Promotion Plan which was to be produced in response to a condition. With regard to cargo bikes, Mr Mulhaire reported that there were three cargo bike bays provided within the site which had, again, been difficult to accommodate without affecting pedestrian flows and comfort levels. Mr Mulhaire added that the cargo bike provision was supplementary to the analysis that had been carried out for the servicing of the site. He recognised that, whilst these bikes were large, the parking allowed for this and it was important to note that they tended to have a very short dwell time with deliveries taking between 5-10 minutes. It was therefore thought that the provision of these three dedicated spaces was sufficient to accommodate the demands of the site. In relation to the cycle lift strategy, Mr Mulhaire reported that two dedicated cycle lifts had been provided for the development however, the analysis undertaken with the vertical transport consultants also allowed for the two goods lifts to be used during peak periods. The queuing calculation undertaken in consultation with the vertical transport consultants demonstrated that, at peak arrival times, a maximum of two cyclists may be waiting to access lifts and could do so side by side whilst still allowing pedestrians to pass by. Finally, in relation to the predicted pedestrian flows at the site, Mr Mulhaire underlined that the critical point here was that there was an existing building on site which had an existing demand in terms of pedestrian movements during peak periods and the analysis undertaken had included a net increase assessment so the proposed volumes did not include what was already happening and the figures within the

report therefore referred to a net increase of 526 during the morning peak period. Mr Mulhaire explained that this was a standard assessment undertaken for any transport assessment with an existing use on site.

The Member posed a supplementary question, seeking clarity on where the goods lifts that would also be available for cyclists to use during peak times would be situated in relation to Gracechurch Street. Mr Mulhaire reported that, in relation to the two dedicated cycle lifts, the goods lifts were located further to the east of the site. The Member questioned whether this meant that cyclists would therefore have to walk through the site to access these lifts. Mr Mulhaire confirmed that this was correct.

In relation to the question on sunlight to the terrace, Jerome Webb, the applicant's daylight/sunlight consultant reported that the amount of sunlight that would hit the amenity area in Summer/21 June had been carefully looked at as part of the design process with the assessment contained within volume 3 of the addendum 'ES'. Mr Webb went on to give the Committee the broad headlines of this, stating that the total number of potential sunlight hours on that day would be 16 hours and 38 minutes and, of that, approximately 65% of the terrace area would have in excess of 2 hours of sunlight but the majority of the 65% would exceed 4 hours and 30 minutes of sunlight. The Gracechurch Street frontage and the southern façade of the building would enjoy in excess of 5 hours of sunlight.

Another Member stated that he felt that this was a very congested part of the Square Mile containing many buildings. He asked the applicant how the construction phase of this project would progress should approval be granted and what sort of consolidated supply chain had been looked at and what impact there would be on the streets and walkways in the area during the construction phase given that these were quite narrow pavements despite the street itself being wide – he questioned what assessment of this, if any, had been undertaken. Mr Ward responded by stating that, as with every planning permission, there would be a condition attached which would require a demolition logistics plan and a construction logistics plan to be submitted and approved before anything could happen on site. This detailed work would be carried out when a contractor was appointed if planning permission were to be granted for the scheme. Mr Ward also reported that there were various neighbourly agreements that the applicant would need to sign prior to the commencement of any works. Mr Ward went on to highlight that the key principles would be the maintaining of pedestrian routes including access to Talbot Court and also the use of modern methods of off-site manufacture to make the construction process as efficient as possible.

A Member asked the applicant to clarify ownership and whether this included ownership of the land. Mr Ward reported that approximately 40 square meters of land within the red line boundary was owned by the freeholders of 60 Gracechurch Street and that the vast majority of this was proposed to be resurfaced as part of improvements to St Benet's Place and the re-opening of the east-west route. There was 5 square meters of land which had a pile basement retaining wall beneath it and was marginally over sailed by the

façade of the building above. Mr Ward reiterated that this would form part of various neighbourly agreements and negotiations that were typical of major schemes. Mr Ward reported that these conversations had started and would continue should planning permission be granted.

The Chair asked that Members now move to the substantive debate and also invited any outstanding questions that Members might have of Officers.

A Member sought confirmation on the stopping up order asking whether, if granted, this would not be made until there was a binding agreement from the developers to add the replacement public open space. Secondly, the Member referred to the chimney breast which was proposed to be removed and sought confirmation as to whether this was operational at present. Finally, the Member referred to Historic England and stated that it was his recollection that, where Grade I buildings were concerned, they had the right to direct a refusal. He questioned whether this was correct and, if so, why they had chosen not to exercise it.

With regard to the stopping up order, the Comptroller and City Solicitor reported that the order would include a requirement for the provision of the replacement highway which would come into effect when the stopping up order took effect albeit that this would inevitably lag because the new highway would need to be laid out. She added that the 278 agreement would most likely contain the arrangements for laying out and the approval of the new highway.

The Interim Chief Planning Officer and Development Director reported that the chimney breast was not in use at present. With regard to Historic England, he informed the Committee that the organisation had no power of direction of refusal as this application did not concern a listed building consent on a Grade I building. However, as with any major scheme, it could be called in, which the Interim Chief Planning Officer and Development Director felt was unlikely at this stage. The Comptroller and City Solicitor added that it was only the Secretary of State and the Mayor of London who had powers of direction. She added that Historic England were, however, advisors to the Secretary of State and could therefore make recommendations on this basis.

Another Member noted that the BREAAAM rating of 88% was said to be a target and questioned who would be monitoring this and what the consequences were should the applicant fail to achieve this. Secondly, they noted that the Chief Planning Officer and Development Director had made reference to complex modelling of the City cluster that had been carried out in relation to this application and questioned whether this modelling had been carried out pre-pandemic, noting that the City Plan 2036 was set to come back to this Committee for consideration after consultation due to the extent of change within the City.

With regard to the BREEAM rating, the Interim Chief Planning Officer and Development Director reported that the City Corporation had controls to ensure that this outstanding rating was delivered under S106 and this would be monitored in terms of construction and post construction. Officers explained

that the current BREEAM rating was 'excellent' and that the applicant was targeting 'outstanding' which would be conditioned in terms of monitoring and reporting.

With regard to the 3D modelling, Members were informed that the complex work carried out here was intended to identify areas where the City could deliver floorspace and, by virtue of that, taller buildings to meet projected demand. It was highlighted that this area was particularly hampered by the processional route which had led to the proposal for this building having to be reduced in height so that it did not appear behind St Paul's. There were also other key views which informed the capacity for growth in this area so it would not be possible to accommodate a series of 300m tall buildings here, but buildings in the region of approximately 150m which would be valuable in terms of accommodating future growth.

With regard to the City Plan process, Officers highlighted that the latest draft had been approved by this Committee in November 2020 and subsequently by the Policy and Resources Committee and the Court of Common Council. Consultation would commence this month and, if as a consequence of this there were any further material changes that needed to be made prior to examination, it would return to this Committee for approval if necessary.

A Member stated that he felt conflicted on the application. He was impressed by the opening up of the area and pedestrian flows, the pop-up servicing lifts, the incubator office spaces and the regeneration of this area of the City. He added that he was, however, concerned as to the creep of tall buildings in terms of their impact on historic buildings and the genuine need for them. He noted that this scheme had been highlighted as a means of softening the singularity of the Walkie Talkie building but added that it was very clear that this building would impact upon the Monument and Tower Bridge which he felt was regrettable. The Member also expressed concern as to wind climate and noted that the Officers report stated that in most locations wind conditions would remain either the same as existing or become windier but would continue to fall within suitable categories. He stated that he did not think that this was good enough. The Member questioned why this application had received quite so many objections from residents, businesses and historic associations and whether, if the application were to be granted, a precedent was being set in terms of overruling these objections. He also asked whether all options had been exhausted in terms of trying to improve wind conditions. Finally, in terms of future demand for City office space and the likely return of workers to the City given that many businesses were already talking about more flexible working going forward, he questioned whether growth projection figures quoted within the report had recently been revisited. This would directly impact on whether there was a genuine need for the proposed additional storeys on this site.

With regard to creep, Officers stated that they felt it was desirable to bring 20 Fenchurch Street back into the cluster and to consolidate the area and reinforce the 'clustering' concept. Complex 3D modelling had informed these views. The Interim Chief Planning Officer and Development Director noted that

each tall building had to be assessed on its merits within policy framework. He noted that this site was a little to the south of the edge of the Eastern Cluster Policy Area but highlighted that this was not a prescriptive boundary and that the proposal had been assessed as causing less than substantial harm that was outweighed by public benefit.

With regard to wind, it was reported that the work done in terms of wind guidelines was not intended to stop areas from getting windier given that tall buildings changed the geography of the land and led to enhanced wind conditions. The guidelines existed to ensure that wind conditions were made as comfortable as possible and it was highlighted that, under this scheme, the wind conditions around 20 Fenchurch Street to the west would actually be improved. Officers reported that the condition to improve wind conditions on the public garden terrace was not dissimilar to that imposed on 50 Fenchurch Street and was likely to involve landscaping features/planting.

With regard to the number of objections received, Officers commented that this was not unusual for a proposal concerning a tall building within a sensitive setting which would have an impact on the setting and backdrop of historic buildings. It was highlighted that changes to the backdrop did not necessarily relate to harm and Officers had found Historic England's position quite difficult to understand given that there was a juxtaposition of the new City and the old City which characterised this part of the Square Mile and was typical to the city cluster area. It was reiterated that the applicant had amended their scheme to address the harm that would be caused by the development from an early stage and this was considered to be less than substantial. The Interim Chief Planning Officer and Development Director added that any decision on this application would not set a precedent in any way as each application had to be considered on its merits and in terms of its relative impact on things such as heritage assets. He added that it was important to point out that Historic Royal Palaces had chosen not to object to the proposals with regard to the World Heritage Site and their opinion therefore clearly differed from Heritage England.

With regard to demand for office space, Officers stated that it was still felt that it was too early to say what this might be post pandemic but that their view was that, as a total quantum, the amount of office space required across London as a whole was likely to shrink as a result of the COVID pandemic but that offices would gravitate towards quality space and that they considered the City to be one of the better spaces in the capital to locate.

A Member questioned the true public benefits of the scheme compared to the harm caused to numerous heritage assets given the objections lodged by those who were experts in the field. They added that, whilst they were very supportive of opening up pedestrian routes through large developments, they did have concerns that this would be adjacent to a residential property. Finally, they added that their main concern was the public versus the private benefits to the scheme. Whilst the ground floor area would be opened up in terms of public access, this was necessary to service the retail units on site. With regard to the provision of open space, whilst more of this was definitely needed in the City, the space proposed would not, in their opinion, be sufficient for the number of

workers in the building let alone the wider public. The Member added that the suggestion that 20 Fenchurch Street had already impacted on the view of Tower Bridge to justify further harm to this was, in their opinion, not correct. The site in question was outside of the cluster, south of the Walkie Talkie, and the Member commented that they had been of the belief that the eastern cluster had been very carefully designed to ensure minimum impact on the City's significant heritage assets and listed buildings. With regard to the cultural offering of the development, the Member reported that the same claim had been made with regard to the Tulip and commented that there were many aspects of this that were undefined.

Another Member questioned the paragraphs within the Officer report relating to whole life carbon. He asked Officers to confirm whether it was correct that, given there would be no reduction in the overall carbon emissions from the building and no savings until 2034, there would be no embodied carbon or considerable contribution to emissions. If this were the case, he questioned what Officers were referring to in paragraph 409 of the report in terms of a strategy to achieve further reductions being required by condition and what level of embodied carbon could be realistically achieved/conditioned in this space. He also questioned whether offsetting had been discussed with the applicant to deal with the embodied carbon and, if so, what conclusions had been reached. The Interim Chief Planning Officer and Development Director reported that as schemes were refined at condition stage, particularly through procurement processes and early engagement with the contractors once permission had been granted, opportunities were always prioritised with regard to materials and Environmental Product declarations for example. Effectively, this involved looking at things such as the GLA's aspirational carbon guidance which included looking at increased recycle content of the materials and replacement of carbon in materials such as steel and concrete. He added that the development and construction of a building was always an evolving process and refinement could therefore always be secured through condition which was the intention here where it was hoped that Officers could work collaboratively with the developer to gain improvements in terms of embodied carbon and part of these discussions would also include offsetting.

A Member reminded the meeting that, in 2006, this Committee granted planning permission for the Walkie Talkie building which now sat within the span of Tower Bridge. He added that this application for 55 Gracechurch Street, if granted, would fill yet more of the span of Tower Bridge. However, it was not just this view that this proposed building would impact upon as the Monument's setting would also be affected and degraded – something objected to by Heritage England, the Georgian Society, the Victorian Society and the City Corporation's own Conservation Area Advisory Committee which, combined represented independent and expert views. He therefore questioned why the Officer report recommended that permission be granted. Members had been told that the proposed building would fall outside the cluster approved within the current Local Plan which should cause the application to fail. However, Members were then told that, in the draft City Plan 2036, it was 'located on the edge of the revised City Cluster Policy Area which extends the cluster to the south, incorporating the Walkie Talkie' – in other words the Walkie

Talkie mistake was to be retrospectively rectified by extending the cluster to include it and justify the erection of more tall building such as this around it. The Member commented that another justification for the report recommending permission is that, whilst the proposed building cause heritage harm, that harm was outweighed by 'public benefit' but the public benefit was disproportionately small in comparison. The report suggested that this building would make the site more permeable but this would only benefit a small number of people who walked regularly from the mid-point of Philpot Lane to the mid-point of Gracechurch Street to do so directly. Other justifications made mention of school children and greening but the Member stated that he felt that school children would benefit more from a visit to the Tower of London than the sixth floor of an office block and from visiting a park as opposed to a few trees part way up an office building. The Member commented that, despite all of this, he believed that the application would still be granted today to enable the construction of this little brother to the Walkie Talkie but encouraged all that cared about the City's heritage to call upon the Mayor of London to call in this decision and direct that it be refused.

At this point, the Chairman sought approval from the Committee to continue the meeting beyond two hours from the appointed time for the start of the meeting, in accordance with Standing Order 40, and this was agreed.

A Member raised a question regarding solar glare and noted that the report stated that there were 13 junctions where there was the likelihood of solar glare effects and the mitigation suggested was that drivers use their car visors. They stated that, sadly, cyclists, motor cyclists and pedestrians did not have this option and questioned how the junctions would work with 'alternative traffic signals enabling road users to use different options' and whether Officers genuinely believed that these thirteen junctions would be safe and that no further mitigation was required. The Interim Chief Planning Officer and Development Director highlighted that the report set out that it was not expected that solar glare would be an issue based on the information available (it was considered to be a minor adverse risk) and that no further works therefore needed to be carried out with regard to this. There was, however, a Section 106 obligation to review this in the event of any issues arising.

Another Member commented that it seemed, on the basis of the last few major applications considered by this Committee, there was a desire from developers to help the City Corporation to define what the new working world might look like post pandemic and stated that he had been quite enthused by what he had seen. He added that, this proposal had evolved and incorporated much change compared with when Members first start receiving information on the development approximately a year or two ago and that he also found this encouraging. He added that he was very impressed by how these proposals attempted to attract people and business back to the City and attempted to define communal areas within the building and felt that they demonstrated an understanding of the City Corporation's aspirations in terms of being a global City open for business. On the technical side, the Member stated that he initially had some reservations as to the positioning of this tall building but had been encouraged by the graphics supplied which showed the tower set back

from the main street and the frontage very much in keeping with the rest of Gracechurch Street. He stated that he was therefore supportive of the proposals as they stood but would also like to support the point already made with regard to ensuring that conditions relating to embodied carbon were as tight as possible.

A Member spoke to state that they shared some of the concerns already voiced by other Members. They questioned whether there had been any real assessment on the detriment to the potential development of nearby plots such as 60 Gracechurch Street. They added that, whilst they understood and agreed with the principles of consolidation and clustering tall buildings they had initially believed that this development was either partly within or closely neighbouring the existing cluster but it was, seemingly, outside of the classified area and they sought clarification on this point. Finally, the Member stated that they found it interesting to note that the objections received had come from a number of different respondents representing different kinds of organisations and that the breadth of these therefore gave them cause for concern. The Member added that there were also numerous comments around how the City would return to how it had operated previously, prior to COVID, but they were of the view that the time was fast approaching where the City really must reappraise its planning assumptions on office space requirements and revisit the City Plan currently out for consultation prior to inspection. In terms of cumulative impact, Officers reported that this scheme did not, in their view, compromise the development of neighbouring buildings and it was hoped that developers could work collectively alongside one another. It was highlighted that, as a planning authority, it was not possible to curate when schemes came forward. Members were informed that there were countless examples of tall buildings within the cluster that sat side by side without compromise and that this was a common dynamic here. The Interim Chief Planning Officer and Development Director clarified that the Eastern Cluster Policy Area was shown in very broad terms with no prescriptive boundary which suggested that there were opportunities for tall buildings within this area in general. Equally, there were areas within the policy area that were inappropriate for tall buildings and proposals outside of the area where the case could be made for erecting a tall building. Members were informed that this particular site sat a little to the south of the Eastern Cluster Policy Area boundary as did 50 Fenchurch Street. Officers reported that it was important to assess them in terms of their impact on things such as the skyline and heritage assets and highlighted that this was not in a sensitive area that was deemed inappropriate for tall buildings. On this particular scheme, Officers had deemed the proposals to be acceptable and in line with policy given that the City Plan 2036 advocated that this area and the area north of Tower 42 had scope for intensification and consolidation.

A Member spoke in support of the proposals which he described as being very exciting for the business city. He added that he was in no way anti-resident which was a criticism that had been levelled at Members speaking out in support of the business city in the past and underlined that he saw residents as very important stakeholders in the City of London. He went on to state that, in his opinion, these proposals ticked many boxes and had been very imaginatively and innovatively designed. He stated that he was particularly

impressed by the building's permeability at ground floor level and commented that it was rare to see an application that brought with it an 80% increase in public realm. He recognised that it was not possible for anyone to judge what the demand on office space would be post pandemic but added that he personally did not believe that the era of the office was dead but would be instead be subject to potential reinvention and that incubator space, the likes of which this development would offer, would be incredibly important. The flexibility of floorplates and the design of the office space was also going to be important. It was known that the changing tenant base in the City had already moved towards SMEs in recent years and it was suggested that this building would cater well for these. The Member added that the tying in of 20 Fenchurch Street would make sense with the addition of this proposed building that sat within the extended cluster as designated within the Corporation's City Plan 2036. Finally, the Member stated that this was a very critical time for the City of London and, as it emerged from the pandemic, this application should be viewed as a resounding vote of confidence in the future of the City and one that he hoped would be supported.

Another Member commented that he felt that some of the questions posed and comments made during the debate could be perceived as being ungenerous towards the applicant that had clearly been very innovative and responsive to issues. He added that he would like a large number of the features associated with this application such as pedestrian flow and comfort levels, flexible office space and the installation of a rooftop garden were to be applauded. In terms of harm, he commented that he felt that this had been grossly exaggerated in relation to historic views and he did not feel that the proposals were at odds with policy. He added that he felt that the design of the building was very high quality and was supportive of the social and economic inclusivity that the space would offer.

A Member spoke to revisit the point on refinement and conditions and the fact that the Committee had been told that refinement of carbon emissions could be fitted in in terms of embodied carbon and that this could be resolved after permission was granted. They stated that it was really important to note that the report specifically asserted environmental sustainability as a public benefit and specifically stated that the proposed demolition and construction of this building would reduce carbon emissions. It had therefore been helpful to them to clarify that what was really being discussed was an improvement in terms of operational carbon emissions and not embodied carbon, which was the largest aspect, as recognised within the report. They felt that this was an important distinction to make and the Member noted that it was equivalent, in terms of the City's Climate Action Strategy, to recognising that Scope 1 emissions were quick and easy to resolve but made up just 3% of emissions but that Scope 2 and 3 would require a lot more work. The Member stated that they had asked for a direct comparison of the figures for the current and proposed buildings but had not had this information and noted that refurbishment had not been considered. They added that, if the City Corporation were serious about sustainability and future proofing the City, Members should not be misidentifying sustainability as a public benefit when this did not include the embodied carbon element. The Member commented that the word 'refinement'

was quite telling in this context as this did not equate to fundamentally changing the balance. The Member therefore concluded that, having considered these matters for herself, this development was not a public benefit in terms of sustainability and carbon emission reductions. She then turned, therefore, to harm caused to heritage assets and expressed extreme concern as to City Cluster creep. It was noted that this site was described within the report as being on the periphery of the cluster but later described by Officers as being just to the south of it. The Member described the aim of using this development and potential others to 'hide' 20 Fenchurch Street as a fallacy. She then moved to assessing the building within its own context, noting that the Conservation Area Advisory Committee strongly objected to the proposals on the basis of the height and bulk of the building and that the area where this development was proposed was characterised by buildings of just 7-8 storeys. The Member added that the development would not enhance the Eastcheap Conservation Area nor neighbouring Conservation Areas and, in her opinion, would cause significant harm to heritage assets such as Tower Bridge and distract from the view of these. She also disagreed with the view that the development was of a high-quality design in the same way that buildings such as the Gherkin were for example and reported that she therefore intended to vote to refuse the application.

Another Member agreed with many of the points made by the previous speaker and added that, whilst there were no graphics shown on this, she felt that the erection of this building would create a sort of chasm with 20 Fenchurch Street and the rest of the Eastern Cluster. She went on to state that she felt that the aim was to have buildings either side of the cluster stepping down to create a gradient and that would not be achieved by this building. She recognised that, whilst there were some very good, innovative features of the development, others seemed fairly dubious and she did not think that this was the correct location for this building. If it were to be situated here, it should be lower so that views were not impeded. In its current form, the Member stated that she did not feel able to support the application.

Another Member commented that, as a City resident, he enjoyed walking through the City's historic lanes and passageways and therefore thanked the developer for the welcome improvements that their development would offer in terms of pedestrian flow and opening up dead ends. In terms of historic views, he reported that he had visited the site over the weekend and that it was almost trivial to try and find a picture angle of any of the historic sites referred to without any background interruption from modern buildings. He therefore felt that the harm caused to these assets was very small in comparison to the benefits that this development would bring.

A Member referred to paragraph 434 of the Officer report which stated that the applicant would pay the City of London's legal costs and the Chief Planning Officer's administration costs incurred in the negotiation, execution and monitoring of the legal agreement and strategies and questioned whether this was normal practice and whether this would in any way impinge upon the professional competence of the City's officers in finalising any negotiations should planning permission be granted. The Comptroller and City Solicitor

responded to state that the payment of costs in relation to the Section 106 agreement and all other stages of the 106 works including monitoring was standard for every authority and that there were statutory powers to enable these charges to be imposed where they were agreed by the developer.

A Member stated that she had listened carefully to the debate and had read the report and background papers in detail. She agreed that the comments made around incubator space, permeability and new features were interesting but felt that all of this could be incorporated in a building on this site that did not have the detrimental impact that this current scheme would have on numerous heritage assets. She agreed with the points already made with regard to environmental impact and sustainability. She commented that location was everything and that to allow the eastern cluster to roll out further towards the riverside and impact further in terms of the detrimental harm already caused by 20 Fenchurch Street in an attempt to tie this building in to the cluster was not the way to resolve the issue. The Member concluded that she was therefore of the view that this scheme was overdevelopment on this site, had numerous detrimental impacts on heritage assets (particularly the Monument and Tower Bridge) and that she did not feel that the public benefits were as they had been presented and were more to do with the viability of the building itself. She therefore intended to vote against the application.

Another Member stated that he too had listened carefully to the debate. He declared that he was a City resident and, like other members of the Committee, did not blindly support applications for new offices. He went on to state that he found Mr Wong's vision for the continuing importance of the office very persuasive and inspiring and this was backed up by his commitment to actually finance this development. He noted that the proposed development had numerous benefits and that the increased permeability for pedestrians was critical. He also highlighted the benefits of the significant greening, off-street servicing out of hours and innovative vehicle lifts and noted the high degree of reuse. The Member commented that he felt that there had been a high degree of criticism about net zero carbon but underlined that this was impossible to achieve given that it defied the second law of thermodynamics. He highlighted that the report acknowledged that there would be some harm caused to the setting of heritage assets but that, with regard to the Monument and Tower Bridge this would be very much towards the lower end of the spectrum with the images shared with the Committee during the Interim Chief Planning Officer and Development Director's initial presentation strongly enforced this judgement. In his view, the benefits outweighed the harm and he concluded by stating that he would therefore be supporting the application.

A Member commented that she had always loved the juxtaposition of old and new in the City and was particularly impressed with the permeability of this proposed development and the opening up of the area. She added that she found it interesting that Historic England were speaking against the application, but that Historic Royal Palaces had not. She also noted that Historic England had chosen not to register to speak in objection today when they had done so previously where they had concerns. The Member added that she strongly felt that the benefits of the scheme outweighed any harm and that the idea of

softening the appearance of 20 Fenchurch Street by providing some contrast to it was also a positive.

A Member stated that, after listening carefully to this debate, he was fascinated by the innovation in technology to support less energy use and hoped to also see this replicated in other applications. He felt that this application made a great statement in terms of confidence in the future of the City of London and would make a vital statement if approved in the current climate. He added that he had noted and read with care the Officer's views on heritage assets and was in agreement with these. He too noted the absence of representations from those that supported heritage assets who he felt seemed to be conspicuous in their absence. He stated that he would be supporting this application and hoped that others would do so too.

Another Member stated that she had been very impressed by Mr Wong's entrepreneurial vision – something that was much needed in the COVID and post-COVID era. She commented on the breadth and the depth of care that planning offices had clearly taken with regard to refining this application and helping Members to understand the pros and cons of it. She stated that she hoped that future applications would see this building as a positive example in terms of innovation and that she would be voting in favour of it. The Member went on to give particular mention to the concept of the roof garden terrace and the idea of providing those who were less advantaged in business - SMEs, start-ups and incubators - with an opportunity to grow.

The Interim Chief Planning Officer and Development Director reported that there was scope to amend conditions 3 and 4 in relation to circular economy and whole life carbon cycle to include ongoing operation and occupation and sought the Committee's permission to approve the final wording on these in consultation with the Chair and Deputy Chair should this application be approved.

The Committee then proceeded to vote on the recommendations before them within this report together with the recommendations at agenda items 5 and 6. The vote was conducted by rollcall led by the Town Clerk with those Members present and eligible to vote asked to also confirm that they had been present for and able to hear the entirety of this item.

Votes were cast as follows: IN FAVOUR – 20 Votes
 OPPOSED – 6 Votes*
 There was 1 abstention.

The application was therefore approved.

**In accordance with Standing Order No. 38, some of those Members who had voted against the recommendation asked that their names be recorded in the minutes – they were Marianne Fredericks, Graeme Harrower, Natasha Lloyd-Owen and Susan Pearson.*

RESOLVED – That planning permission be granted for the above proposal in accordance with the details set out in the attached schedule and that authority be delegated to the Interim Chief Planning Officer and Development Director in consultation with the Chair and Deputy Chairman of the Planning and Transportation Committee to finalise the wording of Conditions 3 and 4 to accord with the wishes of the Committee.

5. **ST BENET'S PLACE LONDON EC3V 0EE**

The Committee considered a report of the Interim Chief Planning Officer and Development Director regarding St Benet's Place, London, EC3V 0EE, specifically, temporary removal, alteration and reinstatement of the Grade II Listed Iron Gateway in St Benet's Place.

RESOLVED – That listed building consent be granted for the above proposal in accordance with the details set out in the attached schedule.

6. **PHILPOT HOUSE 2-3 PHILPOT LANE LONDON EC3V 0EE**

The Committee considered a report of the Interim Chief Planning Officer and Development Director regarding Philpot House, 2-3 Philpot Lane, London, EC3M 8AN, specifically, the demolition of a chimney attached to Grade II Listed 2 and 3 Philpot Lane.

RESOLVED – That listed building consent be granted for the above proposal in accordance with the details set out in the attached schedule.

7. **REVENUE AND CAPITAL BUDGETS 2021/22**

The Committee considered a joint report of the Chamberlain, the Director of the Built Environment and the Director of Open Spaces presenting, for approval, the revenue and capital budgets for the Planning and Transportation Committee for 2021/22.

Members were informed that this report had been produced by the Chamberlain in consultation with relevant departments.

A Member questioned what 'planning obligations' referred to within the Staffing Summary table and also asked where enforcement sat within the budget. The Interim Chief Planning Officer and Development Director reported that there was a Section 106 office included within his division and that this comprised of two posts that monitored and administered S106 and the legal obligations. He added that planning Enforcement Officers sat within the Development Management Team in his division.

RESOLVED – That Members:

- i) Approve the proposed revenue budget for 2021/22 for submission to Finance Committee;

- ii) Approve the proposed capital budgets for 2021/22 for submission to Finance Committee;
- iii) Approve the proposed 50 Year Bridges' Repairs, Maintenance and Major Works budgets;
- iv) Authorise the Chamberlain, in consultation with the Directors of the Built Environment and Open Spaces, to revise these budgets to allow for any further implications arising from subsequently approved savings proposals, amended 2021/22 pay award and changes to the Cyclical Works Programme;
- v) Agree that amendments to budgets arising from changes to recharges during budget setting be delegated to the Chamberlain;

8. **DBE SERVICE CHANGES & BUDGET PROPOSALS**

The Committee considered a report of the Director of the Built Environment presenting a proposed approach to identifying savings and additional income opportunities in service provision to meet the department's initial savings requirement.

Officers explained that this report examined the departmental budget in more detail.

A Member commented that everyone appreciated that a series of difficult decisions would need to be made over the next few months and that these were amongst them. He went on to specifically question toilets and the APCs and asked whether, if these were closed, the City would be prohibited from ever reopening these should patterns in the City change again and potential use therefore increase. The Chair stated that this sat within the terms of reference of the Port Health and Environmental Services Committee (PHES) and asked that the relevant Officers therefore respond to this query offline. The Member added that he had raised the matter here as he believed that the APCs had been provided under Section 106. Officers reported that the PHES Committee had agreed to mothball public conveniences for the time being and that further investigation would be carried out on the implications of this in terms of the question raised. Officers undertook to respond to the Member with further details on this in due course.

Another Member commented that they appreciated that making savings of the order required was difficult and it was clear from this and the previous report at Item 7 that significant efforts had been made to balance the budget. However, she expressed concern that, often, when there was a degree of pressure and urgency around the need to identify savings, it was easier to make opportunistic savings and to not look at the fundamental ways that business was being conducted or a service provided. She added that she was also aware that if any changes were to be made in terms of staffing structures there were implications that needed to be worked through appropriately making it unlikely that full effects could be achieved in 2021-22. She concluded by seeking some reassurance that this was not simply a list of quick wins but based on fundamental, recurring savings that Officers felt confident they could secure with minimum impact on staffing and services. Officers responded by highlighting that there would be further savings required and that what had

been done in the first instance was to consider those savings that need to be made to fit the budgetary envelope for 2021-22. The report made reference to the Target Operating Model savings that would also need to be considered where some of the elements referred to by the Member would be examined more closely by the Executive Director of the Department of the Built Environment and brought back to this Committee.

Another Member recognised that these were very difficult decisions to make particularly for a department that was at the heart of the City Corporation. She added that she was very disappointed to see budgetary reductions for things such as pothole repairs which were incredibly dangerous. She commented that there was much development going on in the City with larger and larger vehicles accessing sites and making deliveries and questioned why developers were not therefore asked to contribute to the cost of road repairs and general maintenance. She also commented on the proposed cuts to street sweeping and questioned how this was likely to impact on the attractiveness of the City for visitors and residents but also for attracting events and filming. The Member mentioned funds available from off-street parking reserves and funds generated from Bank Junction and questioned why this was not being put back into ensuring that the City was well maintained with clean, pleasant streets. The Chamberlain commented that off-street parking reserve did fund highway maintenance as well as a number of Capital schemes via a transfer into DBE budgets. Officers from the Department confirmed that somewhere in the region of £2million was transferred and that this had been underpinning highways maintenance work for quite some time. Officers appreciated that what was being proposed was essentially a change in standards but stated that it was something that they were hoping to approach with the contractor Rineys to ensure that they were still managing risk around the highway as required to meet statutory obligations. Consideration would also need to be given to the wider context of what was affordable, sustainable and what the City's ambitions were in terms of what it wants to look and feel like. Officers stated that it was expected that they would have to look at alternative means of funding going forward and clarified that developments did contribute towards funding works around their sites through what was the Section 106 process and now CIL. The Holborn Circus scheme and Aldgate schemes were cited as specific examples where developer contributions had funded a lot of regeneration. The City would also need to work alongside all of its partners, including TfL, given that their funding had also supported things like the City's resurfacing programme and that it was a challenging funding environment for all at present.

A Member commented that she endorsed the savings from the Lord Mayor's Show and noted that the report stated that the event organiser was Lord Mayor's Show Ltd and she therefore questioned whether City Fund budgets should be supporting it in this way. In light of this, she questioned whether there was any way in which this funding could be recouped from City Cash for previous years and used to protect maintenance services. Officers reported that this was certainly something that they would like to discuss with the organisers, the Chamberlain and the Policy and Resources Committee and highlighted that some savings had been generated in the current year with the show not having

taken place at all. This money had been set aside for things like maintaining the route to a certain standard for the carriage.

A Member expressed concern at the table on page 601 of the agenda pack and the reduction in standards of how both pavements and potholes were dealt with. He added that he was concerned that this could be counterproductive and could result in trip hazards and claims against the City causing insurance premiums to rise. He questioned why off-street parking reserves which appeared to stay relatively steady could not be used to fund work here. Officers reported that they were aware that it would be a challenge to balance public risk and highlighted that there were a very small number of claims registered with the City and that the way this was managed was not just around what was determined to be a trip but also the process behind this and the adequate inspection of highways. This dictated whether the City's insurance premiums changed, and the insurance provision was based on the City adhering to a process that was reasonable, professionally run and maintained. At present it was recognised by the City's peers across London and by its insurers that the organisation was out of step with everyone else and that, by taking these steps, they were unlikely to be in a position where they were adversely affected because they were inconsistent with practice elsewhere. This was not, however, to say that Officers would lose their care and attention with how the City's streets were maintained and Members were assured that Officers would work as hard as possible to ensure that the funds available to them could be used as efficiently and effectively as possible to provide the service.

Another Member spoke to remind Members that, on City's Fund, there was a statutory duty under a five year purview to balance the books and that the ongoing pandemic had added further to what had already been quite a difficult situation. He thanked Officers for all of their efforts in trying to manage services within the financial envelope available this year. He went on to caution Members against trying to utilise anything in City's Cash to support anything in City's Fund as this could be perceived by central government as a suggestion that the City Corporation did not require their funding in order to fulfil its statutory services. He added that City's Fund needed to support itself going forward.

A Member spoke again to question why off-street parking reserves were not being drawn upon to the extent required and to maintain the City's streets/pavements and ensure that they were safe. She added that she also had concerns around toilet closures. The Chamberlain confirmed that the funds could be used for a host of different purposes with the main priority being around the provision of off-street parking. A report further detailing the use of the funds would be submitted to the next meeting of this Committee.

RESOLVED – That Members:

- i) Approve the overall approach to identifying savings and additional income opportunities at this time as they relate to the Highways, Parking & Traffic Management functions, including:

- Those items identified as Amber and Green at paragraph 52 of the report
- Those items identified as Red at paragraph 82 of the report, subject to the subsequent approval of the Policy & Resources Committee in relation to DBE's local risk funding for the Lord Mayor's Show.

9. **DRAFT HIGH-LEVEL BUSINESS PLANS 2021/22**

The Committee considered a report of the Director of the Built presenting the 2021/22 high-level Business Plan for the Department of the Built Environment.

Officers reported that the Plan had been produced based on the current organisational structure and that this would be reviewed further towards the end of 2021-22 in line with the Target Operating Model. Members were informed that there was a new corporate template that clearly linked to and defined how the department supported the Corporate Plan and the adopted strategies.

In response to a question, Officers highlighted that the draft City Plan 2036 placed significant emphasis on the delivery of healthy and inclusive streets.

A Member questioned why the Sports Strategy had been included within the equivalent document for PHES but not here. Officers stated that the report submitted to PHES had been a combined report with three separate business plans for the Department of Built Environment (DBE), Open Spaces and Markets and Consumer Protection appended. It was reported that the Sports Strategy was very high on the agenda for Open Spaces but that, due to limited time and workstreams, those aspects captured within this business plan were only the very high-level strategies with DBE's principal strategic commitments set out on page 621 of the agenda pack. Members were assured that this did not, however, mean that the Department would not seek to implement the Sports Strategy and others in so far as possible.

Another Member commented that it would be good to include reference to the monitoring and enforcement of planning conditions within the Plan. She went on to note that, under the Transport Strategy, the Plan referred to the need to prioritise and provide more space for people walking but did not make reference to cycling. Under the Climate Action Strategy, one of the key priorities was around reducing embodied carbon and the Member questioned whether something regarding refurbishment and reuse of buildings could be added here. Finally, the Member noted that, under the KPIs, there was mention of increasing office space and stated that she would be interested to know whether increased provision of residential accommodation should also be referenced here.

Officers reiterated that this was a high-level business plan supported by a number of divisional plans and that details such as compliance figures and development management would be included within these. Members were also informed that Officers were working at pace across the organisation to capture KPIs that have a direct link to the corporate performance framework and

corporate strategies. Officers undertook to respond further to the Member on the specifics of the questions raised in writing.

RESOLVED – That Members approve the 2021/22 high-level Business Plan for the Department of the Built Environment.

10. **GATEWAY 5 - BAYNARD HOUSE CAR PARK - VENTILATION & SMOKE CLEARANCE SYSTEM**

The Committee considered a joint Gateway 5 report of the Director of the Built Environment and the City Surveyor relative to Barnyard House Car Park - Ventilation and Smoke Clearance system.

RESOLVED - That, the Committee:

- Approve the total project sum of £640,777 including fees, surveys, staff costs, and preconstruction activities already expended
- Note that funding for this scheme from the On-Street Parking Reserve was approved in principle as part of the 2020/21 annual capital bid round and that draw-down is subject to the further approval of the Resource Allocation Sub and Policy and Resources Committees
- Agree that the tender received from the SW Bruce Ltd in the sum of £598,777 is approved and they are appointed to undertake the work
- Authorise the Comptroller and City Solicitor enter into a contract with SW Bruce Ltd.
- Approve the risk budget of £65,000 to cover design developments and asbestos, (to be drawn down via delegation to Chief Officer).

11. **STOPPING UP APPLICATION - SITE BOUNDED BY FENCHURCH STREET, MARK LANE, DUNSTER COURT AND MINCING LANE, LONDON, EC3M 3JY**

The Committee considered a report of the Director of the Built Environment regarding a stopping up application for areas of Fenchurch Street, Mark Lane, Mincing Lane and Star Alley, relating to the development of the site bound by these streets for which this Committee resolved to grant planning permission on 14 May 2020.

Officers presented the application relating to planning permission granted for 50 Fenchurch Street where, as part of the permission granted, the Committee agreed in principle to the stopping up of the public highway that would be built upon if the development were to be implemented. Officers reported that the associated Section 106 agreement was still under negotiation and that, as such, the planning permission was yet to be issued.

Members were shown plans depicting the extent of highway that would be stopped up as part of the application. It was reported that, when assessing applications for the stopping up of public highway, Officers must be satisfied that it is both necessary to do so and that the advantages in doing so outweigh any disadvantages.

Members were shown plans of the proposed development at ground floor and Officers commented that they considered that the physical interference in the

highway including the extensive works to change levels in the basement and layout of the public realm satisfy the test of necessity for the stopping up of all of the proposed areas. It was also considered that the merits test is satisfied due to the exceptionally significant public realm provided by the development over which the public would have 24/7 rights of access, the public benefit of which is considered to outweigh the disbenefits of stopping up the remainder of Star Alley. To reinforce this point, Members were shown images of the existing and proposed views of the development from Fenchurch Street and from Mark Lane, both of which depicting much improved public realm and access.

Officers concluded by highlighting that the Committee's approval to commit to the process of stopping up was now sought and that this would begin with a consultation process and that, should any unresolved objections remain at the conclusion of the process, the matter would be brought back to this Committee for determination. Should there be no unresolved objections the stopping up order would be made under delegated authority.

RESOLVED - That, the Committee:

- Authorise the commencement of the process for stopping up of highway as shown indicatively on the Stopping Up plan at Appendix 1
- Agree that if, after giving notice of the proposed stopping up, there are no unresolved objections the Director of the Built Environment is authorised to make the Stopping Up Order as per the plans, subject to the additional S106 covenant detailed in paragraph 16 being secured, and noting that the plans may be updated following minor mapping adjustments
- Agree that if there are unresolved objections the stopping up application will be reported back to the Committee.

12. **OUTSTANDING ACTIONS**

The Committee received a report of the Town Clerk detailing the Committee's outstanding actions.

A Member questioned whether an item on idling vehicles could be added to the list reporting that she had recently seen a Freedom of Information application that had been submitted in early January 2021 and that the response to this had highlighted that, since September 2011 when the regulations came into force the City of London had not issued any fines to motorists for idling vehicles. She recognised that there was still much work for central government to do on this in terms of giving local authorities adequate powers but questioned whether it should be added to this list so that it was not lost sight of in the meantime. The Chair suggested that this matter be discussed further offline.

RECEIVED.

13. **PUBLIC LIFT REPORT**

The Committee received a public lift report of the City Surveyor for the period 12/12/2020 – 08/01/2021.

RESOLVED – That Members note the report.

14. **DELEGATED DECISIONS OF THE CHIEF PLANNING OFFICER AND DEVELOPMENT DIRECTOR**

The Committee received a report of the Interim Chief Planning Officer and Development Director providing Members detailing development and advertisement applications determined by the Interim Chief Planning Officer and Development Director or those so authorised under their delegated powers since the report to the last meeting.

RESOLVED – That the report be noted.

15. **VALID PLANNING APPLICATIONS RECEIVED BY DEPARTMENT OF THE BUILT ENVIRONMENT**

The Committee received a report of the Interim Chief Planning Officer and Development Director providing Members with a list detailing development applications received by the Department of the Built Environment since the report to the last meeting.

RESOLVED – That Members note the report.

16. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

Signage to Elevated Public Spaces

A Member stated that he felt that signage to elevated public spaces in the City should be improved. He suggested that some buildings with public roof terraces often had inadequate signage directing people to these and added that the City's own website directed users wanting to access Beech Gardens to Barbican Station when the gardens were not signposted from here. He questioned whether this could be incorporated into the City Plan 2036 in terms of encouraging developers to adequately signpost such offerings.

Officers commented that this could be regarded as a non-material change to the draft City Plan and would seek to incorporate this. He thanked the Member for his thoughts. The Interim Chief Planning Officer and Development Director stated that Officers were now more proactively encouraging developers to do just this and had held recent discussions around it with both 50 and 20 Fenchurch Street where the need to highlight the public realm offerings had also been conditioned.

Lifecycle Assessment

A Member questioned whether, as a matter of course, developers/applicants could be asked to provide comparable lifecycle assessments across the two options and details as to which was worse in terms of whole life carbon. She added that having this data set out clearly would help the Committee to reach a view as to whether what was being offered was a genuine public benefit or something that was an inevitable harm but was nevertheless outweighed by public benefit. She added that she understood that there was a programme that enabled this data to be collated relatively easily.

Officers undertook to respond to this matter outside of the meeting.

Emissions Training

A Member stated that she had asked whether a condition could be put in place for 1-12 Long Lane requiring zero emission machinery and that Officers had responded to say that there would be zero emissions in accordance with the London Plan. When the Member had followed up further on this, it transpired that the London Plan NRMM requirement was around low rather than zero emissions. In light of this, she suggested that some training to help the Committee better understand these nuances would be welcome. Officers had also reported that work was being done to ascertain whether there were zero emissions options that could be considered for construction and the Member asked that further updates be provided on this in due course.

The Chair commented that there was clearly much interest in these matters based on the debate today and asked Officers to report back to the Member with further details.

Bishopsgate Judgement

In response to a request for further information on the Bishopsgate judgement, Officers reported that the case, which was brought by two taxi trade organisations, concerned TfL's May 2020 Streetspace Plan and Guidance and the subsequent A10 Order restricting parts of the Bishopsgate corridor to just buses and cycles.

It was reported that there were five grounds of claim, four of which were successful, broadly these related to:

- disregarding a material consideration in formulating the Streetspace Plan and Guidance - namely the status and role of taxis being considered as distinct from other motor vehicles. It was found that the status and roles of taxis had been considered differently in relation to the A10 Order.
- failure to comply with the Public Sector Equality Duty in considering the impacts of restricting taxis on people with protected characteristics.
- a breach of taxi driver's legitimate expectations about the use of roads and bus lanes, particularly as a result of TfL's bus lane policy to permit taxis to use bus lanes except in exceptional circumstances
- irrationality – the justification for the Plan, Guidance and A10 Order being conjecture rather than evidence based

Officers undertook to share a copy of the judgement with members of the Committee and reported that the findings were fact-specific, including issues around how the Plan and Guidance had been formulated, and the nature of the A10 and its use by taxis. TfL have indicated that they intend to appeal, and the effect of the judgment has been stayed to allow them time to do so. It was added that TfL had stated that they have no immediate plans to remove any of their existing schemes pending an appeal.

Whilst the judgment concerned the specifics of the TfL guidance, plans and measures, Members were informed that Officers were monitoring the issue,

including any potential considerations for the City but it was not felt that there was any imminent response required.

The Member questioned what the fifth ground of claim had been. Officers reported that this concerned taxi driver licences and whether these counted as possession and it was found that there was not sufficient evidence that there was any loss of income incurred.

Busking Noise Nuisance

A Member commented that residents within his Ward had raised concerns as to noise nuisance being created by buskers from across the river Thames who had been told by Southwark Council to direct their amplifiers north. Residents had contacted the City's Noise Abatement Team who had attempted to request that the volume be lowered but their efforts had been unsuccessful to date. The Member therefore asked Officers to redouble their efforts on this. Officers undertook to respond to the Member separately on this matter.

Departure of the Director of the Built Environment

A Member noted that the Director was soon to leave the City Corporation and requested an update on the structure of the department and staffing levels, particularly given the large number of often complex applicants that were currently progressing. The Interim Chief Planning Officer and Development Director assured Members that he was currently satisfied that his team were adequately resourced and had staff of adequate experience to deal with major, complex schemes.

The Chair reported that the Director would be departing due to changes under the Target Operating Model and highlighted that Jon Avern was now temporarily acting as Chief Officer until such time as an Executive Director to oversee the work of this and other Committees was appointed.

The Member went on to suggest, as she had done previously, that consideration should be given to holding separate, stand-alone meetings to determine large planning applications. The Chair highlighted that the number of meetings scheduled for the Committee this year had already been added to for this reason.

17. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

There were no additional, urgent items of business for consideration.

18. EXCLUSION OF THE PUBLIC

RESOLVED - 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.

Item No(s)

19
20
21 – 22

Paragraph No(s)

3
3 & 5
-

19. **NON-PUBLIC MINUTES**

The Committee considered the non-public minutes of the meeting held virtually on 5 January 2021 and approved them as a correct record.

20. **BRIDGE HOUSE ESTATES STRATEGIC GOVERNANCE REVIEW - UPDATE FIVE**

The Committee received a report of the Chief Grants Officer & Director of City Bridge Trust which provided an update of the work undertaken as part of the Bridge House Estates (BHE) Strategic Governance Review since the last report to Members in June and July 2020.

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

There were no questions raised in the non-public session.

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

There were no additional, urgent items of business for consideration in the non-public session.

The meeting closed at 2.02 pm

Chairman

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