

## PLANNING AND TRANSPORTATION COMMITTEE

Tuesday, 5 October 2021

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

### **Present**

#### **Members:**

Deputy Alastair Moss (Chair)	Alderswoman Susan Langley
Oliver Sells QC (Deputy Chairman)	Natasha Maria Cabrera Lloyd-Owen
Randall Anderson	Andrew Mayer
Douglas Barrow	Deputy Brian Mooney (Chief Commoner)
Peter Bennett	Deputy Barbara Newman
John Edwards	Graham Packham
John Fletcher	Susan Pearson
Marianne Fredericks	Judith Pleasance
Graeme Harrower	Deputy Henry Pollard
Deputy Tom Hoffman	James de Sausmarez
Deputy Jamie Ingham Clark	William Upton QC
Shravan Joshi	Alderman Sir David Wootton

#### **Officers:**

Douglas Trainer	- Deputy Town Clerk & Chief Executive
Angela Roach	- Assistant Town Clerk
Gemma Stokley	- Town Clerk's Department
Leanne Murphy	- Committee and Member Services Officer
Christopher Rumbles	- Committee and Member Services Officer
Shani Annand-Baron	- Media Officer
Bukola Soyombo	- Technology Support Partner
Aqib Hussain	- Technology Support Partner
Dipti Patel	- Chamberlain's Department
Deborah Cluett	- Comptroller and City Solicitor's Department
Gwyn Richards	- Chief Planning Officer and Development Director
Juliemma McLoughlin	- Executive Director, Environment
David Horkan	- Department of the Built Environment
Bhakti Depala	- Department of the Built Environment
Paul Beckett	- Department of the Built Environment
Peter Shadbolt	- Department of the Built Environment
Bruce McVean	- Department of the Built Environment
Neel Devlia	- Department of the Built Environment
Elisabeth Hannah	- Department of the Built Environment
Gordon Roy	- Department of the Built Environment
Gemma Delves	- Department of the Built Environment
Caroline O'Donoghue	- Department of the Built Environment
Rosalina Banfield	- Department of the Built Environment

Toni Bright	- Department of the Built Environment
Kerstin Kane	- Department of the Built Environment
Kieran Mackay	- Department of the Built Environment
Tom Nancollas	- Department of the Built Environment
Emmanuel Ojugo	- Department of the Built Environment
Amrith Sehmi	- Department of the Built Environment
Kathryn Stubbs	- Department of the Built Environment
Clarisse Tavin	- Department of the Built Environment
Rachel Pye	- Department of Markets and Consumer Protection
Robin Whitehouse	- Department of Markets and Consumer Protection

**Also Present:**

- Rabbi Shalom Morris – Rabbi for Bevis Marks synagogue - Objector
- Sarah Sackman – Barrister, Matrix Chambers - Objector
- Robin Makin – E Rex Makin & Co. Solicitors - Objector
- Alexander Morris – Welput – for the applicant
- Gordon Ingram – Gordon Ingram Associates – for the applicant
- Paul Littlefair – Building Research Establishment (BRE) – for the applicant
- Daniel Campbell - Stiff + Trevillion – for the applicant
- David Taylor – Montagu Evans – for the applicant
- Juliette Callaghan – Trium – for the applicant
- Dominic Mirepoix – DP9 – for the applicant
- Elva Phelan – Quod – for the applicant
- Matthew Booley – Steer – for the applicant
- Merrich Baggallay – Welput – for the applicant
- Peter Twemlow – DP9 – for the applicant
- Simon Gartshore – Kanda Consulting – for the applicant
- Simone Pagani - Gordon Ingram Associates – for the applicant

**Introductions**

The Town Clerk opened the meeting by introducing herself.

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 Town Clerk also reminded Members, and any members of the public observing the meeting on-line, that this was an informal meeting and that any views reached by the Committee today would therefore have to be considered by the Director of Markets and Consumer Protection or those deputising for him after the meeting in accordance with the Court of Common Council’s COVID

Approval Procedure and that they would make a formal decision having considered all relevant matters. The Town Clerk highlighted that this process reflected the current position in respect of the holding of formal Local Authority meetings and the Court of Common Council's decision of 15<sup>th</sup> April 2021 to continue with virtual meetings and take formal decisions through a delegation to the Town Clerk and other officers nominated by him after the informal meeting has taken place and the will of the Committee was known in open session. Details of all decisions taken under the COVID Approval Procedure would be available online via the City Corporation's webpages.

1. **APOLOGIES**

Apologies for absence were received from Mark Bostock, Deputy Keith Bottomley, Peter Dunphy, Tracey Graham, Christopher Hayward, Alderman Alastair King and Alderman Bronek Masojada.

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

There were no declarations.

3. **MINUTES**

The public minutes and summary of the informal, hybrid meeting held on 21 September 2021 were considered and approved as a correct record.

4. **BURY HOUSE, 31 BURY STREET LONDON EC3A 5AR**

The Committee considered a report of the Chief Planning Officer and Development Director regarding Bury House, 31 Bury Street London EC3A 5AR – specifically, demolition of existing building and construction of a new building comprising 2 basement levels (plus 2 mezzanines) and ground floor plus 48 upper storeys (197.94 AOD) for office use (Class E), flexible retail/cafe use (Class E), publicly accessible internal amenity space (Sui Generis) and community space (Sui Generis); a new pedestrian route and new and improved Public Realm; ancillary basement cycle parking, servicing and plant.

The Town Clerk introduced the item referring to a late addendum that Members should also have received this morning, containing a number of late representations received, in addition to the main agenda pack and copies of the Officer presentation slides.

The Chief Planning Officer and Development Director presented an overview of the scheme stating that the site was located in Bury Street. In terms of its wider context, it was reported that this was not in a conservation area but that it did directly join the Grade II\* Holland House and, critical to this application, the Grade I listed Bevis Marks synagogue sat just 20 metres to the north. It was noted that there were also other listed buildings in close proximity, with the report addressing the impact on these heritage assets. Members were shown images of the existing building which they were informed dated from 1967 and was a somewhat dated building now coming to the end of its useful life, especially in terms of the external cladding. Officers reported that the reuse of the structure had been explored by the applicant in detail but was found not to be feasible. The Committee were informed that the site was located almost in

the heart of the Eastern Cluster Policy Area as well as within the Replacement City Cluster Policy Area with both policies identifying the cluster as the preferred location for siting tall buildings where suitable or appropriate. Officers underlined that the expectation was that this area would deliver the majority of the floorspace that the City required to maintain its international position. Members were shown images of the other consented schemes within this area – some of which were being built out at the present time and included 6-8 Bishopsgate, 1 Leadenhall Court, and 40 Leadenhall Street to the immediate south of this site. This provided an overview of the relationship of this site with all of these consented schemes as the cluster continued to consolidate and intensify.

Members were shown images of the existing and proposed ground floor plans for the building with Officers highlighting that the proposal involved more than a 230% increase in public realm. The existing offer was approximately 95 square metres with a small pocket park to the south which would be increased to over 300 square metres, primarily by virtue of a new pocket park to the south, but also in terms of the new north-south route at Heneage Lane. It was highlighted that Heneage Lane was a historical route in the City which had originally gone to the south and these proposals would reinstate the line of Heneage Lane. There would also be a net gain of 7.8 square metres of public highway despite some stopping up. Members were also shown images of the new arcade proposed at Heneage Lane, the pocket park to the south and the entrance to the new arcade to the east. The arcade would be open from 07:00-23:00 daily which would be secured under Section 106. Officers reported that there was precedent for arcades within the City and central London which offered shelter during inclement weather as well as in hot summers and were also a vital part of increasing permeability through the City streets. Members were informed that the arcade was of a generous scale – between 5-8 metres wide with a 7-metre ceiling height and eye-catching ribs in the soffits to visually draw pedestrians through. A key part of the scheme was also the provision of yorkstone paving to ensure that this area was able to seamlessly merge into the City's public realm. Members were shown various images of the entrance to the arcade from different vantage points. Officers reported that there was no retail on the existing site, but the proposal included 60 square metres of retail floorspace which would be secured by condition. The retail units would be designed to be small, flexible, and adaptable, responding to the changing retail market. Vitrines displaying artwork, local community information, products of local artisans and reference to the important history of the site were also proposed here. There was sufficient flexibility to also allow these spaces to be used as small workshops and retail units for emerging local businesses and in particular craft and culture. Officers reported that the intention was that they would help to foster and support emerging local talent and provide space to create, make, display, and sell their creations. The space would feature a curated, cultural programme in collaboration with craftspeople studying at the City and Guilds School and Sculpture in the City. This cultural programming would also be secured by a Section 106. The intention therefore was that Heneage Lane would become not only a cultural destination but also contribute to supporting education in the area.

Officers went on to report that to the south of the site was James' Court where an extended pocket park was proposed which would be accessible 24 hours a day and feature a 9 storey, 32-metre-high green wall. Members were informed that servicing would be via a dedicated off-street service area at ground floor level on the north side of the site. There would be off-site consolidation which would be secured by a Section 106 agreement and there would be a cap limiting the number of deliveries to 22 a day and no servicing permitted during peak hours. A Delivery Management Plan would be developed to be bespoke in order to avoid any disturbance to the synagogue services. Members were informed that the scheme would involve 443 long stay cycle parking spaces which was policy compliant with access through a prominent cycle parking entrance on Creechurch Lane, featuring a dedicated lift. In terms of the provision of short stay cycle parking, this was also policy compliant with 26 spaces located in a cycle hub at basement level and a concierge service provided at ground floor level with two lifts and prominent signage which would be conditioned. This would be free for the public to use.

At first floor level, a large community space of over 500 square metres and capacity for up to 480 people would be provided. This had been christened as 'Creechurch Hall' by the applicants and was intended to be a flexible space for large gatherings to smaller meetings and would be available to pre-book, free of charge from 10:00-21:00 weekdays and 09:00-17:00 Saturdays. Access to this space would be via a dedicated lift and staircase and the space would also feature an external terrace to the south side. Local communities including those from diverse communities and networks in the east, some of whom were probably amongst the most economically deprived within the City and beyond, would be able to make use of the area leading Officers to describe this as a very socially and economically inclusive space for all. Local non-profit organisations, schools such as the Aldgate School and other local community groups including the synagogue community would be able to make use of this space and a programme would be developed in consultation with potential operators, community partners and other institutions which would, again, be secured through a Section 106 agreement. There would be a strong emphasis on education, skills, training, and culture with this space serving as a portal for those communities within and outside of the City to provide an economically and socially inclusive space to enable them to benefit from the opportunities that the City provide.

Officers went on to report that a public space would also feature at mezzanine level that could be used by local communities and would measure approximately 421 square metres. This would be open from 07:00-23:00. In terms of office floorspace, 25,460 square metres was proposed from level 2 – level 45 of the building which was an uplift of 22,000 square metres compared with the existing offer. Officers reported that the floorplates varied from approximately 350 to 500 square metres and were well designed/flexible to appeal to SME businesses. It was highlighted that the application included affordable workspace of 640 square metres at level 2, available at 50% market rate for 15 years which would assist SMEs and start-ups to recover in the post-pandemic world. Officers felt that this was important in terms of kickstarting small business recovery and encouraging start-ups in the City. The building in

its entirety was forecast to generate 1200-1600 jobs which would be a very strong catalyst for the local economy. The proposed development would also provide a different option to potential SME office tenants who were looking for smaller areas but were not keen to occupied shared space in co-working environments. This would diversify the appeal of the City for SMEs. On the 20<sup>th</sup> floor would be something called the Creechurch Hive – a shared office community area, accessible to all occupiers, providing an informal area for occupiers of the building to come together, a place where staff can meet, socialise, share, collaborate and innovate.

Officers drew Members' attention to the bevelling of the building from the 21<sup>st</sup> floor which they reported was an amendment to reduce the bulk of the building in terms of views of the World Heritage Site and also views looking south from the courtyard of the synagogue. In design terms, the proposal at 48 storeys would mediate the height of the cluster stepping down to the east. Officers reported that the design was considered to be of the highest quality and refined with a well-proportioned and elegant building with accomplished modelling and detailing the scalloped and ribbed spandrels formed by smooth columns. It was reported that the building would draw inspiration from the listed Holland House to the west with the colour of the faience carefully selected to contrast with the masonry of the White Tower of the Tower of London in views from the south and the east. Officers were of the view that the design approach would contribute positively to the variety and architectural quality of the City Cluster, reinforcing and consolidating the form of the Cluster. Members were also informed that the scheme had excellent sustainability credentials and was on track to achieve BREAM 'outstanding'. Members were shown images of the proposed scheme from various elevations as well as a CGI of the aerial view with consented and existing schemes in the Cluster also highlighted.

Officers stated that one of the key considerations in this application was the view of the World Heritage Site from the North Bastion of Tower Bridge which was a recognised view in the London View Management Framework (LVMF) and a key view in terms of the appreciation of the World Heritage Site. The Committee were shown images of the existing view alongside the proposed view of the new tower surrounded by all of the consented schemes. It was acknowledged that the proposal would, to a limited degree, challenge the physical dominance of the Tower of London, its visual separateness from the City and its landmark setting on the river. It would also, to a degree, undermine the presence of the White Tower although Officers stated that they thought that this would only be to a very limited degree. Members were informed that the scheme was amended so that the easternmost area of the building would be bevelled away to provide a visual separation to the White Tower which was considered to be a beneficial change. Officers were of the view that the degree of harm caused was very much on the lower level and, in mitigation of this harm, the tower did reinforce the form of the Cluster, stepping up from the Tower and retained open sky between the Tower and the White Tower and the Cluster and, critically, did not breach the crenulations of the White Tower. Members were reminded that this limited degree of harm clearly needed to be balanced against the wider public benefits of the scheme. Officers went on to explain that views from Queen's Walk were not considered to be harmed. The

scheme would not be visible from the Scaffold site but, stepping back from here, it would become visible above the chapel, however, not in a way that was considered to be harmful. Officers shared images of the existing and proposed situation from other local views such as the view from Aldgate Square with St Botolph's Church in the foreground (where it was not considered to cause harm) and the view from Holland House. Officers highlighted that concerns had been raised in terms of the relationship of the new tower to this very impressive Grade II \* listed building. Members were shown images of the tower in faience behind this building with Officers commenting that it would borrow some of the aesthetic qualities of the faience of Holland House although not in a way that would ape it. Officers underlined that they did not consider that this would harm the setting of Holland House and highlighted that 100 Leadenhall Tower would be significantly taller and therefore more visible from here. Officers went on to comment on the view from Bury Court, looking east, stating that Holland House had never been intended to be visible from this view but had become so as a result of the redevelopment of the Gherkin and the loss of the Baltic Exchange. From this view the tower would be visible behind Holland House. It was noted that the broadest part of the development would be visible from Leadenhall Street.

Officers went on to state that a key consideration in this application was the impact on the Bevis Marks synagogue – a hugely significant historic building in the City and beyond, dating from 1701 and Grade I listed. Members were informed that this was the oldest synagogue in the country and home to the unique and rich religious traditions of the Sephardic Jewish community in Britain. It was reported that the synagogue is of outstanding architectural, artistic, communal, historic, and archaeological significance as set out within the report. A thorough assessment of the impact on the significance of the synagogue had been carried out as well as an overarching Equality Assessment in terms of the impact on the Jewish community and the synagogue (again, as detailed within the report). In terms of its setting, integral to the historical and architectural significance of the synagogue was its discreet location in an intimate courtyard. Within the courtyard, the synagogue held the eye as depicted in images shared with the Committee. However, the more distant background was characterised by modern City buildings, with the Gherkin and 6 Bevis Marks to the west and Creechurch Lane to the east. Officers highlighted that a significant number of other consented towers would join this dynamic backdrop in the coming years and that this relationship with modest scale, historic buildings seen within a backdrop of the modern City was not only a prevailing townscape characteristic of this unique part of the City but also a defining and distinctive character of the City Cluster as an urban typology. Officers went on to state that the juxtaposition visually reinforced the appreciation of the synagogue's secluded location in the heart of the modern City. It was underlined that there were numerous examples of other Grade I listed religious buildings within the Cluster which shared such a setting such as St Andrew's Undershaft and St Ethelburga. The juxtaposition of the old City and the ever-changing modern City skyline as a backdrop defined the Cluster and was, today, an integral and exciting part of the setting of its historic buildings including the synagogue. This dynamic frisson between the old and the new, heritage and modernity, gave greater potency, richness, and depth to the

setting of these historic buildings and was a uniquely positive element of the setting of the historic buildings within this specific and localised urban context of the Cluster according to Officers. Members were informed that, within this distinct and unique context, no harm was found to the setting of the listed synagogue from the proposal. Images of the impact of the scheme were shown with Officers reminding the Committee that they would also have seen the fly-through animations of the various scenarios featuring consented schemes. Officers commented that the Scalpel was visible from the existing view from the synagogue courtyard to the south, with 40 Leadenhall (a consented scheme) now also starting to rise up in this same view. Images of the proposed view from here featuring the proposed development alongside 100 Leadenhall, and also 40 Leadenhall. Here, the bevelling back of the building also reduced the impact on this view as well as the view of the World Heritage Site. Officers went on to share various images of the historic interior of the synagogue which was described as a very fine and exceptional interior with huge religious and communal significance. Officers spoke on the impact in terms of daylight and sunlight on this historic interior and courtyard and reported that this was also a key consideration for the Committee today. The assessment of daylight and sunlight impacts had to be based upon objective and quantifiable evidence, with established quantitative methods developed over time, prescribed by the BRE, and applied in the consideration of planning applications as was the case in this instance. Officers went on to state that to deviate from this quantifiable assessment in the context of the BRE guidelines would be subjective and a matter of conjecture and would not therefore be a sound basis for a decision. The impact on light entering the synagogue in considering this implication had been assessed at an unprecedented level of thoroughness – a rigour of assessment that was possibly unmatched in any other planning scheme, utilising new, ground-breaking technological methods. In particular, the advice of five or six leading experts in the field were sought and, despite the highly technical nature of the assessment, there was a broad consensus amongst the expertise on the quantifiable impact with the report setting out the daylight and sunlight impacts in accordance with BRE methodology. Officers reported that it was primarily at balcony level where there would be a change in daylight and sunlight under the proposed scheme. It was highlighted that the synagogue had large windows on all four elevations and that, in considering the cumulative impact, the proposed development and other consented schemes, would mean that 23 of the 28 windows assessed would experience a negligible impact, 2 windows would experience a minor, adverse impact and 3 would experience a moderate, adverse impact. The absolute alteration to the light for the affected windows ranged from 1.2 and 1.8% and it was considered that these were very small reductions which would be minimally noticeable to users of the synagogue. It was noted that there was some debate from some of the daylight consultants who suggested that this was imperceptible although Officers stated that they were more comfortable with the term minimally noticeable. The absolute reductions experienced as a result of the proposed development for sunlight was considered to be very low. In the annual period, reductions ranged between 7 and 13%, however, the existing sunlight levels experienced by the synagogue were already low meaning that any diminishment, however fractional, was considered to have an adverse impact in BRE methodology's definition. Despite this, Officers reported that the impact would be generally



minimally noticeable to the human eye. The existing lighting conditions within the synagogue were such that supplementary electric lighting was already necessary and in use. Use of electric lighting applied generally throughout the synagogue and it was reported that there was potential to improve the internal electric lighting further with Historic England and the City Corporation happy to engage the synagogue to improve the lighting of the sensitive interior as had recently been the case in St Paul's and Westminster Abbey. Officers reiterated that the difference between the existing and proposed condition for daylight and sunlight was very small and would be minimally noticeable to the human eye with some experts arguing that it would be imperceptible. In particular the impact in light levels at the principal ground floor level was very low with localised areas of daylight diminishment on the southern balcony which were, again, considered to be minimally noticeable. Officers stated that they considered that such a fractional light alteration in real terms would not affect the ability to read or visually appreciate internal features of religious significance or religious ceremonies and had therefore concluded that this would not harm the ability to continue to use the building for religious use. In addition, the marginal changes in light entering the synagogue's interior would not cause harm to the heritage significance of the synagogue or the visual appreciation of the significance of the historic interior.

Officers went on to report that Members had recently expressed an expectation of Officers that radiance studies would be requested for schemes which may have an impact on daylight and sunlight. Though the methodology underpinning radiance studies continued to be refined, Officers had committed to doing so and the applicant for this scheme had commissioned radiance studies which assisted in the visualisation of the changes in light to the synagogue's interior. It was underlined that these radiance studies were a material consideration but that the conclusions within the Officer report were based on the BRE methodology of assessing daylight and sunlight changes. The radiance studies commissioned illustrated a very small reduction in light levels on the southern part of the balcony area with the ground floor largely unaffected. Diminishment to light levels on the northern balcony were also shown. Officers shared Human Visual Response images of the existing and proposed scheme with the Committee which was intended to convey how the human eye would perceive these changes in light levels. In terms of the courtyard, there would be a diminishment in sunlight entering this area with the total loss of sunlight to a very small area of some 5 square metres immediately joining the entrance gate. Officers reported that they were of the view that the overshadowing impact would not be such that it would cause a material impact in the ability to manifest religious use and worship or other communal activities in the Bevis Marks courtyard. Therefore, in conclusion, following rigorous assessment including review by numerous independent experts, Officers stated that they did not believe that there were any planning grounds to refuse this application in terms of the impact of the daylight and sunlight to the synagogue or the courtyard.

Turning to microclimatic impacts, the Committee were informed that the impact to the microclimatic quality of the courtyard resulting from the development was acceptable with the wind and thermal comfort levels remaining in the most favoured and comfortable category. The courtyard would therefore remain

conducive for comfortable, external use throughout the year. The Thermal Comfort Analysis being rolled out by the city which combined wind, sunlight, temperature, and climatic data showed that the courtyard remained within the top category even with the cumulative impact of surrounding buildings and this proposed scheme and was, again, therefore conducive to year-round activity. Officers reported that a large number of objections received referred to the demolition of the synagogue, but the Chief Planning Officer and Development Director clarified that there were no such proposals around this with the application site situated 20 metres to the south of the synagogue. Members were assured that rigorous conditions would be applied to ensure that the demolition and construction of this scheme would not jeopardise the structural integrity of the synagogue and that the City's district surveyors had already assessed any impacts and were comfortable with the proposals.

In summary, Officers underlined that the report considered that the impact on the setting and significance of the synagogue in thorough detail and with an unprecedented thoroughness and rigour in terms of daylight and sunlight impacts. No harm was found to its significance or setting of the synagogue and, although there was a slight diminishment in daylight and sunlight levels within the synagogue and its courtyard this was considered to be very minor and marginally noticeable. It was not considered to compromise the appreciation of the historic interior or the ability to maintain the religious and community use and key activities of this very important historical building within the City. The report before the Committee concluded that there was no planning ground to refuse the application in terms of the impact on the synagogue. On the merits of the scheme, Officers stated that it was considered to be of strategic significance to the City Cluster where sites were limited, and demand remained strong. This scheme would deliver significant additional floorspace to maintain the City's international position and help aid its post-Covid resurgence. An uplift of 22,000 square metres of flexible floorspace appealing to SMEs and encouraging collaboration and innovation would generate 1,600 jobs and prove to be a real catalyst to the local economy. It would provide affordable workspace which was important in terms of kickstarting small business recovery and encouraging start-ups post-Covid. There would be a 230% increase in public realm (300 square metres of new public realm) which would maximise permeability and be culturally curated. There would be new flexible retail units where none existed at present. Officers highlighted that the scheme was policy compliant in both long and short-term cycle parking and would incorporate off-site consolidation with no peak time deliveries and a cap on daily deliveries, bespoke to avoid disturbance to the services of the synagogue. The design was considered to be refined and accomplished and was on track to achieve BREAM 'outstanding' with excellent sustainability credentials. Critically, a key public benefit of the scheme was the new, generous community use for the rich diversity of often economically deprived communities within and outside the City as part of making the City a more economically and socially inclusive place for all – a portal into the City and the opportunities it has to offer for those communities with education, skills, training, and culture at its heart. Officers were of the view that these benefits clearly outweighed the very low level of harm identified to the World Heritage Site and the scheme was therefore recommended to Members.

The Town Clerk introduced three speakers addressing the Committee in objection to the application – Sarah Sackman of Matrix Chambers, Rabbi Shalom Morris, Rabbi for Bevis Marks synagogue and Robin Makin of E. Rex Makin & Co Solicitors.

Ms Sackman stated that whilst she was a planning barrister, she spoke today in a personal capacity having been married at Bevis Marks synagogue and her family praying here. She explained that thousands of British Jews were concerned about the impact of this application and made three preliminary points on the approach. First – plan led development with Ms Sackman remarking that we were operating in what was supposed to be a plan-led system with parliament according a statutory presumption in favour of the local plan yet the developer was asking the Committee to approve a development which their own Officers recognised was in fundamental conflict with the City's own plan. Secondly, Ms Sackman referred to cumulative impact, remarking that the applicant asked Members to focus solely on their scheme and to seemingly shut their eyes to the impact of the schemes already consented to in the Cluster as well as those in the pipeline such as 33 Creechurch Lane. This meant that the true extent to the harm to Bevis Marks was being missed. Considered both individually and cumulatively, the impact of this scheme in terms of light and heritage were unacceptable with 31 Bury Street described as 'the straw that would break the camel's back'. Thirdly, Ms Sackman referred to equalities which the Rabbi would speak further on and stated that the Equalities Assessment referred to earlier as detailed within the Officer's report was, in fact, perfunctory. It stated that there was no impact on the synagogue because the synagogue because the space within it would not become unusable, but Ms Sackman was of the view that Officers had not asked themselves the correct question in law and had also completely underestimated the significance of the Bevis Marks synagogue to the Jewish community.

Turning to the planning merits, Ms Sackman highlighted that the synagogue's professional team had circulated draft reasons for refusal and added that she hoped that the Committee would follow these. She made four key points – firstly, the unjustified harm to the Tower of London world heritage site. She stated that there was no agreement on what had been described earlier by Officers as being 'harm to a very limited degree' and that the government's own statutory conservation body, Historic England, described the level of harm to the World Heritage Site as being a 'high level of harm'. The synagogue agreed with Historic England, the GLA and the London Borough of Tower Hamlets that consent should be refused for this reason alone. Ms Sackman went on to state that some of the images shared as part of the Officer presentation showed transparent building outlines only and suggested that this was therefore somewhat misleading in terms of the impact on views and the World Heritage Site. Second, Ms Sackman stated that the proposal would harm the historic courtyard setting of Bevis Marks which was not just her view but also that of the synagogue's heritage experts Caro, the view of Historic England and the GLA, all of whom identified harm to Bevis Marks. Historic England had stated that the proposals encroach on the secluded courtyard setting of the synagogue. Members were informed that the courtyard had already been significantly

impacted by tall buildings in the vicinity with this proposal, which was much closer to the synagogue, reaching a tipping point. Ms Sackman commented that any harm, even less than substantial harm, must attract great weight in law and that if the Committee found harm against the synagogue, then they must presume against the grant of planning permission. Thirdly, Ms Sackman spoke on the unacceptable loss of daylight and sunlight to Bevis Marks. She noted that the meeting had been told that there were lots of studies around this and what all of these recognised was that there would be at least some adverse effect on the synagogue's light, it was a question of to what degree. Ms Sackman commented that there was also common ground in terms of the cumulative scenario where, as Dr Littlefair pointed out, there would be major, adverse effects on the synagogue's daylight and sunlight with objectors told that the most significant of these would be in the ladies' gallery where Jewish women pray which was another equalities impact which had not been taken account of. Ms Sackman went on to draw out just one point from the evidence of Dr Cannon Brook Smith, the synagogue's lighting expert who explained that the daylight illumination inside the synagogue was almost entirely from reflected sunlight and skylight, an element that was completely ignored by the standard assessment that the Committee had been provided with. In short, objectors were of the view that the daylight and sunlight losses inside the synagogue were being understated. Outside in the courtyard there would also be adverse effects on amenity which was acknowledged by Officers although they concluded that these would not adversely impact on the use of the synagogue. Ms Sackman questioned how Officers could know this and underlined that worshippers respected this religious space, its beauty, seclusion, and sense of separateness from the surrounding, bustling modern City – a vital part of the Bevis Marks experience with the community in no doubt that this scheme would add to the degradation of the courtyard, reducing it to a mere functional entrance. Ms Sackman stated that this would be a failure of planning and a failure to discharge the PSED. Fourthly, Ms Sackman was of the view that Officers had overstated that public benefits of this scheme which were mostly modest and generic and was principally a market scheme for office space. She went on to comment that its main benefits were private in nature. The meeting had been told about a small amount of affordable workspace that would only be secured for 15 years, a pocket park and some community space but no meaningful proposal for how the village hall would be used. She added that it would be ironic if such a space were used to justify the harm to an actual, living community space for one of the oldest communities in the City. Ms Sackman suggested that Members should attach modest weight to these benefits which did not justify the heritage harm.

Ms Sackman concluded by stating that the Committee had been presented with expert evidence on both sides and that, ultimately, it was now for Members to decide. She recognised that this was difficult in a technical application of this nature to convey just what this space meant for British Jews and non-Jewish visitors alike to the synagogue. Ms Sackman spoke of the transition from the austere sanctuary of the synagogue to the lightness of the courtyard which, in many ways, mirrored what Bevis Marks meant for British Jews – the nation's oldest living synagogue, symbolising the re-birth of Jewish life in this country after years of expulsion. Ms Sackman added that the proposal before the

Committee threatened this experience, was in overall conflict with the City's development plan and would cause harm which was not justified by the modest public benefits of this scheme. For these reasons, she respectfully asked that this application be refused.

Rabbi Morris spoke to underline that the Jewish community strongly believed that the very future of Bevis Marks synagogue, their cathedral synagogue, was at risk if this scheme were to be approved. The Rabbi continued by stating that it was the lived experience of those worshipping in the synagogue daily that informed their keen awareness that placing a 48-storey tower to the southern exposure of the synagogue, would cause harm and significantly harm the intentionally private, historic setting of the 18<sup>th</sup> century courtyard, block views of the sky that were so important to Jewish ritual and diminish the spiritually uplifting and practically necessary light that filtered into the synagogue as it reflected off of the walls of the low buildings that line the courtyard. Rabbi Morris stated that he had detailed these concerns in a Community Impact Study and had presented this in detail to the Committee yesterday. He continued by underlining that there were so many ways in which Bevis Marks would be harmed by this scheme that he was almost in disbelief that this meeting was happening. Rabbi Morris stated that all Members were aware of the cumulative impact issue arising from the sheer number of tall buildings already built, consented to, or proposed around the synagogue. He referred specifically to 1 Creechurch which had already been built and 100 Leadenhall which had previously been consented and stated that the synagogue was already at the tipping point in terms of cumulative impact and could not withstand any more tall buildings to its all-important immediate east and south. Furthermore, Members were aware that they must exercise their planning judgement in accordance with the public sector equality duty which meant having due regard to the need to promote good relations between different group with protected characteristics such as Jewish people as well as having due regard to the differential impact of their decisions on protected groups. In practice, in this instance, this meant recognising that approving this scheme which would diminish light, and harm local heritage would have a disproportionate effect on Jewish people. Rabbi Morris added that, as there were so many questions and concerns with respect to this proposal, he found it difficult to see how Members could approve it. Finally, he remarked that the City of London rightfully prided itself on promoting diversity, particularly as the City historically was the first place in England where Jewish people could live, worship, and hold public office. However, if this application were approved today, it would knowingly cause harm in so many ways to Bevis Marks synagogue, the only non-Christian house of worship in the City and the very monument to the City's history of diversity and make a mockery of the City's claim of championing this. The Rabbi also concluded by asking the Committee to refuse the application.

Mr Makin began by stating that he had hoped that his time to address the meeting could have been extended given the rare circumstances and unusually high number of issues. He also expressed concern that a letter of his dated 30 September 2021 and some other responses did not appear to be available on the City Corporation's website. He added that a consultation period during the Jewish high holy days inevitably impacted adversely on the Jewish community

and questioned whether a multi-faith calendar had been consulted. He stated that the lack of appreciation of this was further evident from the request to speak forms being emailed out on the Jewish sabbath with a response required back on a Jewish holy day. Mr Makin commented that the procedurally flawed consultation was compounded by other errors – there was very little on equalities and human rights within the report and the assessment referred to in paragraph 676 of the report had not been produced. Records showing a real knowledge, collation of sufficient information and real consideration were simply not available. Mr Makin underlined that the Jewish community was both a religion and a race for equality purposes, that its preeminent heritage asset was in issue and that information that ought to have been gathered and/or made available was absent. Mr Makin commented that it was indisputable that the opposite of fostering good relations would occur if this application were to be approved. He reiterated that no expert report was available on the complex equalities and human rights issues and that the brief reference to articles 8 and 9 without any detail was insufficient. He questioned article 1 to the first protocol and the consideration of provisions in conjunction with each other as well as the case law. He went on to state that the likely reasons to call in under Section 77 had been appreciated for some time yet there was nothing provided to the Committee on this. He felt that this application could not be dealt with by disregarding heritage and the future and hoped that the applicant team, in their address to the Committee, would respond to his letter of 30 September as well as these comments.

The Chair thanked the objectors for their contributions and welcomed any questions that Members might now have of them.

A Member referred to the term ‘tipping point’ used by the objectors and sought further clarity and context on this. Ms Sackman responded by stating that it was recognised that Bevis Marks was located in an urban context and that objectors also recognised the City’s own ambition to develop its Eastern Cluster. She added that there were already a number of tall buildings that had been built and/or consented that were part of the context. In particular, there were a number of tall buildings that had been consented which had added to the sense of overshadowing and enclosure in the courtyard and had incrementally detracted from the synagogue’s light which the report recognised were already low and which was a direct consequence of other planning decisions taken by the City. If this scheme were to be added to what had already been permitted, it would take the level of harm over the edge both in terms of harm to the setting (the degradation of the courtyard) and to the daylight taken away. Ms Sackman underlined that the courtyard was an integral part of the synagogue and performed part of its religious function for wedding and other religious ceremonies and where men and women who were otherwise seated separately were able to mingle at the synagogue. Ms Sackman also referred to the fact that she was aware that there were further applications in the pipeline which could further impact directly on the synagogue. The Rabbi added that those who attended the recent site visit would appreciate that any tall buildings that had already been approved or built were essentially on the wings of the site with the immediate backdrop to the synagogue still remaining open at present. This scheme would, however, negate this and have a more immediate and

direct impact. Mr Makin added that the approval of this scheme would result in a loss of the sky view from the courtyard which would diminish the experience of this space for weddings and other religious events.

Another Member questioned the effect on light inside the synagogue and how this would impact upon certain rituals and asked the Rabbi to expand further on this. He also questioned the equalities aspect touched upon by the Rabbi and sought advice on the extent to which this and regard to protected characteristics needed to be taken into account. The Rabbi commented to state that in Jewish ritual everyone read the prayers which were approximately 150 pages of small print for a typical Sabbath service meaning that light levels were incredibly important. Any further diminishment of light would negatively impact upon this and other activities within the synagogue including circumcision which was essentially a medical procedure and a key ritual for which light levels were extremely important. If such rituals were no longer possible inside Bevis Marks, this would fundamentally spell the end of the synagogue.

Another Member noted that the Chief Planning Officer had made it clear that there were ways in which the City Corporation could assist the synagogue in increasing and improving the existing electrical lighting inside the building and asked the Rabbi to comment on this proposal. With regard to the courtyard, he recognised that there would be a diminishment of light here but added that there would still be access to and view of sunlight/daylight and of the sky and that it would therefore still be a useable space. He sought the Rabbi's comments on this point also. The Rabbi stated that it was clearly preferable to use the space with natural light as opposed to shadows and that this came down to a fundamental human right and the rights of people to have meaningful access to light. The Member responded to state that he did not feel that the change in daylight/sunlight levels would be as dramatic as the objectors today had suggested. Rabbi Morris disagreed with this assertion and reported that, should this application be approved, for several hours each day the main part of the courtyard would be blocked by the proposed tower and that, in the Summer, when this area was primarily used, it would be significantly impacted. Ms Sackman spoke to state that, as regards artificial, electrical lighting, there were issues round the extent to which this could be improved due to the sensitive and protected nature of the listed building. She added that it was also fair to say that when the building had been designed and built it had been done with the intention of relying on daylight/sunlight which was evident from the installation of the large windows particularly those serving the ladies gallery. She also questioned whether any additional artificial lighting could be installed without detracting from the historic significance of the building. In relation to the courtyard, Ms Sackman felt that it was important to note that the synagogue was not suggesting that Bury House alone would lead to a total obliteration of the light here but, because of its due south location, it would be much closer to the area than any of the previously consented schemes and therefore have a greater impact in terms of the sense of enclosure and overshadowing that that brings and making this a less attractive space. Whilst this might fall short of rendering the courtyard totally unusable it was questionable whether it would still make it a space where many would want to hold religious celebrations, certainly not if looked at cumulatively with other schemes that were both

already present, consented or coming forward. Ms Sackman added that the courtyard was a space which allowed people to stand back and appreciate the setting of the synagogue and provided a space for all of these religious and communal activities. On equalities, Ms Sackman stated that it was absolutely fundamental that Members had due regard to the impact on groups with protected characteristics as per Section 149 of the Equality Act and that in order to do so they needed to be properly informed about what those impacts were going to be. She stressed that there was a duty of inquiry upon the City itself to find out what those impacts were going to be in accordance with their duties. She used the disproportionate effect that these proposals would have on the ladies gallery where there was an intersection of equalities impacts as a specific example that had not been looked at.

The Town Clerk introduced Alexander Morris of Welput to address the meeting on behalf of the applicant. Mr Morris began by stating that the advent of the virtual world had created efficiencies for the future office but that one thing had been made clear – that this could not replace personal interaction, collaboration, talent retention and team building and that the office space needed to respond to these requirements in addition to the high demand for high quality and best-in-class sustainable offices. With all of the current positive messages about the economy, the recovery and return to work, the applicant was proposing to commit £350 million in capital investment in the City that would also provide a £4.4 million annual spend within the eastern cluster. KPMG were predicting an increase of 100,000 people in the City and the BBC were reporting that a thousand new financial services applications to work in London had been received since Brexit. Based upon these statistics alone, Mr Morris argued that London needed in excess of 10 million square feet of additional office space – a requirement that the applicants were seeking to respond to and, as investors and developers in central London offices, it was reported that they had over one and a quarter million square feet of pipeline in central London. With regard to Bury House, Mr Morris reported that the brief to the design team was to provide a best-in-class sustainable building, targeting 99% of all employers in the City or SMEs as well as including a significant, affordable workspace mixed with community accessible space which would be enhanced further through the conversation with the City Corporation and the GLA Officers. Mr Morris noted that the GLA had stated that the proposals would cater for small and medium enterprises not usually found in the eastern cluster and would complement the existing offer of this part of the City. The design was described by Officers as slender and sophisticated. Mr Morris reported that extensive consultation had been carried out to help shape the proposals by way of social media, virtual meetings, virtual exhibitions, and letter drops with those in the City of London and neighbouring boroughs. Consultees had included the Bevis Marks synagogue and many other key stakeholders such as Aldgate and Portsoken Ward Councillors, the Middlesex Street Estate, all of the Creechurch Lane residents, City Corporation and GLA Officers, local schools, theatre trusts and Aldgate Bid – all of whom had provided letters of support alongside two Russian supporters too. The Museum of London, Sculpture in the City, and local churches such as St Helen's Bishopsgate had also shown support. Mr Morris acknowledged that a large number of objections had been received as part of the formal public consultation with the vast majority coming from the



international Jewish community. As Members might expect, Mr Morris reported that the applicant had had more meetings with the synagogue than any other consultee including presentations to all of the trustees and meetings with Rabbi Morris all of which had been civil, open, and respectful as recognised in their representations to the City. In order to assist the synagogue, the applicant had submitted a lot of additional studies to provide further assurances, had provided financial support to them to employ consultants to review and comment on the application documents and still remained committed to working with them in the future. Mr Morris went on to highlight that these studies included additional cumulative assessments of emerging developments and the commissioning of a specific radiance study. Whilst there had been a significant amount of media coverage on these proposals, the applicant had remained silent.

Mr Morris went on to comment that the current climate crisis was strongly influenced by the built environment and that the number one consideration for all of the applicant's developments was therefore good, sustainable design. Ultimately, good design created stunning results as shown within the application CGI's but this commitment to sustainable design could also be seen and evidenced by the applicant's 105 Victoria Street project in Westminster which would start on site in July 2022. Whilst BREAM 'outstanding' and EPCA were advertised as the sustainable benchmarks which the applicant would achieve, they were focused on designing the building to minimise the embodied and operational carbon to be truly sustainable. By removing all the fossil fuels from the building and supplying 100% electricity from renewable sources, the applicant would provide a net zero operational carbon building at practical completion. Whilst this was a simple but important commitment, Members were informed that the applicant was also working very hard to minimise the embodied carbon within the new build, looking at innovative ideas and considerations. Operationally, they were also developing designs to minimise the use of electricity, including natural ventilation. They also sought to provide a building with an urban greening factor in excess of current GLA policy. Whilst whole life carbon profiling was the only way to truly assess the sustainability of the built environment, the applicant recognised that they had to continue to push these opportunities, highlighting that their project was achieving the industry targets set by the RBA in response to the 2050 Paris Agreement. Mr Morris underlined that the applicant's submitted lifecycle carbon analysis to the GLA was ahead of their benchmark team but that the team were seeking to go further still and achieve the GLA aspirational targets.

Mr Morris recognised that another important commitment was the consolidated servicing strategy which ensured that there would be no increase in trips to the site compared to the current use of 31 Bury Street. Mr Morris reported that he personally cycled to work five days per week and actively supported and promoted sustainable travel to all of the applicant's developments across London. It was underlined that the 31 Bury Street scheme would provide enough bike spaces for a third of tenants to cycle to work. There would be traffic calming and public realm improvements in addition to new cycle stations as well as the restriction of deliveries to 31 Bury Street outside the morning, lunchtime, and evening peak periods. Mr Morris reported that the entrance to

the cycle parking would connect perfectly with the existing cycle lanes on Creechurch Lane from the east and west of the building.

Next, Mr Morris spoke on the substantial benefits of this development to the wider community which were clearly highlighted within the Officer report. He highlighted that the introduction of Creechurch Hall which would provide public access akin to a Village Hall at the base of the building and would be the hub for the wider community benefits would be open from 10:00-21:00 weekdays and 09:00-17:00 Saturdays although also suggested that this could be tailored to adjust the offer to meet future demands. It was highlighted that the applicant had committed to providing this space free of charge for the community, charities, and local residents and that 20% was dedicated to career opportunities in the City.

In conclusion, Mr Morris stated that the applicant was pleased to see the positive recommendation made by Officers. He reiterated that the application responded to current and emerging policies and stated that 31 Bury Street would provide an office designed to support and respond to 50% of the employees in the City working for SMEs. Mr Morris reported that the applicant believed that 31 Bury Street aligned with the aspirations and targets of the City as well as ambitions around the City's recovery and future 'to create the world's most innovative, inclusive and sustainable business ecosystem as an attractive place to invest, work, live and visit'.

The Chair thanked Mr Morris for his contribution and invited any questions that Members may have of him and the applicant team.

A Member commented that some submissions had referred to light reflected from nearby buildings being significant to the lighting in the synagogue, something that was also evident from a recent site visit undertaken by Members. He therefore questioned whether any of the analysis submitted as part of this application had factored in this element. Mr Ingram responded to state that the radiance analysis and methodology did include the reflection of daylight from neighbouring buildings. He added that he suspected that the comments made by the objectors today were in relation to sunlight reflection which was not picked up as part of radiance analysis. However, he commented that the limited amount of sunlight would be negligible in any event but that the radiance studies which were primarily all about daylight did pick up on these reflections.

Another Member questioned the sustainability credential assertions made by the applicant and the total annual carbon emissions from the proposed development compared with those from the existing one. She referenced a document shared with Members shortly before the meeting this morning and sought confirmation that the difference would be such that there would be a 28% increase in total annual carbon emissions from the approval of this development. Mr Morris confirmed that this was correct but reported that the 28% referred to was an estimate based on using electricity only and did not take into consideration the fact that there would be renewable energy delivered which would then make it 0% in terms of use. The Member subsequently

questioned the renewable energy point further and suggested that, if the aim was for all of Britain's energy to be green by 2035 then this would be true of the existing building as well as the new development. Mr Morris confirmed that this was also correct but stated that, unfortunately, the existing building had fossil fuels in it whereas the new building would not.

A Member asked if the applicant team could talk further on the daylight impact to the synagogue given that, to his mind, this appeared to be critical to the Committee's decision making today. Mr Ingram reported that there had been a full environmental statement undertaken in relation to this project which had been prepared by Everson Young and considered the development alone but also considered it cumulatively with other consented schemes. The daylight analysis had been undertaken by reference to the BRE guidelines which suggested that the effect on the synagogue (including the cumulative elements) would be minor. The City had requested that the applicant provide a much deeper dive in relation to daylight and radiance, and this confirmed the original surveyor's report and the BRE view. He added that sunlight was a very minor contribution to the synagogue and agreed with the Officer's earlier assertion that most people would be challenged to notice any change whatsoever to the levels of daylight and sunlight inside the synagogue. He confirmed that the scheme was therefore fully compliant with policy in relation to daylight/sunlight impact.

Another Member was keen to revisit the issue of emissions and questioned whether the 28% increase referred to by Mr Morris was absolute frequency or in terms of per square metre of space given that the new building was to be substantially bigger than the old one. Mr Morris clarified that, if you took an absolute area (a floor) of the existing building and a floor of the new building, emissions would be reduced by 80%. If the total of the seven storeys of the existing building and the approximately seven times height by the reduced, then the net result was an overall increase of emissions. He also took the opportunity to stress the quality of the product being proposed here which would incorporate natural ventilation, night-time cooling activities and the provision of fresh air to every tenant that they were able to control themselves. He stressed the need to look at sustainability in the wider context. He recognised that the point around decarbonisation and the reduction of emissions was incredibly important but underlined that the applicant would be driving different opportunities to reduce embodied carbon in delivering the new building which was equally important for the built environment.

Another Member posed further questions on the radiance studies. She questioned whether it was correct that the study had been undertaken on a cloudy day and therefore presented a worst-case scenario. She went on to state that when she had visited the site, on an overcast day, it was very obvious that the light was reflecting off of the surrounding buildings into the synagogue and stated that she was therefore struggling to understand whether the applicant's experts really understood the importance of this. She also questioned whether the applicants felt it was fair that their building which was pitched as environmentally friendly would cast such a shadow over surrounding buildings and thereby increase their emissions as a result of them needing to

use more electricity to light their space. Mr Ingram responded to confirm that the radiance study had been undertaken on an overcast day but did pick up all of the reflections observed by Members on their recent site visit. He added that the idea behind the studies was to mimic in so far as possible the everyday experience within the synagogue. He stressed that the key part about the daylight element was that not only did all parties agree upon the impact and there being hardly any change to the daylight/sunlight levels but that this had also been independently verified by the BRE. Mr Ingram went on to state that the vast majority of redevelopment projects in the City involved the construction of buildings that were taller than those they replaced and therefore created additional shadowing. The important question to ask therefore was whether this additional shadowing was creating a material impact on the use and energy of neighbouring properties and Mr Ingram stated that he was very clear that neither the way in which the synagogue was used today, nor its current energy bills would alter as a result of 31 Bury Street.

The Chair invited any questions that Members might now have of Officers and also invited the Committee to debate the application.

The Chair reminded Officers that a Member had questioned what regard the Committee ought to have to protected characteristics in taking their decision. The Comptroller and City Solicitor stated that there was a right to hold and manifest religion which should not be infringed except in particular circumstances and that there was also Public Sector Equality Duty to eliminate discrimination, advance equality of opportunity and foster good relations between people with different protected characteristics and those who aren't of any protected characteristic. She went on to state that Members had a large volume of information before them to properly consider whether there were infringements and whether their duties were being properly discharged. She made particular reference to paragraphs 682-684 of the Committee report where criticism was made of the summary of the Human Rights Act responsibilities being rather brief but clarified that the human rights issues had been addressed throughout the body of the report as a fundamental part of the evaluation. For example, within the tables detailing consultation responses, Officers had sought to address some of these in the consultation feedback and how this impacted upon human rights issues. Members were referred to page 185 of the agenda pack in particular where the analysis of planning impacts had been carried out and where the extent to which the evaluation bears on the human rights issues was also addressed. Paragraph 431 for example informed Members that, having analysed the issues, Officers were of the view that the impact on daylight would not be such as to cause a material impact on the ability to manifest religion or worship in the Bevis Marks synagogue. Officers noted that there had also been reference to usability and the Comptroller and City Solicitor commented that the normal reading of the advice to the Committee on usability should be read as being specific to the particular use of the synagogue. She went on to reference paragraph 434 which provided an example of where this analysis had been carried out and where Officers particularly referred to the effect of daylight in the area of the mezzanine floor on the south side which was an area understood to be used by female members of the congregation. Members were also reminded that there was an

opportunity to visit the site to enable them to better understand the particular characteristics of the synagogue and to better aid their consideration which had been proposed when this report was last brought to the Committee in April 2021. The Comptroller and City Solicitor confirmed that, all in all, Members would need to have regard to all of these issues in their consideration and stated that she believed that they should be comfortable that they had before them all of the information needed to ensure that the equality impacts had been assessed and reach an appropriate view as to whether they felt that there was an article 9 infringement and to properly discharge their public sector equality duty.

A Member remarked that Officers were of the view that the heritage harm that this development would cause was outweighed by its public benefits. He stated that the Officer's report made a persuasive case that the development would not materially affect the number of listed buildings in its vicinity only if you allowed yourself to be distracted by the details on which the report focused. If one focused instead on a 48-storey office tower being built 20 metres from the 320-year-old synagogue then, in his view, a problem of colossal proportions arose where the tower would inevitably have an overwhelming effect of this Grade, I listed building and its courtyard. The report, however, dismissed this, stating that developments would 'preserve the special architectural and historic significance of the synagogue and its setting'. The Member added that this extraordinary statement reflected the Officers' views that 'the presence of tall buildings in the courtyard was not shocking or in principle incongruous but was understood as part of the character of the place – another layer of history and change – with the main impact being one of the qualities of the juxtaposition'. The Member went on to suggest that most people outside of the Guildhall would find the statements that he had just quoted to be shocking and incongruous as their logical extrapolation was that building a 48-storey tower 20 metres away from a Wren church for example or even St Paul's Cathedral was acceptable because it would add 'another layer of history and change' and the juxtaposition could be celebrated. The ultimate logic of this approach appeared to be that any heritage asset could be degraded by being overwhelmed by a tall building which amounted to putting a line through the City's entire Heritage Policy. The Member continued by stating that the heritage harm caused by this development was claimed to be outweighed by its public benefits but remarked that the development consisted mostly of offices which produced a private benefit. He noted that the alleged public benefits amounted to a short arcade with 60 square metres of retail space, a pocket park, community space of 500 square metres, mezzanine amenity space of 400 square metres and nothing more. He went on to state that the pocket park was a misdescription for a space that was smaller than the public realm in front of the existing building and was needed for fire access to a neighbouring building with some token greening. He also highlighted that the City was not short of community space having many underused churches with residents in the east now having their own community centre. Members had been told that the community space proposed within the building could be used by school children, something which developers of new buildings in the City frequently stated to contrive a public benefit. He went on to suggest that he was of the view that all of the supposed public benefits for this development were contrived to enable the applicant to

claim that these outweighed the real heritage harm that the development would do. He claimed that this was a trick successfully employed by the developers of many applications that had recently come before this Committee where a major office development application had not been refused for many years. He stated that, if the majority of Members today were to vote in favour of this application, he would support the objectors in requesting a call-in because he was strongly of the view that the City's heritage was worth protecting.

Another Member spoke to say that what was being proposed was a very large building which did not comply with the City Plan which had been widely consulted on before being amended and approved by the City Corporation. She noted that these proposals would have an impact on many listed buildings including most notably Bevis Marks and the Tower of London. She stated that it was very difficult to imagine how this development would look on the ground when visiting the existing site. She noted that report went into much detail on the many benefits of the scheme, and she acknowledged that there would be some benefits to the community but also stressed that these were not, in her view, exclusive to this building. She questioned whether the building could not therefore be more compliant whilst also providing these benefits.

Another Member spoke to endorse the points already made. She felt that what was described within the report as 'generous' community space was conjecture and asked that Members instead be presented with facts in terms of a community space of a certain size going forward. She commented that it appeared that 1-2% of floorspace would be given over to community space and that, similarly, less than 2% given over to affordable workspace. With this in mind, she agreed that the public benefits were generic and minor with most of the benefits seeming to be private in nature and asked Officers to comment on this. She also questioned the benefit of the scheme in terms of demand for office space and was conscious that a distinction had been drawn between the 28% real and now provided increase in total annual carbon emissions which was clearly moving in the opposite direction to the City's Scope 3 commitment in terms of carbon emissions being reduced. She was conscious that the question had been posed as to emissions per square metre but noted that it was a fact that this would be a less sustainable decision in terms of increasing carbon emissions annually. The Member went on to remark that the harm done to the Tower of London by this proposal had barely been commented upon today, yet noted that Historic England, the London Borough of Tower Hamlets and Historic Royal Palaces had all objected on the basis of this which was also in line with the City's planning policies. In summary, the Member felt that the public benefits of this scheme fell far short of outweighing or making a clear and convincing case to justify the harm to heritage assets. Finally, the Member sought clarity as to changes in public highway and stated that, as she understood it, these plans would result in a slight reduction in the public realm open to the sky in the area promoted as the 'pocket park'. The Chief Planning Officer and Development Director reported that the proposed Community Hall would amount to just short of 1,000 square metres which was a very generous space with an external terrace which would be flexible and capable of subdivision and was in a very prominent location. He added that the entire scheme was 25,000 square metres. In terms of the demand for office space, it was

noted that this was a recurring theme in recent meetings of this Committee and Officers underlined that they were increasingly seeing signs of an increasing optimism and positivity in the office sector in terms of office demand in the City. It was felt that this type of offer that was very nuanced to SMEs who wanted smaller, more flexible floorspace did address this real demand. With regard to the public space proposed, Officers reported that 100 square metres of this would be covered and 74 square metres open. The space was also very generous in terms of height, something which, increasingly, in terms of healthy streets and climate resilience, the shelter afforded by the covered spaces was of value.

A Member spoke to note that the City was a very crowded environment in which to live and work and that Bevis Marks was very much a part of this. He added that it was true that many Christian churches of the same period were very much overlooked by taller buildings including St Helen's Bishopsgate which was also close to this development. He commented that this part of the City was almost lifeless at present and that this development would breathe new life into the area. With regards to daylight, he stated that he was persuaded by the expert's conclusion that this would be just marginally and almost imperceptibly changed and that he was therefore inclined to support this application.

Another Member commented that this application was bringing some very important matters to the forefront, not least its impact on important heritage assets. He commended the strong case that the objectors today had made against the application and agreed with them on the importance of looking at the impact on heritage assets cumulatively as opposed to in isolation. He stated that the heritage damage both in terms of the Tower and the synagogue had already been well articulated by other Members. He noted that the proposals were also in conflict with the City Plan and asked Officers to comment on the extent to which this was the case. Finally, the Member questioned whether this Committee might approach this application differently were it to impact upon a heritage asset of Christian background and argued that he did not think it was fair to argue that the City's churches had the same significance to the Christian faith as this particular synagogue did to the Jewish faith. He went on to ask himself whether this application was of crucial significance to the City at this time given the damage it would do to heritage assets and was of the view that, at present, it was not.

A Member questioned the Chief Planning Officer as to deviation from the City Plan. He noted that some Members had criticised the benefits of this application for being mostly private but noted that there were, to his mind, substantial benefits that would filter through to the public purse in terms of jobs and tax revenues. He questioned Officers as to whether this could be factored into considerations when looking at whether the benefits of the scheme would outweigh the harm.

The Chief Planning Officer and Development Director commented on the degree of policy breach and noted that very few, if any, applications brought to this Committee were entirely in accordance with all policies. He noted that the

particular policy breach here was the policy in terms of the view of the World Heritage Site and the fact that it would cause a degree of harm. However, he conditioned this by reporting that the degree of harm was at a very low level in his view and that the policy breach was a marginal one. Taking the City Plan as a whole, Members were informed that the vast majority of policies were adhered to and fulfilled. With regard to public benefits, paragraphs 650-653 of the report weighted the various public benefits of the scheme and Officers agreed that the benefits of the scheme to the economy also needed to be considered when balancing this against what was, in their view, a very limited degree of harm.

A Member praised the efforts of the applicant to address the various issues associated with this application but added that, for him, they ultimately failed on this front for a variety of reasons. The Member commented that he was fairly certain that he had approved all of the applications that the Royal Palaces had objected to for harming the Tower as he had felt that these were adding to the central mass of the Eastern Cluster. However, he was of the view that this scheme was too close to the Tower and too separate to the Cluster and would therefore cause much more substantial harm. He went on to state that he also felt that the harm caused to Bevis Marks would be too great. Firstly, this tower would dominate the view of the synagogue for those entering the courtyard and would also block most of the daylight and view of the sky from here. He noted that the applicant's own analysis demonstrated that, in the summer, daylight to the courtyard would be reduced for 2  $\frac{3}{4}$  hours to less than an hour, with the Committee already hearing from the objectors how important the courtyard was for religious purposes. The Member added that his final concern was around the Equalities Analysis as he felt that the report did not go into anywhere near enough depth on the use of the synagogue for religious purposes. For all of these reasons, he suggested that the application today had to be opposed.

Another Member spoke on the considerable heritage harm that she felt that this proposal would cause and not just to the synagogue but also to a number of other listed buildings in the vicinity including Holland House, local churches and even the Lloyds building. She also felt that this building would be a notable outlier to the Eastern Cluster in terms of encroaching upon the views of the White Tower. Members were told that the level of harm caused would be outweighed by the public benefits of the scheme, but it was difficult to imagine that these were really of any great value. She commented that the economic benefits would be a benefit to the City and the country as a whole and not just to the public. In terms of the retail offering, the Member commented that there were already many empty coffee shops around the Eastern Cluster and suggested that a rolling programme of artwork and local information would be of little value to those passing by to reach their destination. With regards to the public realm offering, she noted that plans for the space underneath the 'Cheesegrater' had failed and that this area was now occupied by AstroTurf and bike racks and questioned how successful the proposed 'pocket park' which would be half shadowed would be. Secondly, Members had been informed that the Section 278 agreement would contribute towards the delivery of pedestrian priority streets but would not go as far as providing funding for these per se meaning that the narrow streets and pavements would continue to be narrow



streets and pavements. The Member added that she was of the view that the social and community benefits were very minimal and also questioned the purported environmental benefits of the scheme given that the calculations explored today proved that the building would be contributing more carbon than the existing building. The carbon emissions resulting from the construction of the new building were not taken into account and neither was the embodied carbon from the demolition of the existing building. In summary, the Member felt that this application would constitute considerable harm to a number of heritage assets whilst offering less than substantial public benefit to a small area of the City and being non-compliant with the City's own Climate Action Strategy. For these reasons, she intended to oppose this application.

A Member spoke to thank Officers for their very thorough efforts in analysing this application. He argued that he felt that it would be very difficult to see any difference to the synagogue based solely on the effect of this proposed building. He went on to state that the City needed to reduce the operational carbon per metre as an average across the whole City in order to fulfil its own Climate Action Strategy and this building offered an 80% reduction in terms of operational carbon which was what was needed and was of universal public benefit. The Member went on to note that the synagogue had shown considerable flexibility towards their own listed building status as demonstrated by their current building programme. He reported that, at present, there was an area in the south courtyard which would be redeveloped as a Heritage Centre and consume one third of the courtyard and questioned whether they could show this same flexibility in terms of making improvements to the synagogue's electrical lighting as suggested. With regard to harm to views, the Member also noted that the London Borough of Southwark who currently enjoyed views across the river, considered the change to these views to be minor.

*At this point, the Chair 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 commented that there were many buildings in the City which needed to keep their lights on throughout the day. She stated that she still felt very conflicted on this application but added that she was of the view that she liked seeing tall buildings as a backdrop to the Tower of London and felt that they appeared more protective than oppressive and enhanced its setting. Officers had highlighted that Members should give some consideration to other applications currently in the pipeline and added that she would be more concerned if this and 33 Creechurch were both consented. She questioned however how much weight should be given to any future cumulative effect.

Another Member spoke to underline the emotive nature of this application, describing it as one of the most difficult decisions he had ever had to take on this Committee. He thanked the applicant and Officers for the great amount of work carried out in terms of analysing the application, particularly with regard to the effect on light. He stated that, on one level, he supported this very innovative design and the City encouraging more office space and more people in this area, he was concerned as to the various planning conflicts at local and

national level and found this difficult to resolve in his own mind. He clarified that he was not so much opposed to the scheme on the matter of daylight but was more concerned as to the presence/view of sky from the courtyard. He underlined that the history and heritage aspects were huge and that he felt that the City Corporation should have spent more time looking at these. He went on to speak of the immense, pan-European importance of the synagogue to Judaism which was evident from the sheer number of objections received. He was strongly of the view that the cumulative effect of other schemes in the pipeline should also be taken into consideration and stated that he could not support this application today.

Another Member stated that he was of the view that the plans put forward by the applicant were of very high quality and congratulated them on their work with others, in particular the synagogue, where they had gone so far as funding the advice provided to them. He also commended Officers on their report and the very high standard of advice provided to Members. With regard to equalities, he was of the view that the Committee had enough information available to them to discharge their statutory duties. However, he noted that this was ultimately a matter of judgement as to the effects on the synagogue both internally and externally and both physically and psychologically as he personally was not persuaded against the scheme on the basis of harm caused to the World Heritage Site. He clarified that he would be voting against this proposal.

The Chief Planning Officer and Development Director interjected to clarify that it was a material consideration that the Committee needed to take into account the cumulative scenarios of schemes that were coming forward but not yet consented to such as 33 Creechurch and The Tulip. He added, however, that it would be legitimate and reasonable for Members to give less weight to these schemes because they had not yet been decided upon.

A Member spoke of the difficulty in deciding upon this application, particularly given that the site in question was within his own Ward. He commended the applicant on the scheme put forward but stressed that, sadly, he felt that this was a good building but in the wrong place. He stated that he did not feel that the City had afforded enough importance to the synagogue in this scenario and that if a building of this stature was being proposed within 20 metres of St Paul's Cathedral it would not have even progressed this far. He underlined that Bevis Marks was unique in so many ways and of huge importance to the entire Jewish community and was unique in so many ways. He stressed that he had not been persuaded by the arguments of the objectors with respect to the impact on daylight in the synagogue which he believed would be almost imperceptible but that he did have concerns as to the massing of buildings surrounding the synagogue where he believed that a 'tipping point' had already been reached. He concluded by stating that he would be voting against this application.

Another Member also took the opportunity to thank the applicant and Officers for the work carried out on what would be a quality public building with commendable public realm plans. However, on balance and when weighing up

the benefits against the harm, one also had to consider the sensitivity of the receptors and he did not feel that he was able to support the proposals with this in mind.

A Member spoke to state that he accepted that the design of the building did present real advantages in terms of public benefits and economic benefits and the real debate was clearly how far this stood against the potential harm caused to the synagogue in particular. He went on to say that he looked at this in the context of the City as a whole which was home to over 600 listed buildings and had over two thirds of its space covered by Conservation Area provisions. He noted that his needed to be balanced against the commercial needs of a modern, efficient City, particularly one where there were clearly changes in demand going forward. He noted that the 'secret space' of the synagogue would be substantially retained in what was being proposed and stated that he felt that, on balance, this redevelopment proposal would meet commercial needs and meet demand whilst also enabling the synagogue and courtyard to be retained, maintaining this balance between secret, enclosed spaces and big commercial buildings that was so common throughout the City. He clarified that, whilst he understood the concerns raised, he was supportive of the application.

Another Member commented that the City of London was incredibly lucky to have such a unique and rich heritage but that with this came the responsibility to protect, preserve and enhance these assets and their settings for the future. Members had been separately informed that just 1% of all listed buildings were Grade I listed and 4% Grade II\* listed. It was noted that Grade I meant that an asset was of national importance and that the Tower of London, with numerous Grade I listed assets was also a World Heritage Site. Whilst the Eastern Cluster was identified in the Local Plan as an area suitable for tall buildings, this did not mean that every site was suitable of appropriate for this. She continued by underlining that this site was one such unsuitable location. The Member noted that the Local Plan included a raft of policies to protect heritage assets, as did the London Plan and national policy and that these simply could not be ignored. However, this application did seem to ignore these policies and would do harm to numerous heritage/protected assets of national and international importance. The Member went on to state that she shared the concerns of other speakers as to the public benefits of the scheme, suggesting that the use of the word 'pocket park' was a misdescription when the open space offered would actually be smaller than the existing public realm and was required to maintain clear access and egress for Holland House, thereby making it a planning necessity - not a genuine benefit and certainly not a park. With regard to the impact on daylight and radiance, Members were told that the studies were not an exact science and that these needed to be weighed up against the degree of acceptable harm. The Member went on to state that, in her view, no degree of harm was acceptable in this instance. She described the application as a risk too far, stating that the purported public benefits did not outweigh the detrimental harm that this application would cause to numerous Grade I listed buildings, their setting, and the World Heritage Site alongside the long list of other listed heritage that would be affected. Alongside the City's desire to provide more office space, it also needed to maintain and protect its heritage to

retain its nationally important position. The Member added that it was possible to replace an old building with a new one without creating a detrimental impact and harm and that she would not be supporting this application.

Another Member responded to comments made earlier around a Heritage Centre being built in the courtyard of the synagogue. She praised this project as an important means by which to celebrate and recognise the rich heritage and history of the site and clarified that the site proposed for this was currently occupied by an annex. She also took the opportunity to emphasise the fact that this Committee should be taking steps to meet the needs of protected groups and that she intended to oppose this application

The Chair spoke to state that he had engaged with both the applicant and the objectors on many occasions and recognised that this was an extremely contentious, emotive, and difficult application. He praised the professionalism of all sides in dealing with this and thanked Members for such a thorough debate. The Chair went on to state that he was of the view that Officers had made the correct recommendation and emphasised the Chief Planning Officer's view that there were no planning grounds on which to refuse this application. He added that he felt it was the duty of the Committee to act fairly, to have due regard to the protected characteristics of the synagogue and other affected heritage assets and was of the view that Members and Officers had made huge efforts to have regard to these and understand what the effects on them of this application would be. The Chair recognised that leading experts on light both for the objectors, for the applicant and for the City Corporation had concluded that this application would have a very minimal effect. He felt that the proposals offered tangible and authentic benefits to public and that the effect on the Tower of London setting and on the synagogue were outweighed by these. He clarified that, for these reasons, he would be voting in favour of the application.

The Deputy Chairman reported that he had listened to the debate today with great care, had attended a recent site visit and read a vat amount of paperwork and shared the views of the Chair.

Having fully debated the application, the Committee proceeded to vote on the recommendations before them. 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 – 7 Votes  
OPPOSED – 14 Votes  
There were no abstentions.

The Chair reported that, with the majority having refused the application, it was now important for the Committee to register their reasons for this. The Comptroller and City Solicitor reported that she had been keeping a careful note of the reasons given by Members and, on the basis of this, felt that there were three potential reasons for refusal. However, she sought further clarity as to whether the Committee as a whole, or at least a majority, wanted to offer all three reasons. These were around the bulk and massing of the proposal as

regards its effects on the setting and amenities of the synagogue, not so much in terms of daylight and sunlight but more generally. There was , however, also a separate angle focusing on daylight and the impact on the special characteristics of the synagogue and a third ground relating to the impact on the Tower of London and reliance on Historic England's concerns which were most significantly focused on View 10A of the LVMF from the North Bastion of Tower Bridge and how this would be affected.

The Chair questioned whether anything in relation to the fact that the majority of Members opposing the application did not feel that the benefits of the scheme would outweigh the disbenefits should also be explicitly added rather than just implied.

A Member disagreed that comments around the one view from Tower Bridge should not be included in his view and that refusal should focus more on the impact upon the synagogue. The Chair and other Member disagreed and felt that this had been referenced by the majority of those speaking in objection to the application. Another Member suggested that some also opposed on the basis of severe harm that would be caused not only to the synagogue and the World Heritage Site but also to other listed assets including Holland House and that she would prefer to also see this encapsulated within the reasons for refusal. Another Member referenced the fact that the Chief Planning Officer himself had recognised that this proposal was not in accordance with the City Plan which she felt was also a very important point. Another Member spoke to agree with this and felt that it should also be referenced within the refusal letter. The Chief Planning Officer responded to state that there was a breach in policy in terms of the impact on the World Heritage Site which was clearly articulated within the report but reiterated that it was rare to find an application that was totally in accordance with all policies and that this needed to be weighed up against any benefits. The Chair clarified that a reason for refusal would be around the impact on the World Heritage Site which appeared to be sufficient.

Another Member spoke to note that the refusal point around the bulk and massing of the building was in the context of non-compliance with the City's Heritage Policy which, in the majority view, was not outweighed by the public benefits. He also underlined that several members had referred to a number of other listed assets in the vicinity of the development and felt it appropriate to also reference these in the refusal letter, although with particular reference to the synagogue. The Comptroller and City Solicitor commented that her notes suggested that only a minority had referred to wider heritage assets but that she was happy to prepare reasons for refusal concerning the setting of the synagogue, the loss of daylight with regard to the characteristics of the use of the synagogue and also the view of the Tower of London mentioned. She commented that she was less confident about being able to pull together a reason which reflected the views of the majority of the Committee in relation to other listed buildings. The Chair noted that the derivation from policies would also be linked into this.

**RESOLVED** – That the application be refused, and that Officers be instructed to prepare a report detailing reasons for refusal reflecting the Committee's

discussion today for submission to the next meeting of this Committee for formal approval.

5. **CR20: ROAD SAFETY RISK DEEP DIVE**

The Committee received a report of the Executive Director, Environment concerning CR20: Road Safety Risk Deep Dive.

Officers underlined that they took the approach to vision zero and road danger reduction extremely seriously and highlighted that this report would also be considered by the Audit and Risk Management Committee later today.

A Member stated that he felt that the risk needed to be updated and increased given the introduction of electric scooters and a significant increase in irresponsible cycling witnessed by many in the City recently. He went on to mention that there had been increased focus on the speed of motor vehicles and not on cycles or electric scooters which were now often travelling faster than cars and therefore of greater concern. He felt that there was a real enforcement issue around these vehicles and identifying their users.

Another Member spoke to echo these sentiments and referred specifically to electric bicycles, the speed of which could often be misjudged by pedestrians. She went on to refer to particular concerns around delivery drivers and suggested that Officers might look to engage directly with specific companies on this point and adequate training.

A Member commented that the table featured at paragraph 7 of the report highlighted that, even despite the lockdown period, there had still been 41 serious injuries reported in 2020. With regard to electric scooters, she stated that she understood that the ones available for hire in the City were geofenced and limited to a certain speed – she asked if Officers could clarify this point. The Member went on to express concerns around private e-scooters being used illegally in the City and expressed the need for greater enforcement and awareness here.

Officers reported that it was important to differentiate between the e-scooters that were part of the hire trial and those that were privately owned and therefore not legal to use on the streets. It was confirmed that the maximum speed limit for those scooters available to hire was set at 12.5mph. Officers stated that, as far as they were aware, no speed limits were set for privately owned e-scooters, but they stressed that they were sure that the Department for Transport would be bringing forward legislation around this in due course. It was highlighted that the trial would help inform national legislation going forward. Officers appreciated the concerns raised with regard to enforcement and undertook to raise this further with the City of London Police to see what improvements could be made.

With regard to electric bicycles, Members were informed that the maximum speed for these should be set at 15.5mph and that enforcement measures could be taken against any moving faster than this with the motor running. It was reported that speed limits applied only to motor vehicles at present and not

pedal cycles. Officers explained that part of the reason that they were keen to secure a 15mph speed limit in the City was to try and establish a slower speed culture for all. Members were informed that the letter seeking support for this change had now been submitted to the Secretary of State and that, in due course, there would be engagement, education and enforcement campaigns around this. Officers reported that one of the campaigns that they were keen to reinvigorate was the 'Be Brake Ready' campaign.

With regard to the kind of vehicles involved in collisions, Officers reported that they were currently in the process of commissioning some analysis of the data collected over the past few years. This would help focus campaigns and assist enforcement further. Whilst previous analysis had suggested that 90% of collisions involved a motor vehicle, the concerns around bicycles and e-scooters were well understood with Members informed that the last fatal collision reported in the City was as a result of someone being hit by a cyclist.

Another Member referred to the City's cycle training and suggested that this looked to be very limited compared to that offered by other boroughs – she asked Officers to comment on this. Officers undertook to look into this further but highlighted that take up of cycle training offered by the City was currently very good. Members were informed that it had been difficult to engage City workers in particular in the past as many preferred to undertake training closer to home. Members were also informed that bike maintenance sessions were also offered on-street. The Chair confirmed that he was also aware of a Comms strategy being worked up around this training offering.

Members asked that an amended version of this paper be brought back to this Committee for further discussion in due course. Officers undertook to do so and underlined that they did provide updates on measures to mitigate CR20 within the quarterly updates on the Transport Strategy and wider Risk Register reports. Members were also assured that the risk score was regularly reviewed and could be revised as and when necessary.

**RESOLVED** – That Members note the report.

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

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

**RESOLVED** - That the report be noted.

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

The Committee received a report of the Chief Planning Officer and Development Director providing Members with a list detailing development

application received by the Department of the Built Environment since the report to the last meeting.

**RESOLVED** - That Members note the report.

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

**Committee Papers**

A Member commented that it could often be difficult to navigate this volume of papers electronically. She questioned whether some thought could be given to producing background papers as separate packs in future where papers were this extensive.

Another Member highlighted that the Mod.Gov app made it easy to edit and comment upon electronic papers and championed the use of this by Members.

Another Member thanked Officers for publishing and circulating the transcript of the meetings that Members were invited to attend with the applicant and the objector for today's application. She suggested that it would be helpful to continue to provide this to all going forward and also to place this on the Planning Portal. Another Member echoed this point. The Chair also recognised the usefulness of this but underlined the resource implications. He undertook to discuss this matter further with Officers and the Deputy Chairman so that a proportionate approach could be taken.

9. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

**Next Meeting of the Committee – 26 October 2021**

The Chair reported that the next meeting, scheduled to take place on 26 October 2021, would require all Members to attend in-person and underlined that those who did not would not be able to speak or vote.

10. **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)**

11  
12 – 13

**Paragraph No(s)**

3  
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11. **NON-PUBLIC MINUTES**

The Committee considered the non-public minutes of the informal, hybrid meeting held on 21 September 2021 and approved them as a correct record.

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

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



13. **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 1.53 pm**

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Chair

**Contact Officer: Gemma Stokley  
gemma.stokley@cityoflondon.gov.uk**