



Planning and Transportation Committee

Date: TUESDAY, 10 JANUARY 2023

Time: 10.30 am

Venue: LIVERY HALL - GUILDHALL

Members: Deputy Shравan Joshi (Chairman) Deputy Natasha Maria Cabrera Lloyd-Owen
Deputy Alastair Moss (Deputy Chairman) Alderman Ian David Luder
Deputy Randall Anderson Antony Manchester
Brendan Barns Alderman Broniek Masojada
Emily Benn Andrew Mayer
Ian Bishop-Laggett Deputy Brian Mooney
Deputy Keith Bottomley Deborah Oliver
Deputy Michael Cassidy Deputy Graham Packham
John Edwards Alderwoman Susan Pearson
Anthony David Fitzpatrick Judith Pleasance
Deputy John Fletcher Deputy Henry Pollard
Deputy Marianne Fredericks Ian Seaton
Martha Grekos Alethea Silk
Jaspreet Hodgson Luis Felipe Tilleria
Amy Horscroft Shailendra Kumar Kantilal Umradia
Alderman and Sheriff Alastair King DL William Upton KC
Deputy Edward Lord Alderman Sir David Wootton

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Michael Cogher
Acting Town Clerk and Chief Executive

AGENDA

Part 1 - Public Agenda

1. **APOLOGIES**
2. **MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**
3. **MINUTES**
To agree the public minutes and summary of the meeting held on 1 November 2022.

For Decision
(Pages 7 - 42)
4. **ANNUAL REVIEW OF TERMS OF REFERENCE**
Report of the Town Clerk.

For Decision
(Pages 43 - 46)
5. **DISTRICT SURVEYORS BUILDING CONTROL, BUSINESS DEVELOPMENT OPPORTUNITY**
Report of the Executive Director, Environment.

For Decision
(Pages 47 - 52)
6. **INFRASTRUCTURE FUNDING STATEMENT CIL/S106***
Report of the Planning & Development Director.

For Information
7. **CITY PLAN OFFICE FLOORSPACE DATA & TARGETS***
Report of the Planning Development Director.

For Information
8. **AWAYDAY**
The Planning & Development Director to be heard.

For Discussion

9. **BUSINESS PLANS 2022/23: PROGRESS REPORT (PERIOD 2, AUGUST-NOVEMBER)***
Report of the Executive Director, Environment.
For Information
10. **PUBLIC LIFT REPORT***
Report of the City Surveyor.
For Information
11. **OUTSTANDING ACTIONS***
Report of the Town Clerk.
For Information
(Pages 53 - 56)
12. **MINUTES OF THE STREETS AND WALKWAYS SUB-COMMITTEE***
To note the draft public minutes of the Streets and Walkways Sub Committee meeting on 8 November 2022.
For Information
13. **REPORT OF ACTION TAKEN***
Report of the Town Clerk.
For Information
14. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
15. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**
16. **EXCLUSION OF THE PUBLIC**
MOTION – That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Part I of the Schedule 12A of the Local Government Act.
For Decision

Part 2 - Non-public Agenda

17. **COMMUNITY INFRASTRUCTURE LEVY AND ON-STREET PARKING RESERVE GOVERNANCE***

Report of the Executive Director, Environment.

For Information

18. **DEBT ARREARS - ENVIRONMENT DEPARTMENT (P&T COMMITTEE)***

Report of the Executive Director, Environment.

For Information

19. **NON-PUBLIC MINUTES OF THE STREETS AND WALKWAYS SUB-COMMITTEE***

To note the draft non-public minutes of the Streets and Walkways Sub Committee meeting on 8 November 2022.

For Information

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

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

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PLANNING AND TRANSPORTATION COMMITTEE

Tuesday, 1 November 2022

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

Present

Members:

Amy Horscroft	Amy Horscroft
Deputy Shравan Joshi (Chairman)	Deputy Edward Lord
Deputy Alastair Moss (Deputy Chairman)	Deputy Natasha Maria Cabrera Lloyd-Owen
Deputy Randall Anderson	Alderman Ian David Luder
Brendan Barns	Antony Manchester
Emily Benn	Andrew Mayer
Ian Bishop-Laggett	Deputy Brian Mooney
Deputy Michael Cassidy	Deborah Oliver
John Edwards	Deputy Graham Packham
Anthony David Fitzpatrick	Deputy Henry Pollard
Deputy John Fletcher	Ian Seaton
Deputy Marianne Fredericks	Shailendra Kumar Kantilal Umradia
Martha Grekos	William Upton KC
Jaspreet Hodgson	Alderman Sir David Wootton

Officers:

Gemma Stokley	- Town Clerk's Department
Deborah Cluett	- Comptroller and City Solicitor's Department
Christopher Rumbles	- Town Clerk's Department
Tim Fletcher	- Media Officer
Juliemma McLoughlin	- Executive Director, Environment
Gwyn Richards	- Planning and Development Director
Rob McNicol	- Environment Department
David Horkan	- Environment Department
Peter Shadbolt	- Environment Department
Jessica Robinson	- Environment Department
Peter Wilson	- Environment Department
Giacomo Vecia	- Environment Department
Bruce McVean	- Environment Department
Philip Carroll	- Environment Department
Ben Eley	- Environment Department
Pearl Figueira	- Environment Department
Kerstin Kane	- Environment Department
Simon McGinn	- Environment Department

Also In attendance:

Elizabeth King – Common Councillor
Fiona Lean – Chair, Ben Johnson House Group

Fred Rodgers - Chair, Breton House Group Member, Barbican Association Planning and Licensing Sub Committee
Adrian Tanovic – Barbican resident

Sam Hine – DP9
Oliver Vickerage – Castleforge

The Chairman opened the meeting by welcoming the new Member for Cordwainer – Amy Horscroft to her first meeting of the Planning and Transportation Committee. He also confirmed that Ms Horscroft had undertaken the necessary training required in order to consider planning applications. He also welcomed Susan Pearson back to the Committee in her new capacity as Alderwoman for the ward of Cripplegate who would be filling this place until such time as a by-election was held in the Ward.

1. **APOLOGIES**

Apologies for absence were received from Alderman and Sheriff King, Alastair King, Alderman Bronek Masojada and Judith Pleasance.

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

There were no declarations.

3. **MINUTES**

The Committee considered the public minutes of the meeting held on 11 October 2022 and approved them as a correct record.

MATTERS ARISING

Apologies for absence (page 7) – A Member stated that, on occasion, Members had to recuse themselves from meetings of this Committee owing to personal or professional conflicts of interest and in order to avoid any instances of perceived bias. She queried whether, in these instances, the reasons given for apologies could also be recorded in future minutes for full transparency.

The Chairman stated that he felt that this would be a useful addition and asked that the Town Clerk action this going forward.

Outstanding Actions (page 16) – A Member requested whether this could continue to feature in the main agenda pack for all future meetings of the grand Committee to ensure that it remained up to date and was given appropriate focus.

Completion of the Riverside Walkway (page 16) – A Member stated that he had received an update on the project but was still yet to receive confirmation of a completion date. Officers reported that there were ongoing issues with one of the subcontractors that they were still attempting to resolve. As soon as there was progress on this, a further update and details of a completion date would be provided to Members.

Building of the Year – 22 Bishopsgate (page 17) – A Member stated that she had noticed that all of the trees outside of this building had been completely cut down and questioned why this was the case and whether there were plans to reinstate these in due course. The Planning and Development Director reported that Officers had meetings scheduled to discuss this matter and would provide an update to the Committee at their next meeting.

4. **CRIPPLEGATE HOUSE 1 GOLDEN LANE LONDON EC1Y 0RR**

The Committee considered a report of the Planning and Development Director concerning Cripplegate House, 1 Golden Lane, London EC1Y 0RR - specifically alteration and extension of the existing office building (Class Eg(i)) incorporating a local community/cultural space (Class Eg(i)/F2) at ground floor; to include additional floorspace through upward and infill extensions (+2485sq.m GIA uplift); altered and additional entrances; creation of office amenity terraces and plant enclosures; facade alterations including urban greening; new landscaping; and associated works.

Officers presented the application, highlighting that prior to this meeting, Members would have received a report, a presentation pack and addendum reports with updates in relation to stopping up, sustainability and conditions alongside five late representations. It was highlighted that the application site was situated to the north of the City and bound by Golden Lane to the east, Brackley Street to the north, Viscount Street to the west and Cripplegate Street to the south. It was reported that the applicant was proposing the refurbishment of the existing building by retaining as much as the existing structure as possible. The proposal sought to re-clad the south, west and northern elevations and provide four additional storeys which would result in a circa 2,400 square meter uplift in office floorspace and an estimated 32% increase in capacity and occupancy.

Officers shared visuals of the existing building/site noting that it was Grade II listed but sat outside of a conservation area and was situated just outside of the Barbican and Golden Lane Conservation Areas. It was highlighted that the Cripplegate Institute had been built in the late 19th century as a philanthropic venture for the Cripplegate Ward. The historic façade to the east of the building had been stretched in the early 20th century with two additional floors added. The site had also been substantially redeveloped in the early 1990s and, as a result, much of the historic fabric was lost. All that now remains of the historic significance is the existing eastern elevation, the truncated stair from the ground to second floor level and the associated balustrades as well as the pavement vaults in the basement, some decorative plasterwork on the ceilings above the historic stair and the plasterwork in the entrances for the oriole windows at second floor level. It was reported that the office building had been vacant for some time and is not designed in line with current standards.

In terms of site context, it was reported that the Barbican and Golden Lane estates sat nearby and were both Grade II listed, the Denizen sat to the north, to the west is the Colbert building and to the south is Ben Johnson House. It was highlighted that the application site was located within the Culture Mile.

The Committee were shown images of the existing floorplans with officers highlighting that, at present, the ground floor plan represented a substantial amount of inactive frontage on the east, north and west facades. The proposed ground floor plan incorporated a planned community/culture floorspace and a new office space entrance on the northwest corner as well as additional entrances from Golden Lane. It was reported that a more open ground floor would enhance the building's relationship with the street. A proposed bin storage area was also shown at ground floor level, but Officers stressed that this would be subject to conditions as they were not content with this location within the public realm.

It was noted that the proposal sought to substantially improve the public realm both through on-site and Section 278 works. This would be done through the delivery of new planters and seating with the retention of both existing trees currently on site. An art wall was proposed along Cripplegate Street with an existing pedestrian route substantially enhanced. A raised table subject to a c78 agreement was proposed on Viscount Street and Brackley Street junction which would aid in pedestrian crossing in this area. The pavement would be expanded at the junction adjacent to the office entrance and a new tree was also proposed. The existing vehicle ramp on Cripplegate Street would be infilled leading to an increased amount of usable public realm. The public realm enhancements were also to be supported by a Lighting Strategy with the details subject to condition to help improve safety and the appearance of the surrounding streets.

The proposed basement level plan depicted the cycle storage, refuse storage, plant space and the cycle lift to the east.

Members were informed that the site was currently serviced on street and that this arrangement would be retained but rationalised and managed. Servicing vehicle trips would be reduced from 31 to 17 through off-site consolidation with strict time limits on when the site could be serviced. The proposal would also result in a net gain of approximately five square meters of public footway.

The proposed first floor plan depicted a double height lobby to the northwest corner as well as general office floorspace and circulation spaces. The proposed second floor plan showed the retained historic staircase to the east of the building as well as fins along the southern edge – intended to obscure overlooking and provide additional screening. The proposed eighth floor plan showed a small terrace to the west of the building. The proposed ninth floor plan showed a small area of plant space to the left of the building to the west and a small extension to the mansard roof on the right-hand side of the plan, to the east. Proposed tenth floor plans showed a plant enclosure cover to the left and some terracing to the north and south which were accessible from the office floorspace. At twelfth floor level was the proposed roof terrace at the top of the building. The proposed roof plan depicted PV panels as well as additional plant space and a plant enclosure.

Officers summarised by stating that the proposal included a number of terraces set over different floors. The terraces would have substantial landscaping with

trees and low-level planting which would be positioned on the periphery of the terraces to limit how close occupants could stand to the edge as well as to limit overlooking. Conditions would be attached to the use of the terraces to control hours of access between 9am and 9pm and restrict the use of amplified music and events. The terraces would also contribute to the proposal's urban greening factor of 0.3 which was policy compliant.

With regard to daylight and sunlight it was reported that there were no major adverse impacts from the proposed development. It was acknowledged that there would be some minor and moderate impacts to the Denizen however the majority of these involved rooms that were bedrooms which BRE guidance recognised as less sensitive. Members were informed that the scheme was accompanied by a radiance report which concluded that the impacts to the internal light would be mostly negligible. As such, it was reported that Officers considered that the daylight and sunlight impacts of the development on neighbouring properties and amenities spaces were acceptable and in accordance with policy requirements.

The Committee were shown images of the view from the north towards the application site which showed that the massing of the proposed building would step back towards the west to respect the views of the north towards Shakespeare Tower. Members were also shown CGIs of the view from Fortune Park depicting the additional built form which would peak above the ridgeline of neighbouring buildings. However, this was not considered to be an uncharacteristic feature of the surrounding area. Images depicting the proposal from the Barbican Highwalk were shared. Officers reported that the south elevation would be finished in GFRC panels, fins and climbing planters in order to create an attractive elevation with design features to obscure overlooking. Next, images showing the proposal from the Brenton Highwalk were shared alongside images from Viscount Street which showed that the base of the building had been designed to be more outward looking creating a positive relationship with the street.

In conclusion, Officers reported that the proposed development would retain existing building through refurbishment and extension and would provide approximately 15,000 square meters of Grade A office floorspace within the City. The development would deliver substantial enhancements to the surrounding public realm. Active frontages would be provided and an increase in urban greening of the site. The new community space at ground floor would provide ancillary community and cultural uses, contributing to social infrastructure in the City and the Culture Mile. The daylight and sunlight impact of the development had been carefully considered and independently verified by BRE and were considered acceptable. The proposed servicing arrangements would be seen as an improvement to the current arrangements and result in less deliveries to the site outside of peak and overnight hours. This would secure development that would seek to promote active travel, biodiversity and urban greening, targeting BREEAM outstanding and reducing carbon emissions and waste. For all of these reasons, Officers were therefore recommending this application for approval.

The Town Clerk confirmed that there were three objectors as well as an elected Member wishing to address the meeting in opposition to the proposals – Fred Rodgers, Chair of Breton House Group, Adrian Tanovic, Barbican resident, Fiona Lean, Chair of Ben Johnson House Group and Elizabeth King CC.

Ms Lean began by underlining that the objections to this proposal were well documented - one comment in favour of the scheme had been received, one neutral and comment and 327 objections, almost one third of which were from Ben Johnson House residents. She went on to state that the Barbican Association letters of objection listed the reasons for this succinctly with reference to the clear contravention of the draft City Plan. She reiterated that the bulk and mass of the proposed building was overwhelming, and that the additional height had been described as just two storeys – however, as perceived from the podium and street level, this appeared to be almost double that. The sense of space and sky afforded by the existing, defined roof line directly facing Ben Johnson House would be removed resulting in loss of light and an increase in overshadowing to the surrounding buildings with over 100 rooms in Ben Johnson House set to be affected. The addition of a busy raft of terraces would destroy this roofline completely and at podium level would narrow the gap between the podium and the existing building by over three meters. Inevitably, the terraces would provide opportunities for outdoor socialising which would threaten the privacy of neighbouring buildings. Ms Lean went on to state that the introduction of an extensively glazed south façade and the change in the proportion of glass to solid will further diminish the residents' privacy. She added that the use of fins and vertical planting were questionable tools to protect privacy given the time and maintenance that this would require for the plants to grow sufficiently.

Ms Lean commented that an office block was designed to attract activity and that the larger the building, the more activity there would be, particularly in the services needed to support and maintain it. Despite any restrictions in these and the best intentions of the occupiers, there would be an increase in noise pollution. She stated that the proposed additions created a building with so many different styles that the visual impact would be disturbing and did not follow one of the basic principles for extending listed buildings. Namely, it did not show an understanding of the heritage significance of the listed building and its setting. Ms Lean stated that, if the proposal were to be approved, it would result in the Grade II listed façade being subservient to the rest of the building and being eroded beyond repair. She underlined that she felt that the present building, its colour and architectural distinctiveness complemented the buildings in the immediate vicinity – namely the Barbican and Golden Lane estates and the Denizen. Whilst the buildings had different styles, they were all uniform in design and collectively displayed a harmony of vision which would be broken as the proposed extensions did not sit comfortably on the existing buildings. Ms Lean stated that she was not of the belief that it would provide any significant public or local community benefit commensurate with the proposed size of the extension. Whilst the objectives of the draft City Plan focus strongly on prosperity and the economy, they also highlighted the need for a City that delights the senses and making for a better City to visit work and live in – Ms

Lean stated that she did not feel that these proposals did any of this and therefore requested that they be rejected.

Mr Rodgers commented that he was also a member of the Barbican Association Planning and Licensing Sub-Committee and speaking today as a resident of Breton House – one who would be directly affected should the scheme be approved. Mr Rodgers also referenced his further, late representations sent to the Planning and Development Director. Mr Rodgers commented that these had not been sent to Members or made publicly available as part of the addendums issued. He reported that these also contained images of the view from the dining table of his studio flat – a view that Officers had declined to see for themselves. Instead, all that was shown was a view from Breton Highwalk – four storeys below and to the south. He stated that he did not consider this to be acceptable in terms of a transparent process, particularly where over 330 objections had been received.

Mr Rodgers also referred to the comments received by planning officers from the London Borough of Islington which had been, in his view, pre-emptively dismissed in ignorance of Golden Lane and a potentially restricted tertiary route serving three schools and two preschools for which the proposed 15-meter-high extension offered no public benefit. Reference was also made to the Victorian Society's objection to the scheme, the harm it would cause and the significance of the historic Grade II listed façade and its setting. Mr Rodgers stated that the two objection letters written by his colleagues on the Barbican Association Planning and Licensing Sub-Committees had been crafted on behalf of over 4,000 local residents. He commented that the proposal had no discernible public benefit and urged the Committee to refuse it. However, if the Committee were minded to approve, he urged the, to ensure that proper consideration as given to the proposed conditions. He was of the view that some of these were unacceptable and required amendment in order to protect existing residential amenity.

Adrian Tanovic began by stating that the increase in absolute height of this redevelopment was approximately 13 meters. In the case of the east facing profile, it was closer to 15 meters over the existing structure, equivalent to an additional four storeys on top of the original, historic building. Despite claims made within the applicant's brief it was not felt that this was a modest increase in height for what was currently a nine-storey building. This was considered to be an increase that would markedly change the character of the building and its relationship to all of the listed buildings which surround it within the densely populated Barbican and Golden Lane Conservation Area. Whilst he recognised that residents in the City lived in the centre of an historic, thriving, bustling, commercial area, he stated that it was for this very reason that the character and amenity of it should be preserved in so far as possible. He commented that these things far outweighed and could not be bartered for what were generically termed as public realm enhancements – things such as community meeting rooms or additional trees. Mr Tanovic stated that to place an office block of this increased scale in the middle of the estate would greatly and needlessly damage the setting and character of this special, historic place. He stated that, in asking the Committee to reject this application, he was asking it to fulfil its

obligation and the City's own planning policy which stated that the bulk, mass, height and scale of buildings should be appropriate.

The Chairman asked the Town Clerk to confirm that all late representations had been sent to the Committee. The Town Clerk reported that all late representations, including those submitted overnight were sent to the Committee at 9.33am that morning in an amended addendum. They were also posted online to the Committee webpages in the normal manner at this time.

Elizabeth King stated that she intended to speak on behalf of two Wards today – her own (Cripplegate) and also Aldersgate. She went on to outline four key reasons for rejection of the scheme. She stated that the Committee had heard thoughtful and powerful objections from residents' representatives and had received over 300 objections, amongst them one from Islington's Chief Planning Officer which had to be considered. She commented that, whilst acknowledging the City's primary business function, this was a building completely surrounded on all sides by residential buildings and community amenity – situated at the nexus of both the Golden Lane and Barbican Conservation Areas although conveniently just outside of both.

Ms King went on to question whether any Member had visited one of the flats set to be adversely impacted by the plans and stated that she found it concerning and disappointing if not. The proposals spoke of the view and impacts at street level but less so on homes that neighbour the site where the impact would be most profound. She commented that, whilst no scheme could be considered perfect, the balancing between competing priorities arrived at in the City's own Local Plan was completely opaque. The report itself recognised that the proposal was finely balanced – however Ms King underlined that it was not compliant regarding servicing, refuse collection, impact on the host building as a designated heritage asset and would cause worsening to daylight and sunlight. She stated that a major issue here was around servicing and the plans acknowledged this to be non-compliant with policy which was highly undesirable and would unduly impact on the quality of the footways in the public realm generating significant levels of noise directly opposite a number of residential properties. She added that Viscount Street was just 9 meters wide and that this would thereby have a severe impact on people's homes. She questioned how long it would take for the twelve bins to be taken up from the basement via a service lift and taken down the street to be carted, collected and returned. She went on to highlight that there were three schools on Golden Lane and a children's centre off of Viscount Street. It seemed as though proposals would result in 34 vehicle movements a day on Golden Lane which was not a major thoroughfare. The permitted hours of 2-4pm would neatly encompass school pick up times and the 7-11pm window were completely unacceptable to people's homes and would be taking place within just four meters of them. She questioned whether every vehicle would need to execute a three-point turn adjacent to the childcare centre and suggested that this element of the proposal was particularly ill thought out and unacceptable.

In terms of cumulative daylight, Ms King stated that the cumulative effect of this proposal and the Denizen, completed just five years ago had not been

considered and the impact of this ought to be calculated for each flat, even if each development were considered to be in scope. She highlighted that the reduction in solar gain was particularly concerning during an energy cost crisis. Ms King noted that the guidance clearly stated that the cumulative impact of individual developments of the amenity of existing residents will be considered. She also noted that one objector had submitted an analysis of the impact on their flat, underlining that one room will suffer a VSC loss of 63.5% between these two buildings.

In terms of public realm, Ms King stated that most of this was already in existence meaning that there was no genuine improvement aside from an additional 5 square meters of footway. On the offer of community space, she stated that she found this insulting and questioned what demand there was for a public café without any disabled toilet access, particularly when there were many cafes already on Whitecross Street just one block away. The community space offered equated to less than 3% of the lettable area of the scheme, did not provide any particular benefit. Ms King noted that there were questions raised within the report about both the quality and the management of the cultural offer. It was therefore clear that the offer remained weak and that more information and clarity was required with regards to how the space was to be set up, managed, operated and used. The small amount of floorspace offered – just 71 square meters was considered insufficient and the business plan raised concerns as to the long-term interest and commitment of potential occupiers. She therefore questioned how this could be cited as a reason in favour of development. Ms King stated that, most concerning, were issues for the building users such as those concerning fire safety, wheelchair accessible toilets and blue badge parking. The report noted that, in terms of fire safety, safe, efficient egress depended upon the building design. Stepped access was however proposed between the refuge and the lift and all of this with a 3% uplift in building users.

Ms King concluded by asking the Committee to reject this application.

The Chairman invited any questions which members of the Committee might now have of those who had spoken in objection.

A Member questioned which policies Mr Tanovic believed that this application fell short of. Mr Tanovic stated that he had intended to refer to Policy CS10 which stated that the bulk, height, scale and massing of buildings should be appropriate to the character of the City and the setting and amenities of surrounding buildings and spaces. Given that this proposed development was entirely surrounded by the Barbican and Golden Lane Historic Conservation Area, he was of the view that this was the key element of planning policy which should override all other considerations.

The Chairman went on to introduce those speaking in favour of the application - Sam Hine, DP9 and Oliver Forge (Castleforge).

Mr Hine began by highlighting that the existing building was an outdated, outmoded office building, last used by UBS as a recovery centre with a

skeleton staff. He added that the building was not lettable in its current state owing to its energy inefficiency and high carbon footprint, its lack of equal access, the poor quality of office floor plates, a lack of cyclist facilities and lack of any outdoor space. The intention was therefore to address these issues whilst retaining the vast majority of the building structure and fabric. Whilst the main part of the building is an unremarkable 1990s office building, it incorporates in it the retained façade of the listed former Cripplegate Institute which had formerly been a public library. This would be celebrated and enhanced within the new design. It was reported that the following four principles were central to the proposal. Firstly, maximising retention by keeping 95% of the existing structure and 77% of existing fabric in the process of creating grade A office floorspace. It was highlighted that this was the most sustainable way to modernise the City's existing office stock. Secondly, a high-quality City building. It was suggested that the proposal was exactly what City occupiers were looking for but could not find. It had best in class sustainability credentials, equitable access, high quality cyclist facilities, a generous reception and amenity spaces all wrapped up in an architecturally successful building which had the quality expected in the City. Thirdly, a Culture Mile outlook. It was proposed that the Cripplegate Institute portion of the building would be re-opened to the public with level access to a beautifully multifunctional community space designed with the involvement of Future City. Members were informed that there had already been great interest in the space including from the Barbican Centre's outreach teams and it was confirmed that the applicant would continue to work with stakeholders and the local community to ensure that this met local needs. Finally, a building that protects residential amenity. It was reported that it was the case that you must find innovative solutions when working with and retrofitting an existing building. The amenity of neighbours had been successfully addressed through carefully locating mass around the existing core and architectural devices to reduce visible glazing at the most sensitive elevations. It was reported that on-street servicing of the building had had to be retained due to the building's constraints. A strictly time-managed, consolidated strategy had been adopted and this would reduce the number of vehicles accessing the site.

Mr Vickerage reported that this proposal was being brought forward following 15 months of design development working closely with City officers to arrive at an exemplar in sustainable refurbishment. He reported that Castleforge had been active in the City for over a decade with Golden Lane following their successful delivery of 160 Aldersgate which had provided DLA Piper a home here for 30 years. This experience had now been brought to 1 Golden Lane but with a greater aspiration for what they had defined as 'best in class'.

Mr Vickerage went on to address the pertinent points of the application and to provide further clarification of their thinking. With regard to overlooking and privacy, he reported that the applicant had been made aware that this was a primary concern of residents from the outset. The impact of this had been mitigated in two ways. Firstly, on the proposed north and west facades where there is close proximity to neighbours, it was ensured that the proportional amount of glazing did not exceed that of the existing. Secondly, for the terrace design, an acclaimed landscape designer had been appointed to ensure that

people were physically prevented from approaching the perimeter and by framing distant landmarks to ensure that views were directed out to the skyline.

Mr Vickerage acknowledged that the site servicing strategy did not align to policy expectation but stated that this was the single point of divergence and was nevertheless a significant improvement on the current condition, enforcing restriction on hours and movements, utilising off-site consolidation and servicing with electric vehicles. Members were informed that, to arrive at this proposal, the applicant had extensively reviewed a multitude of scenarios although these had all demonstrated that servicing on site would cause major adverse impact requiring significant structural demolition, increasing site waste and carbon emissions and introducing footway crossovers. The applicant reiterated that this was an existing building which fundamentally had a height difference of almost one meter from internal floor to street level, a non-compliant ramp and a shallow basement. Mr Vickerage reiterated that sustainability was at the core of this proposal with 95% of the structure set to be retained, core included. It was reported that rooftop massing was anchored around the core's existing position and that an increase in height would therefore inevitably affect neighbouring buildings accordingly. However, the applicant underlined that they had done everything possible to mitigate this impact including lowering the massing post submission. The reality was that a small number of windows would still be affected beyond BRE guidance, but radiance analysis had shown that where this occurs the impacts are virtually imperceptible. Mr Vickerage reported that in order to bring buildings back into productive use in the ever-evolving City it was necessary to balance the interests of all parties, including the millions who work in the City of London and demand high quality commercial buildings. He stated once more that the applicant had done all possible to mitigate avoidable impact on their neighbours and this analysis had been twice verified independently by the BRE.

With regard to landscaping, Mr Vickerage stated that the applicant had listened to the views of residents with their original submission amended so that all trees along Golden Lane were to remain in place. With consent, the intention a to replace just one tree on Cripplegate Street. It was also proposed to plant a replacement pink hawthorn tree which had once sat on the Denizen site.

It was reported that the applicant intended to open up the frontage on Golden Lane to provide an independently accessed community space and a level entrance for office occupiers. Mr Vickerage reported that stakeholder engagement from the outset had been a genuine endeavour to communicate with neighbours and to understand their aspirations for the site and allow them the opportunity to influence plans. Consultation had made it evident that people were keen to see this scheme demonstrating a genuine public benefit and positive impact. On top of the cultural space, the public realm improvements and the restoration of a heritage façade with the applicant's carbon assessment demonstrated that righting this building would avoid emissions of over 10,000 tons of carbon in the next 60 years. The application would also increase biodiversity exponentially and ensure the building's relevance to the City's global business communities as their needs also evolved towards a more

sustainable future. All of this had been achieved through consultation and with respect for the site's neighbours.

The Chairman then invited Members to pose any questions they might have of the applicant team.

A Member questioned the capacity of the roof terraces which would clearly impact upon noise. She also referenced a planning application considered by the Committee earlier this year where the applicant had been asked to consider altering the hours of use. She noted that, at present, use of the roof terraces here would be permitted on Saturdays which she deemed unacceptable in a residential area. She also questioned whether the applicant might consider limiting hours of usage to 6pm only as opposed to 9pm. The applicant team responded by stating that the terraces were intended for office amenity purposes only, accessed only by office tenants during office hours. He underlined that the conditions proposed were around use from 9am-9pm Monday-Friday and that this had been arrived at through discussions with City Officers during the determination period.

Another Member spoke on references to the reduction in the height and massing of the proposed building having listened to the concerns of residents and others. She questioned how much the height had been reduced by. She went on to speak on the cultural offer and questioned whether the applicant agreed with at least the Officer's assessment that the cultural plan content remains weak and why it was that further space was not granted or recommended as part of the application. The applicant team reported that the highest point of the existing building was 55.27 meters above base level, and this would be extended to 67.3 which was a 12-meter increase at the highest point. In other areas it would be less than this with the height in one area at Viscount Street being reduced against the parapet. The height of the proposal presented today had been reduced by 0.92 meters in response to comments made at consultation. This had been achieved by more detailed analysis of existing structure. It was reported that the very first application had assumed that the applicant would be demolishing the roof completely and placing whole new floors here however, the top level was now being retained with more of the existing frame also being kept, reducing the overall height by this amount.

A Future City representative responded on the cultural offering. She reported that, as indicated in the Design and Access Statement and a further, supplemental report, the community and cultural space would be one that is mainly dedicated to co-design which was a pro-active way of engaging the community in designing with design professionals, architects and landscape architects. One of the things that had been identified with so much development happening across the City was that the one deficit is space. This space would offer dedicated space and privacy and could accommodate between 5 and 15 individuals. In consultation with resident groups and the communities there wasn't one specific activity that was needed. The applicant team had therefore formed a coalition of three partners who will run the space. The development itself had agreed to fund the fit out and to do so through a co-design process with the partners who would run the activity. The cost of managing the space

would be handled by the building management thus making it a cost neutral space for programming to take place. It was reported that the three partners were Proud Places who worked with young people who were disadvantaged and have either fallen outside of the school system or been pushed out of it. Proud Places were part of the Heritage London Trust which had programming funding but did not have space. Another partner was Poor Collective who were dedicated to engaging young people into opportunity for their futures – again they would run co-design workshops and would also invite individuals to have access to architectural programs but currently had no space to do so. The applicant reported that the Barbican Centre Operations Team had dedicated themselves to help run the remaining amount of time through their booking system encompassing all of the official forms and health and safety considerations. They had also undertaken to work with their Community Partnerships Team to open up the space on evenings and weekends to community groups on an ad hoc basis. Proud Places were keen to run workshops Monday-Thursday, Poor Collective wanted to run workshops on Fridays and the Barbican Operations Team would be willing to help the local community access the space on weekends and evenings. This would ensure a robust system and activity appropriate to a residential neighbourhood, bringing back the ethos of the Cripplegate Institute. The applicant team made clear that they had discussed this concept with the Cripplegate Foundation from the very beginning and that they were very pleased to understand this and applauded the return of some of the intangible heritage to the space. The applicant concluded by stating that they were therefore of the view that the cultural offering was robust. Members were informed that a Steering Group would also have oversight of the space to ensure that it functioned under the ethos of the cultural vision. It was also underlined that larger space for this purpose had been investigated but the issue had been that the larger spaces were not large enough for any other operator to take on. Many had indicated that it would not be possible to make it work financially unless the space was 10,000 square feet or more. The space offered here was therefore appropriate for what it needed to be and for what these operators intended to use it for.

A Member spoke on heritage and townscape and questioned why the use of red brick as utilised in the existing building and in keeping with its heritage/listed status was not pursued here. He stated that he saw nothing in the Design Access Statement that explained this point either. He went on to question the reference point for the height of this building. The applicant team reiterated that the design of the scheme had evolved over several months of consultation, including with City officers. They stated that their analysis of the townscape was that the area was quite mixed architecturally and that the existing extension to the building dating from the early 1990s was not particularly in keeping with the Cripplegate Institute. It was felt that there was now an opportunity to enhance the building. In particular the connection between new and old was felt to be quite abrupt and it was felt that this could be improved by recessing and slightly contrasting. They added that radiance studies undertaken had indicated that lighter material was enhancing. Members were informed that there were some awkward shapes in the curtain walling of the existing building which created some large, unfortunate arches. It was reported that the north and west elevations had been analysed in terms of the

amount of glazing which had been maintained by adopting a more traditional window and wall approach. Consultation had revealed that stakeholders were keener to see a darker top to the building in order to reflect the materiality of the existing mansard which was to be retained and enhanced. The applicant also reiterated that the proportions of the existing building were also quite odd. The applicant felt and agreed in discussion with officers and through consultation that the building would be a contrast between old and new. The street level offering would also be dramatically enhanced and transformed – moving away from the existing, solid base.

A Member pursued the points made around traffic and turning points with various schools situated nearby. He also questioned the height increase given the increasing move towards more hybrid/smart working.

The Chairman requested that response to questions be kept relatively brief and to the point.

A representative from Velocity Transport Planning reported that, if the Beech Street scheme were to come forward, the service strategy for this scheme would involve servicing predominantly from Brackley Street avoiding the need for any turning on the street. With regard to refuse collection, this would be the only vehicle that would need to go down Viscount Street and then perform a three-point turn on street. It was reported that the managed nature of the servicing being proposed would ensure that the refuse collection would not occur during school pick up or drop off times. In terms of commercial demand, the applicant explained that the requirements for a modern office building were very different compared to what was already in existence and that lots of additional points needed to fit inside the building to make it fit for tenants such as cycling facilities, additional showers and toilets and additional core/lift access. For this reason, the gross increase in floorspace proposed was a lot larger than the net increase.

A Member stated that the actual service entrance would be located in Viscount Street. She added that both this and Brackley Street were very narrow spaces. She questioned whether there would be sufficient space here for lorries to pass without having to mount the pavement should a lorry already be parked for a delivery. The applicant responded to state that the majority of deliveries for an office building would consist of small packages which would come directly to the main lobby. They would not therefore affect traffic flow on either Viscount or Brackley Street. It was reported that the service lifts were to be located on the northern corner of the Viscount/Brackley Street junction meaning that any packages wouldn't need to travel an excessive distance. It was also envisaged that the scheme would be a zero-emission scheme meaning that any deliveries would be made using zero emission vehicles which would likely be able to continue to use Beech Street. The applicant went on to report that they had undertaken a vehicle tracking analysis which had looked at the existing width of Brackley Street and had confirmed that this would allow for two vehicles passing each other.

Another Member spoke on fire safety underlining his concerns around proposed stepped access between a downward lift and refuge. He questioned why the applicant was proposing this and stated that the suggestion within the report that further details to justify why this had been introduced and what the proposed means of evacuation for people with limited mobility were to be secured as a condition was unacceptable and represented a clear danger. The applicant clarified that the building had step free access throughout with new entrances to be created from street level at Golden Lane. There would be a retained stair that was part of the listed building but with step free access either side of this. Every office floor would also have step free access that was regulation compliant. The Member stated that he would also like to hear from Officers on this point.

Another Member that policy required the assessment of the cumulative effect of individual developments and questioned whether the applicant had requested that their lighting consultants had undertaken this work with regard to the Denizen and this development. A representative from Point 2 Surveyors, daylight specialists reported that the cumulative assessment suggested within policy and also withing BRE guidance was intended to assess future schemes coming forward – those that had already been consented or those not yet determined. Furthermore, looking at this development in isolation, Members were informed that there would be good levels of retained daylight. He underlined that, in this scenario, it would not be appropriate to look back at a scheme consented to 7 years ago.

A Member questioned why on street servicing had been pursued and also noted the last refuse collection pick up time of 11pm which she felt was too late for a residential area. She questioned if this could be brought forward at all. Finally, she noted that the hours of use for the terraces was proposed as 9am-9pm but added that, recently access to a roof terrace at 200 Aldersgate had been granted from 10am-6pm and questioned whether hours of access could be kept consistent. The applicant responded by highlighting that, throughout the design process, they had considered ten different on-site servicing options. However, as the existing structure of the building was to be maintained this was deemed not to be possible. It was reiterated that the ramp here was currently non-compliant in terms of height and that servicing vehicles would not fit into the basement. Increasing the height of the basement to rectify this would effectively sever the Cripplegate Street link. With regard to hours of access to the roof terraces, the applicant stated that these had been proposed by officers. It was underlined that these had been secured for office amenity use only, hence the conditions preventing any promoted events and use of any amplified music. The applicant added that they had done their own research on terrace use throughout the City and were of the view that what was proposed here was consistent with many others and was relevant to the site.

Another Member questioned whether the applicant had considered the use of vehicle lifts for servicing which had been enlisted by many other City developments in keeping with policy around on-site deliveries. Secondly, on fire safety the Member questioned why the development was deficient in terms of firefighting facilities and why the applicant considered this to be acceptable.

The applicant clarified that of the ten different solutions considered, two of these involved the use of vehicle lifts but this was deemed inappropriate for a number of reasons such as the embodied carbon impact it would have on the structure and the digging out of the basement. It would also have resulted in a loss of active frontage on both Cripplegate Street and Viscount Street, diminishing the pedestrian experience here. On the second point, the applicant stated categorically that the development would not be deficient on any aspect of firefighting and that it had been a fundamental requirement that they improve the situation from the current building which was not compliant at present. Staircases of the correct width would be introduced, and the firefighting facilities would be increased at every level.

The Chairman asked that the Committee now move to pose any questions that they might have of Officers.

In response to a question regarding fire evacuation plans, Officers confirmed that these were policy compliant. It was highlighted that step free access would be maintained as illustrated on the ground floor plan.

A Member expressed concern at the number of matters presented here that were still subject to consideration.

A Member asked Officers to comment further on the servicing plans for the development. Officers reported that it had been determined that the optimal solution was this off-site solution now presented. Officers had requested that the applicant go even further than the original exercise and look at what might be possible around the use of more deliveries but with smaller vehicles however, this had demonstrated that there would be just as much interruption to the exit to the proposed building in terms of embodied carbon, active frontage and vehicles potentially having to reverse out of the area. The solution arrived at was considered to be an improvement on the current situation and the best solution for this site. The number of deliveries to the site would be reduced from 31 to 17 per day. This would be secured through consolidation with delivery hours controlled through the Delivery and Servicing Plan and would exclude peak hours. Refuse collection could take place outside of school drop off and pick up times.

Another Member commented on the 327 objections received and asked Officers what efforts had been made to address some of these and perhaps reduce them. Officers confirmed that extensive negotiations had taken place with the applicant on this particular scheme at pre-application stage where the applicant had undertaken a community engagement strategy to identify the key issues which had resulted in amendments to the scheme to try and overcome these. The application now submitted was the result of both negotiation with officers to reduce potential impacts and maximise benefits as well as consultations with the local community. Once the application had been submitted, Officers continued to negotiate significantly with the applicant to continue to seek to address the issues raised. Again, the applicant had reflected on comments made by surrounding residents and further amended the scheme during the course of the consideration of the application.

With regard to daylight/sunlight impacts, Officers confirmed that there were to be no major adverse impacts to any of the surrounding buildings in terms of individual windows and rooms as set out within detail in the report and application documents. Where the assessment had picked up on any impact on one particular window it may be the case that there were other windows serving the same room meaning that, overall, impacts were only minor or moderate. The report set out in detail all of the elements where there were breaches in excess of a 20% reduction and the circumstances around these. Some involved the fact that there were multiple windows serving one room and for some there were already existing low levels meaning that the absolute reduction was disproportionate. Similarly, the radiance analysis was a supplementary analysis providing more understanding of the impacts. Officers reiterated that the materiality of the external facades of the building would result in a reflective quality which would enhance the daylight perceived by rooms and improve results when radiance assessments were undertaken.

A Member spoke in relation to active frontages and questioned what these would actually consist of. Secondly, with reference to the stopping up, the Member noted that there would be a net loss of public highway as a result of this which was deemed as necessary for this application. However, the report also made reference to what appeared to be additional public realm/highway, but which would remain in the applicant's ownership. She questioned why this was the case given that public highway would be lost elsewhere. Officers responded to state that active frontage was not imply about the visual permeability of the building but was also relative to the number of doors and access and attractiveness. In terms of stopping up, Officers underlined that the addendum report on this point highlighted that there would actually be a net gain in public highway of ten square meters. The area identified for this was where the bin presentation area had been proposed originally. This would be secured by condition but would remain in the ownership of the applicant, but the public would be permitted to pass across it, and it would be designed as public realm.

A Member noted that this was a very finely balanced application and that Officers had concluded that they were in favour of the application despite recognising that it was non-compliant in a number of ways. The Member went on to refer to the comment submitted by Islington's Senior Planner for their Major Applications Team back in May which concluded, in relation to the excessive height and mass in relation to the site's position within the urban structure and its relationship to the host building and multiple heritage assets, it would harm their settings, their eligibility. They were not therefore supportive of the proposal. She therefore questioned the rationale of Officers for recommending that this be granted in spite of this comment, the impact on residential amenity and various safety concerns around servicing. Officers stated that they disagreed with the views expressed by Islington for the reasons articulated within the report. Ultimately, they were of the view that the bulk, height and massing was appropriate to this site and would step down in all directions relative to particular views and heritage assets. It was therefore considered as a net gain in design terms as it would refresh the surroundings

and streets and provide active frontage. Officers went on to say that, as with any scheme, balance was required and that every element of the scheme needed to be looked at. In this instance, where a refurbishment and extension were proposed, this was considered to be an extremely sustainable and efficient way of bringing the building back into use in terms of embodied carbon and the circular economy principle and achieving Grade A office floorspace. This was considered to be a significant benefit of the scheme and had to be weighed up against other issues. The significant exercise undertaken by the applicant regarding proposed servicing had also been taken into account as was the fact that this was now considered to be an improvement on the current situation.

Another Member questioned the rationale between a terminal hour of 9pm for roof terrace usage and highlighted that others situated within residential hours had been capped at 7pm. Officers highlighted that these were considered on a case-by-case basis based on the location of the terrace itself and the relationship to surrounding residential dwellings. In this particular instance, the terraces were to be located higher up the building, above the height of surrounding residential premises. It was suggested that this could be subject to an Operational Management Statement for the use of these terraces to ensure that the occupants had strong management protection to ensure that they were used appropriately by tenants.

A Member spoke further on cumulative effect on daylight/sunlight and recalled conversations held at the Local Plans Sub Committee as to how far back these assessments should go however, he did not recall the suggestion that they ought not to look back at all. He therefore questioned Officers further on this point, He went on to comment that this building had had successful off-street servicing for 25 years and sought to understand why this could not continue and why servicing up until 11pm was proposed directly opposite residential bedrooms. In terms of daylight/sunlight analysis, Officers reported that cumulative analysis looked forward from the baseline set by existing development in the context of the site itself, at the proposed development along with any permitted schemes that had not yet been implemented or any current applications in the immediate vicinity that might also have an impact. It did not look back at previously consented or built out schemes. On off street servicing and the existing non-compliant ramp, Officers underlined that this was substandard as a result of its gradient which also allowed for a very limited head height entering into the basement area. Any work to rectify this would entail excavation at basement level and also potentially demolition of part of the ground floor which would impact upon embedded carbon. Officers clarified that the existing building was also currently using on-street servicing with the ramp not having been used for some time now meaning that vehicles were stopping on Viscount Street and wheeling goods along the access ramp. Furthermore, there were plans to utilise the basement area for cycle parking, lockers and shower facilities as well as plant required for the building and its operational efficiency. Any continued use of the ramp that might be possible would therefore require vehicles to reverse back up it in order to exit onto Viscount Street and across the footway which was considered as more of a safety concern than vehicles stopping on the highway itself and servicing from here.

A Member questioned whether it was accurate to suggest that early plans for the Denizen building had included two additional storeys with the City arguing against this in order to maintain continuity of the skyline and seeking to ensure that the building was no higher than Golden Lane. Another Member stated that he recalled that this had been the case with the scheme being extremely controversial in terms of its height in relation to its neighbours and officers recommending that its height be reduced. He went on to state that, as far as he could tell there was no height reference for the scheme presented today. He also questioned what responses Officers had in terms of the impact of this proposal on the setting of the host building – a listed building. Officers highlighted that the report referred to the significance of the contribution made by setting in relation to the Cripplegate Institute as well as the other surrounding heritage assets and these having been fully considered and informing the design approach. Officers added that the conclusions reached were subjective but also based on professional judgement and that it had been decided to try and tease the listed element visually away from the remainder of the bulk of the building and for this contrast to be explicit. It was felt that the existing 1990s extension subsumed and detracted from the existing listed building in its attempts to mimic it. Officers were of the view that the contrast would reflect the local setting of the building and the different size and material expressions of those that surrounded it. In terms of height, Members were informed that the scheme had been designed to be subservient to the wider setting of the Barbican in particular whose towers would rise on the horizon. With reference to the host building, Officers reported that they considered that negligible harm would be caused as a consequence of the loss of a minor amount of historic fabric to render the building more accessible.

Another Member spoke on public benefit and the balancing exercise. She noted that the MPPF set out that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset this harm should be weighed against the public benefits of the proposal including where appropriate securing the optimum viable use. She noted that Officers were concluding that the key social, environmental, economic public benefits of the proposal were inclusive access, cultural offering, public realm enhancements and access to the historic interior. The report also went on to state that some weight should be given to supporting economic growth and productivity. However, the Member stated that she struggled to understand, given issues with townscape and setting, where Officers concluded that there was some harm, how the benefits listed and considered to collectively carry moderate weight were felt to tip the balance in favour of the application. Officers stated that the balancing exercise and the triggering of statutory tests where there was some harm this had to be proportionate to the level of impact. In this instance, the very lowest level of negligible harm had been identified in terms of the significance of the host building. They reiterated that this was planning/professional judgement on behalf of officers who had erred on the side of caution and applied great weight in the appropriate statutory terms to a very low impact which they still believed would be outweighed by the even moderate benefits drawn from the rest of the scheme.

A Member commented that the current City Plan set out a target in terms of additional office space and questioned how much consented but undeveloped or currently in development office space there was in the pipeline. She also queried how much office space was currently vacant. Officers reported that there was approximately 1.2 million square meters of office floorspace either under construction or permitted but not yet commenced. The target in the draft Local Plan at present was 2 million square meters.

Another Member commented on the number of conditions here for matters which remained unresolved and queried whether the Committee would be supportive of making amendments to some of these – particularly roof terrace operating hours. She noted that whilst the applicant had made reference to use from Monday-Friday only, the condition spoke of them not being utilised on Sundays and Bank Holidays only. There was no mention by either of Saturday use. She also sought conditions around the hours of servicing. The Chairman clarified that it would be possible to alter conditions following debate and should this be the will of the Committee.

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

A Member spoke once more on concerns as to fire safety and sought assurances, this time from Officers, that the firefighting facilities were sufficient given that the District Surveyor had initially concluded that they were not. Officers stated that it was recognised that some further justification and details were required on this point, and it was therefore stated that they would certainly recommend a robust condition requiring a full fire statement and strategy on fire evacuation for the whole building prior to the commencement of any work. The District Surveyor would also be consulted on this to ensure that it was fully compliant with all current standards. The Member thanked Officers for this response but highlighted that it brought into question why this Committee were being presented with applications that were not compliant and to then leave these important matters to conditions. She stated that the applicant was of the view that they were compliant in this respect and described this situation as unacceptable.

The Deputy Chairman intervened to state that the applicant had reported that there was full compliance in terms of building safety regulations and fire.

The Chairman asked that Members now move to the general debate. He began by stating that he felt that the Operational Management Plan was something that the Committee needed to get to grips with before moving to a vote on the application.

MOTION – The Chairman moved that, with regard to terrace use, the terminal hour be limited to 6pm Monday-Friday and that there be no access to these at weekends at all.

The Deputy Chairman seconded the motion, it was put to the vote and carried. There were two abstentions.

A Member noted that a significant number of objections related to trees and moved two amendments to the proposed conditions:

MOTION – That condition 43 (page 191) be amended to read that “If within a period of *five* years from the date of the planting of any tree, that tree or any tree planted in replacement for it, is removed, uprooted, destroyed, dies or becomes, in the opinion of the Local Planning Authority, seriously damaged, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation”.

The motion was seconded, put to the vote and carried unanimously.

MOTION – That a new condition be added (Condition 43a) to state that no pruning or crown raising of the Lime Tree would take place until after the development had concluded and this Committee had authorised this.

Officers reported that there was a separate condition as to tree protection measures during construction (Condition 2) and suggested that it might be preferable to amend this to include reference to this and a requirement for the submission of any details of tree pruning.

The Member who had proposed the motion reiterated that he would be keen to see this matter brought back to this Committee.

A Member spoke against the motion suggesting that Officers were perfectly capable of and experienced in discharging any conditions that may be applied should the application be granted.

The Member stated that, as long as this was adequately reflected in some way within the conditions to afford proper protection to the tree, he was happy to withdraw the motion.

The Member went on to speak of light spillage and stated that it was important that the principles set out within the Lighting Strategy to be formally considered at this meeting today were applied to this scheme particularly given its close proximity to residential accommodation. Officers confirmed that this would be the case.

Another Member commented on the servicing of the building, stating that she was of the view that servicing up until 7pm should be an absolute maximum given the proximity of residential bedrooms and that conditions to reflect this should be introduced. She also suggested that the avoidance of servicing during school pick up and drop off hours should be clearly conditioned.

MOTION – That the servicing of the school building be outside of school pick up and drop off hours and limited to a terminal hour of 7pm.

The motion was seconded by the Chairman, put to the vote and carried. There were two abstentions.

A Member commented that she was minded to refuse to grant consent to this scheme. She went on to state that she was struggling with the great weight given to the negligible level of less than substantial harm to the significance of the host building and secondly with the public benefits that the report indicated were considered to be of just moderate weight. She underlined that these two combined were not enough for her to conclude that the public benefit outweighed the harm to the significance of the heritage asset. She added that she did think this was a good proposal but was of the view that the applicant could do more and bring back to this Committee in due course should it be rejected today.

Another Member stressed that an application like this needed to be seen in the context of the City of London – a primary, world-class commercial centre. He stated that he felt that this was a brave developer tackling this project and stressed that the building in its present state would be unlettable for years. The totality of what was proposed here would bring the offering into the league of a building that would contribute to the business City and find an occupier. He recognised that the proposals could not be outstanding due to the restrictions of the site and the listed status of the host building but underlined that members needed to be able to offer sound reasoning for going against any Officer recommendations for a worthwhile scheme. He recognised the significant negotiations embarked upon by Officers to improve the totality of the project and stated that he intended to support this.

A Member spoke on policies and the need for balance between benefits and any harm. She accepted that the current building was ripe for development but underlined the need for the right kind of redevelopment in the right area. She stated that the buildings around the current scheme were of a certain height and reiterated the residential use of these. She questioned whether this building might therefore be better as residential or hotel use. The Member underlined that her real concern centred around the top three floors of the proposed development and the additional 12 meters which had been the root of all issues and impact upon the levels of daylight/sunlight enjoyed by nearby residents who would be forced to turn their lights on in the late afternoon which was particularly concerning in terms of emissions and costs in the current climate. She stated that she was of the view that the height and massing of this proposal was excessive and overbearing in terms of the townscape. She added that she also had huge concerns as to the destruction of the beautiful Grade II listed façade of the Institute building. Whilst she recognised the need for level access into the building, she felt that to destroy the heritage asset in pursuit of this was a dereliction of duty.

She went on to talk of issues with overlooking and the narrow streets below which would add to the acoustic effects of any activity at street level. She stated that the introduction of roof terraces would introduce a new element of noise intrusion. She went on to strongly object to on-street servicing and stated that

policy was very clear on this and on-site servicing. She spoke out on how blocked roads were expensive for businesses and stated that pavements should not be cluttered with bins awaiting collection for safety reasons.

The Member spoke of concerns as to fire safety and disabled access also. She stated that she had weighed up all of her concerns against the public benefits of the scheme. She questioned, however, how much of the office space was a genuine benefit given the amount of this already in the pipeline and offices in the Eastern Cluster that were currently vacant. In terms of the public benefit of the community space, the Member commented that this needed to be usable and sufficient space. The space proposed here which equated to just 1/35th of the uplift of the proposed building felt like a token offering to tip the balance for Officers in recommending approval.

The Member stated that she agreed with the views of the Islington senior planner that this was an overbearing building, unacceptable in terms of massing and height and detrimental to the building that it hosts. She suggested that the scheme might be brought back to the Committee should it be rejected today, minus the proposal for an additional three storeys.

Another Member commented that the role of this Committee was to apply policies and reach a finely balanced conclusion. Officers themselves had recognised that this case was finely balanced. She underlined that this application site was sandwiched between two parts of a Conservation Area. She spoke on the approach taken to the Denizen which had been reduced by two storeys at the request of Officers in order to provide consistency. This, to her mind, spoke to a recognition of the impact that a higher height and an excessive bulk would have on the surrounding area. Officers had not been able to respond to what had changed in relation to this proposal. She underlined that objections were not often received from other local authorities. With regard to whole life carbon assessments, it was accepted that this may be better than a proposal involving a total demolition, but it was noted that this would be better still without the addition of three further storeys which presumably made up much of the embodied carbon impact. The Member also commented that the proposal seemed to present a mish mash of designs and should be rejected.

A Member recognised that these decisions involved compromise and were often finely balanced. He stated that he was of the view that the applicants had made a substantial effort to mitigate the issues raised with the motions proposed and passed today going even further in this respect. Based on all of this, he felt able to support the application today.

The Deputy Chairman added that the proposing and moving of various motions at the outset of this debate had clearly demonstrated that the Committee had listened carefully to the concerns raised by residents and other objectors, and these would serve to strengthen the conditions. In terms of the approach taken by Officers, he stated that it was his understanding that the test being applied here had involved an extremely cautious approach and rightly so. From this, they had reached the conclusion of a fine balance. At present, this was a stranded asset and 95% of the existing structure would be reused to render it

lettable once more. With regard to the comparisons drawn with the Denizen application, he stated that it was inappropriate here to look to other sites and suggest that this had set some sort of precedent for heights in the City going forward. He underlined that he felt that this was a good application and would be voting in favour of it.

Another Member stated that he was also of the view that this was very finely balanced. However, having taken everything into account and considering all of the mitigating factors, the proposals presented a better building than the existing situation in terms of occupancy and quality of floorspace. Whilst he did recognise the issues raised, he was of the view that the marginal detriments did not outweigh the slightly more substantial benefits that would allow the building to once again be part of the community and the economy of the City. He stated that, on balance, he would be voting in favour of the application.

The Chairman drew the debate to a close and indicated that he wished to quickly sum up before putting the application to the vote. He stated that, whilst much of the Grade A office space in the City was concentrated within the Eastern Cluster, it was important to take the rest of the City along with this and ensure that there were not pockets of stranded assets around the Square Mile. He stated that it was preferable to have a lively, community led, accessible building on this site and would be voting in favour of the scheme.

Having fully debated the application, the Committee proceeded to vote on the recommendations before them.

Votes were cast as follows: IN FAVOUR – 14 Votes
OPPOSED – 12 Votes*
There were no abstentions.

**In accordance with Standing Order No. 38, those Members who had voted against the recommendation asked that their names be recorded in the minutes – they were Randall Anderson, Ian Bishop-Laggett, Brendan Barns, Anthony Fitzpatrick, Marianne Fredericks, Natasha Lloyd-Owen, Deborah Oliver, Alderwoman Susan Pearson and Shailendra Umradia.*

RESOLVED –

(1) That planning permission and listed building consent be granted for the above proposal in accordance with the details set out in the attached schedule subject to:

- (a) Planning obligations and other agreements being entered into under Section 106 of the Town and Country Planning Act 1990 and Section 278 of the Highway Act 1980 in respect of those matters set out in the report, the decision notice not to be issued until the Section 106 obligations have been executed.

(2) That your Officers be instructed to negotiate and execute obligations in respect of those matters set out in "Planning Obligations" under Section 106 and any necessary agreements under Section 278 of the Highway Act 1980.

(3) That it is agreed in principle that the land affected by the building which is currently public highway and land over which the public have right of access may be stopped up to enable the development to proceed and, upon receipt of the formal application, officers be instructed to proceed with arrangements for advertising and (subject to consideration of consultation responses) making of a Stopping-up Order for the area shown marked on the Stopping-up Plan annexed to this report under the delegation arrangements approved by the Court of Common Council.

5. CRIPPLEGATE HOUSE 1 GOLDEN LANE LONDON EC1Y 0RR - LISTED BUILDING CONSENT

The Committee considered a report of the Planning and Development Director relative to Cripplegate House 1 Golden Lane London EC1Y 0RR – specifically the alteration and extension of the existing office building (Class Eg(i)) incorporating a local community/cultural space (Class Eg(i)/F2) at ground floor; to include additional floorspace through upward and infill extensions (+2485sqm GIA uplift); altered and additional entrances; creation of office amenity terraces and plant enclosures; facade alterations including urban greening; new landscaping; and associated works.

RESOLVED –

(1) That Listed Building Consent is granted for the above proposal in accordance with the details set out in the attached schedule, subject to:

- a) Planning obligations and other agreements being entered into under Section 106 of the Town & Country Planning Act 1990 and Section 278 of the Highways Act 1980 in respect of those matters set out in the report, the decision notice not be issued until the Section 106 obligations have been executed.

(2) That your Officers be instructed to negotiate and execute obligations in respect of those matters set out in 'Planning Obligations' under Section 106 and any necessary agreements under Section 278 of the Highways Act 1980.

6. LOCAL DEVELOPMENT SCHEME 2022

The Committee considered a report of the Planning and Development Director regarding an updated Local Development Scheme (LDS) setting out an updated programme for the later stages of the City Plan review, along with other planning policy documents.

RESOLVED – That Members:

- Approve the updated Local Development Scheme for publication; and
- Resolve that the updated Local Development Scheme is to have effect from 1 November 2022.

7. PLANNING PROTOCOL UPDATE (TO REFLECT ARRANGEMENTS FOR PLANNING APPLICATIONS SUB-COMMITTEE).

The Committee considered a joint report of the Town Clerk, the Executive Director of Environment and the Comptroller and City Solicitor.

The Comptroller and City Solicitor introduced the report stating that this flowed from the decision of the Court to establish a Planning Applications Sub-Committee and updated the Planning Protocol appropriately to reflect this. It was also suggested that the delegation of planning applications to the new Sub-Committee should include advertisement consent. Members were reminded that a separate, track changes version of the amended Protocol had been circulated to all before the meeting for ease of reference.

RESOLVED – That the Planning and Transportation Committee:

1. delegate to Planning Applications Sub-committee determination of applications for advertisement consent (where the determination is outside authority delegated to officers);
2. adopt the amended Planning Protocol in Appendix 1

8. CITY OF LONDON LIGHTING SUPPLEMENTARY PLANNING DOCUMENT (SPD)

The Committee considered a report of the Executive Director, Environment presenting a Supplementary Planning Document (SPD) that provided guidance for developers on lighting buildings and the spaces between them.

Officers introduced the report by stating that it presented a draft lighting SPD and requested that the Committee approve this for public consultation. Members were reminded that, in October 2018, the Court of Common Council had resolved to adopt the Corporation's Lighting Strategy which sought to provide a holistic approach to lighting, including improving the quality, efficiency and sustainability of lighting in the City. The Strategy included a commitment to publish detailed planning guidance as to the use of lighting to support and enhance the implementation of planning policy. This SPD had therefore been prepared to meet this objective. The document provided guidance and technical requirements for new development that developers should comply with and covered design, delivery, operation and maintenance of artificial light within the City. It was reported that the document had been prepared with lighting consultants Speirs Major Light Architect and input from officers across the Corporation. The Port Health and Environmental Services Committee had also been presented with the document last month for information. It was underlined that a number of helpful suggestions had also been made by Members and that these had also been taken into account where possible

Members were informed that the document covered guidance for the planning process – everything from pre-application stage to post permission. Technical guidance was also included alongside more general lighting guidance. Finally, appended to the document was the Considerate Lighting Charter for existing building owners, operators and occupiers to adopt. This Charter was understood to be the first of its kind in the UK in terms of a voluntary commitment for lighting and it as intended that this would be promoted through

appropriate channels including through the BIDs. If approved by this Committee, extensive and comprehensive external consultation would take place with residents, businesses and industry professionals and other key stakeholders. The public consultation was proposed for at least 6 weeks during December 2022 and January 2023.

The Chairman congratulated Officers on this work and the ground-breaking document presented here.

Another Member echoed thanks to Officers for this comprehensive piece of work. She stated that the document appeared to be anti the use of coloured lighting and questioned whether this was intentional. She pointed out that this could be quite attractive when done well. Officers stated that creative and coloured lighting was generally resisted but should be utilised where appropriate and where it might make creative sense and make a positive contribution within the City. A principle had now been added on this within the public realm topic stating that small scale creative lighting had the potential to create welcoming routes and improve sense of place and should be employed where appropriate. It was envisaged that this point would also be explored further as part of the consultation process.

A Member suggested that reference also be made to the desirability of warm colour temperatures and soft lighting for health benefits within the document. Officers confirmed that this was something that had informed the original lighting strategy as well as this document and it was well recognised that use of warmer lighting had a much better impact in terms of people's sleep patterns. They added that specific reference to this could be added to the document as this was taken through consultation.

Another Member spoke simply to congratulate Officers on this work in which he could clearly see the views of Members reflected.

RESOLVED – That the Planning and Transportation Committee approve the draft Lighting SPD attached at Appendix 1 for a public consultation exercise.

9. PAN-LONDON RENTAL E-SCOOTER TRIAL EXTENSION

The Committee considered a report of the Executive Director, Environment relative to Pan-London rental e-scooter trial extension.

Officers stated that, at the time of writing this report, they had been awaiting TfL's decision as to whether or not the trial would be extended by a further 18 months in line with the Department for Transport extension recently announced. This had now been confirmed and the City's approval for continued participation in this extended trial was now also sought. Furthermore, Members were asked to note that the report and associated decisions contained within the report solely related to the City of London's rental e-scooter trial however, Officers stated that they were aware of issues with dockless cycles being left outside of designated parking areas and were working with operators to address this. This particular matter was to be discussed further at next week's

Streets and Walkways Sub-Committee meeting with a report on the future management of dockless bikes to be brought back to them in January 2023.

RESOLVED – That the Planning and Transportation Committee (subject to TfL’s formal extension of the pan-London rental e-scooter trial and agreement of the terms of the extension by the City Operations Division Director):

1. Approve the City of London Corporation’s participation in the extension of the pan-London rental e-scooter trial until 31st May 2024.
2. Agree to make the necessary traffic orders (parking for rental e-scooters, cycle hire pedal cycles and pedal cycles, amendments to various traffic orders to permit rental e-scooters to use the public highway in the same manner as by pedal cycles) so as to continue the provisions of the current ETOs indefinitely.

10. **CITY PLAN ENGAGEMENT STRATEGY***

The Committee received a report of the Planning and Development Director relative to the City Plan engagement strategy.

RESOLVED – That Members note the contents of the City Plan engagement strategy.

11. **MINUTES OF THE STREETS & WALKWAYS SUB-COMMITTEE***

The Committee received the draft public minutes and non-public summary of the Streets & Walkways Sub Committee meeting on 6 September 2022.

RECEIVED.

12. **MINUTES OF THE LOCAL PLANS SUB-COMMITTEE***

The Committee received the draft public minutes of the Local Plans Sub Committee meeting on 21 September 2022.

RECEIVED.

13. **PUBLIC LIFT REPORT***

The Committee received a report of the City Surveyor outlining the availability and performance of publicly accessible lifts and escalators monitored and maintained by City Surveyor’s, in the reporting period 25 September 2022 to 14 October 2022.

RECEIVED.

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

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

RESOLVED – That the report be noted.

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

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

RESOLVED – That the report be noted.

16. **OUTSTANDING ITEMS***

The Committee received a report of the Town Clerk setting out its list of Outstanding Actions.

RECEIVED.

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

Thames Tideway Tunnel

A Member commented that he was keen for Members to be more involved in this work given that it was the first major area of public realm that was to be created on the riverside. He noted that much of the work around designing the public realm element had been undertaken before the pandemic and a refocusing on the benefits of outdoor exercise. The Chairman suggested that a meeting be set up between him, Officers and Thames Tideway to explore the art of the possible here. Another commented that this was all under the Development Consent Order Scheme where the City had no mandate unless anything had been conditioned to suggest otherwise. Officers confirmed that this was correct although underlined that Thames Tideway were very open to negotiating and discussing the art of the possible.

Consolidated deliveries

A Member commented that, a number of years ago, this Committee had set about a policy of consolidation and specifically ensuring that schemes granted included consolidated deliveries. She questioned whether it might now be possible to have a report back to Committee so that they were able to track the progress of this and its effectiveness. She also questioned how many of the schemes granted since 2012 with this in mind had now been developed such as 22 Bishopsgate. Officers confirmed that they had had meetings with 22 Bishopsgate to understand their experience over the last two years. What tended to happen was that the non-consolidated delivery element of the consolidation did not seem to be supporting the food and beverage sides of these developments. Current discussions were therefore centred around refining the 106 provisions to ensure that they were adequately serviced. Officers undertook to bring a more detailed report back on this but underlined that 22 Bishopsgate was the only current experience of this in operation in the City. It was confirmed that, by and large, 22 Bishopsgate were of the view that the arrangement had been an outstanding success in terms of a reduction in the number of vehicle movements.

Harm versus benefit – planning applications

A Member referred back to the debate on the application today and talk of the trade-off between any benefits and any harm. He questioned whether Officers could assist with this and perhaps create a matrix of sorts on these against compliance with relevant policies and their relative weighting for future application reports. It was felt that this might help the Committee to better visualise and draw together how certain conclusions had been reached.

The Planning and Development Director stated that it might be preferable to hold a future training session on this and also look at certain case studies including some in the City.

Another Member stated that she would not be in favour of introducing such a table, highlighting that these matters around what was within policy and what was not could not always be neatly summarised. She stated that she would also further support additional training for the Committee on these matters.

The Chairman asked Officers to consider this ask further and propose the most efficient way forward.

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

Alderman Susan Pearson – Membership of Sub-Committees

The Town Clerk, noting that Alderman Pearson had retained her place on the Committee, representing the Ward of Cripplegate, stated that the Committee were now also asked to consider whether her continued membership of both the Streets and Walkways and Local Plans Sub-Committee were appropriate. The Committee were reminded that membership of both bodies had been expanded at the start of this civic year to ensure that all those interested in participating on those bodies were able to do so.

RESOLVED – That the Committee support Alderman Susan Pearson's continued membership of both the Streets and Walkways and Local Plans Sub-Committee.

OPPORTUNITY LONDON CAMPAIGN

With the permission of the Chairman, the Committee considered a late, separately circulated report of the Director of Environment and the City Surveyor seeking agreement to continue the City Corporation's sponsorship of the Opportunity London campaign and setting out what it has delivered to date, the costs of continued sponsorship and outlining an umbrella programme of key property related events for 2023 that the City Corporation could seek to attend in conjunction with Opportunity London, together with associated costs.

Officers apologise for the timing of this report but clarified that they had only learned last week what action needed to be taken to permit the City's attendance at MIPIM and the costs associated with this. It was underlined that appropriate accommodation could only be secured once a decision had been taken as to the City's presence at the event. The report set out an annual programme of engagement to promote the City to domestic and international property investors which was parallel and interlinked to the promotion undertaken on the City as a world-class financial and business services centre.

This would be delivered in collaboration with Opportunity London – a new partnership promoting investment into London. Officers highlighted the three areas of consideration today and highlighted that the report was also to be considered by the Policy and Resources Committee and the Property Investment Board. It was highlighted that the total funding seeking approval was £140,000 to be taken from local risk budgets.

Officers went on to underline that the report also sought approval for the continuation of the City's sponsorship of Opportunity London once the current sponsorship expired in March 2023. Members were informed that, in February of this year, the Policy and Resources Committee had approved the principle of being an initial partner in Opportunity London and committed £25,000 to this given that there were no other bodies at the time promoting foreign investment into London. It was reported that this investment had also helped secure additional investment of £65,000 from the GLA and £45,000 from London Councils as well as approximately £200,000 of private sector funding which equalled approximately £310,000 of total investment against a target of £500,000 with discussions with the private sector still ongoing demonstrating that there was a clear appetite for having a vehicle to promote and deliver on investment into London and the City.

Secondly, it was highlighted that Opportunity London had identified a series of events that would enable engagement with domestic, European and international investors which included MIPIM. Members were informed that over 22,000 people had attended MIPIM last year and paid to go into the conference programme with over 25,000 were expected this year. It was anticipated that an additional 20,000 people would be present and networking around the programme. Officers stated that it was critical for London to be adequately represented here to demonstrate and promote the values of the City as a place to invest and afford strategic engagement with investors. MIPIM was also a key opportunity to raise the profile of and champion the work of this Planning and Transportation Committee as well as to highlight policies that would encourage investment. The budget proposed here for MIPIM was £65,000 which would see a team of eight people attending including the Chairs of this Committee, Policy and Resources and the Property Investment Board alongside the Executive Director, Environment, the City Surveyor and a team of three to support this attendance.

The final element of the report focused on a parallel, umbrella event, attendance at which would be costed at £50,000.

The Chairman stated that part of the remit of this Committee was to promote the City of London and the built environment. However, he added that he would be seeking firm reports back to Committee on this demonstrating the results of these various engagements and outlining the benefits of this.

A Member questioned whether this had been budgeted for in this financial year and questioned whether this was entirely City Fund monies. Officers reported that funding would be across two financial years and that this current financial year would only require funding for Opportunity London and MIPIM for which

there were existing budgets set aside for this purpose. It was also confirmed that this would all be from City Fund.

A Member stated that the sole reason that this matter required this Committee's approval was a result of Member involvement and member travel that needed to be authorised here. They argued that, fundamentally, this was core business in terms of promoting the Square Mile as a place to do business.

A Member stated that a report earlier this year had sought funding for the Chairman to attend an event in New York but that this had subsequently been withdrawn. She asked whether this was also addressed here. Officers reported that this would no longer be pursued but highlighted that there may be a need to engage directly with North America or indeed the Far East alongside the Opportunity London campaign. A budget was therefore proposed for this at this stage in order to allow for the appropriate Member to attend and deliver key messages to the right audiences.

A Member stated that she had some concern around this coming from the Environment Department budget as opposed to Policy and Resources which she felt should be the umbrella Committee in terms of funding this. She went on to state that, in terms of public perception, it was difficult to justify funds being directed here as opposed to towards street cleansing for example. She underlined that she also had concerns around references to assisting developers given public perception, the need for impartiality and the fact that the Planning Committee ought to have an arm's length relationship with the industry. Officers stated that the budget for MIPIM attendance had previously been held by the CPAT team but had now transferred across to the Environment Department due to new arrangements enacted by the Target Operating Model. It was reiterated that this budget had been provisioned for the purpose of promoting the City as a place to invest and do business.

Another Member echoed the need for robust and comprehensive feedback reports and stressed that there did not appear to be a proper business case set out for this.

A Member commented on proposed MIPIM attendees in terms of Members. She questioned why the Chair of this Committee was required to attend given that this Committee had a quasi-judicial role and had to judge each application before it on its merits and policy as opposed to promoting investment. Secondly, the Member questioned what seminars or events the City were providing as opposed to just attending in order to promote the City and justify the costs set out here.

A Member commented that their understanding was that the Chair of this Committee was invited to attend MIPIM was so that they could better understand what was going on in the market as opposed to to discuss specific developments. As well as sitting in a quasi-judicial capacity, this Committee also had a broader remit around things such as the City Plan and what the City was going to look like over the coming decades and for this reason, they felt that the Planning Chair's attendance was necessary here.

A Member questioned how investment trends had fared during the pandemic when attendance at these events had not been possible. She also stressed that physical attendance at these events might not be the only or indeed best way to do business any longer and that it might be preferable to invite investors to events in London as an alternative in order to better showcase the City. Officers confirmed that a large part of the Opportunity London campaign was around hosting events in the UK and London. The Opportunity London Summit had taken place in September and the London Real Estate Forum would also be looking to engage with investors. However, they also underlined the need to travel to events such as MIPIM where the biggest concentration of investors could be found which would be the approach taken by other cities.

Officers confirmed that there was a very tight and specific programme in place for MIPIM which included opportunities to push the City's key messages on the London stand and at various breakfasts, lunches, dinners and meetings with investors. This focused on their attitude to investment and not individual applications or developments. Members were informed that attendance at MIPIM was considered essential in order to push key messages.

In response to further questions, Officers reported that total attendance had been reduced by two in relation to previous years and that the total budget for this had been reduced down from £95,000 to £65,000. In terms of flight and hotel costs, it was reiterated that hotel bookings would not be released until such time as the City had agreed to take a stand. Ideally, attendees would be seeking to stay in Cannes given that the days programmes were from 7.30am-midnight. Officers confirmed that they intended to be frugal in terms of hotel bookings.

The Chairman asked that Officers give further consideration as to where the budget for this was held and also to the reporting cycle for this work going forward. Members highlighted that they also intended to raise this point at the Policy and Resources Committee when this matter was considered further here.

RESOLVED –

- I. That the Planning and Transportation Committee agree that £25,000 from the Environment Departments (Partnership and Engagement) local risk budget should be used to fund the ongoing sponsorship of Opportunity London;
- II. That the Planning & Transportation Committee approve that the City of London Corporation should attend MIPIM 2023 with a total budget of £65,000 to be funded via Environment Departments (Partnership and Engagement) local risk budget (£40,000).
- III. That the Planning and Transportation Committee agree that £50,000 from the Environment Departments (Partnership and Engagement) local risk budget should be used to fund the attendance of an umbrella programme of property related events being supported by Opportunity London.

Barbican Podium – Phase II works

A Member raised the finances of this which would be public expenditure drawn from street parking funds.

A Member questioned whether this was considered sufficiently urgent by the Chairman to be raised at this stage. The Chairman permitted the Member to continue.

The Member stated that he was keen for Members to be aware of what was happening here and underlined that his concern was around the majority public expenditure being utilised to repair the membrane which did not have any public benefit but would fix leaks into a gym, conference centres and carparks. To balance this, a lot of money was also to be spent on an area of public realm above however the City's own City Plan indicated that the pedestrian density extrapolated out to 2026 on this particular area was one of the lowest in the City. It was stressed that a concerted effort was therefore needed to show how the public might be encouraged to use this space and thereby justify this public expenditure and for studies to demonstrate that this had been successful thereafter.

19. **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.

<u>Item Nos</u>	<u>Paragraph No(s)</u>
20	3
21-22	-

20. **NON-PUBLIC MINUTES OF THE STREETS & WALKWAYS SUB-COMMITTEE***

The Committee received the draft non-public minutes of the Streets & Walkways Sub Committee meeting on 6 September 2022.

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

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

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

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

The meeting closed at 2.00 pm

Chairman

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

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Agenda Item 4

Committee(s): Planning and Transportation Committee	Dated: 10/01/2023
Subject: Annual Review of Terms of Reference	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	3, 8, 10
Does this proposal require extra revenue and/or capital spending?	N/A
If so, how much?	
What is the source of Funding?	
Has this Funding Source been agreed with the Chamberlain's Department?	
Report of: Acting Town Clerk and Chief Executive	
Report author: Gemma Stokley, Principal Governance and Member Services Manager	For Decision

Summary

The Annual Review of the Committee's Terms of Reference enables any proposed changes to be considered in time for the annual reappointment of Committees by the April Court of Common Council. The current Terms of Reference for the Planning and Transportation Committee are therefore attached at Appendix 1. Some minor amendments since the April 2022 Court approval to reflect recent changes in terms of the addition of a new Sub-Committee and a job title change are highlighted.

Recommendations:

That the terms of reference of the Committee (**set out at Appendix 1**) be approved, subject to any comments, for submission to the Court in April 2023; and,

PLANNING AND TRANSPORTATION COMMITTEE TERMS OF REFERENCE

Constitution

A Ward Committee consisting of:

- four Aldermen nominated by the Court of Aldermen.
- up to 31 Commoners representing each Ward (two representatives for the Wards with six or more Members regardless of whether the Ward has sides) or Side of Ward.

Quorum

The quorum consists of any nine Members.

Terms of Reference

To be responsible for:-

- (a) All functions of the City as local planning authority [relating to town and country planning and development control] pursuant to the Town and Country Planning Act 1990, the Planning (Listed Building and Conservation Areas) Act 1990 and Compulsory Purchases Act 2004, the Planning Act 2008 and all secondary legislation pursuant to the same and all enabling legislation (including legislation amending or replacing the same).
- (b) Making recommendations to Common Council relating to the acquisition, appropriation and disposal of land held for planning purposes and to exercise all other functions of the local planning authority relating to land held for planning (or highways) purposes, and making determinations as to whether land held for planning or highways purposes is no longer required for those purposes, other than in respect of powers expressly delegated to another committee.
- (c) All functions of the Common Council as local highway, traffic, walkway and parking authority (other than in respect of powers expressly delegated to another committee) and the improvement of other open land under S.4 of the City of London (Various Powers) Act 1952.

- (d) All functions under part II of the City of London (Various Powers) Act 1967 including declaration, alteration and discontinuance of City Walkway (other than in respect of the promotion of works to the Barbican Podium, which shall not include any declaration, alteration or discontinuance of City Walkway [“City Walkway regulatory functions”] in connection with such works, all City Walkway regulatory functions to remain the responsibility of Planning and Transportation Committee).
- (e) All functions relating to the construction, maintenance and repair of sewers in the City, including public sewers (on behalf of Thames Water under an agency arrangement).
- (f) All functions of Common Council as Lead Local Flood Authority in relation to the Flood and Water Management Act 2010.
- (g) All functions relating to the Stopping Up of highway (including as local planning authority and highway authority).
- (h) All functions relating to street naming and numbering under the London Building Acts (Amendment) Act 1939.
- (j) All functions relating to building control under the Building Act 1984, Building Regulations 2000-10 and London Building Acts 1930-82.
- (k) The setting of building control charges under the Building (Local Authority Charges) Regulations 2010.
- (l) Response to and resolution of dangerous structures under the London Building Acts (Amendment) Act 1939.
- (m) All functions relating to the City of London Corporation’s commemorative blue plaques.
- (n) All functions relating to the Local Land Charges Act 1975.
- (o) The appointment of the **Planning & Development Director**.
- (p) The appointment of the Executive Director, Environment (in consultation with the Port Health and Environmental Services Committee, the Open Spaces & City Gardens Committee and the Licensing Committee).
- (q) The appointment of such Sub-Committees as is considered necessary for the better performance of its duties including **a Planning Applications Sub-Committee**, a Streets & Walkways Sub-Committee **and a Local Plan Sub-Committee**.

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Committee(s): Planning & Transportation-For Decision	Dated: 20/12/2022
Subject: District Surveyors Building Control, Business Development Opportunity.	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	1.
Does this proposal require extra revenue and/or capital spending?	N
If so, how much?	N/A
What is the source of Funding?	
Has this Funding Source been agreed with the Chamberlain's Department?	N/A
Report of: Juliemma McLoughlin, Executive Director Environment Department	For Decision
Report author: Gordon Roy, District Surveyor, Environment Department	

Summary

The purpose of this report is to request consent from the committee to develop and implement a proposal to allow the District Surveyors Office to act as a central HUB, and initial single point of contact, for all London Building Control departments when being requested to provide Building Regulation services by the Building Safety Regulator.

Recommendation(s)

Members are asked to:

- Approve the proposal for the District Surveyors Building Control office to form the LDSA (London District Surveyors Association) HUB to provide a single point of contact for London, for the Building Safety Regulator, when the Regulator requests assistance under Section 13 of the Building Safety Act 2022.

Main Report

Background

1. Following the Grenfell tragedy, on the 14th June 2017, when 72 people died following a fire in a 24 story residential tower, the government have been reviewing fire safety legislation.

2. An initial review, led by Dame Judith Hackett, called “Building a Safer Future” established, that the regulatory system was broken, that building owners were being allowed to “choose” their own regulator, there was widespread ignorance of the Building Regulations by the construction industry, and that there was no system to monitor changes in design, with many decisions being driven by cost and not safety. The review made several recommendations to improve building safety, improve responsibility for buildings, improve guidance and procedures all designed to ensure people are safe and feel safe.
3. To improve building safety, government initially amended Building Regulation 7, requiring the external walls of high-rise residential buildings to be constructed of non-combustible materials. Additional changes to other fire safety legislation have continued, and in April 2022, following the recommendations in the Hackett review the Building Safety Act received Royal Assent.
4. The Building Safety Act 2022 is designed to improve safety across the whole build environment and introduces new requirements for Building Control, designers and owners of existing buildings. The main implications of the Act are.
 - The formation of the Building Safety Regulator (BSR) as part of the Health & Safety Executive.
 - The BSR having responsibility to ensure safety across the whole building industry.
 - Introduces the BSR as the Building Control Authority for all High-Risk Buildings, which are currently defined as a building containing more than one residential unit and being more than 18m above ground level or 7 storeys and above tall.
 - Requires all existing private building control companies, Approved Inspectors, to register with the BSR and will be known as Building Control Approvers.
 - All building control professionals to register with the BSR and will be known as Building Inspectors.
 - All Building Inspectors as they register will be required to demonstrate their competence to work and will be required to provide competence verification through an accredited body. All inspectors will only be allowed to work on buildings that they have the proven competence to work on.
 - The BSR can request or instruct Local Authorities and/or Fire & Rescue Authorities to help them undertake their duties as a Building Control Authority.
 - All existing high-risk buildings from April 2023, are to register with the BSR.
 - All high-risk buildings to have a Principal Accountable Person who will be responsible for the buildings safety and establishing a residents’ forum.
 - When requested to do so by the BSR, all Principal Accountable Persons must apply for a Building Assessment Certificate which will include evidence of the building’s safety set out in a building safety case.
 - All Building Assessment Certificates must be displayed in high-risk buildings.
5. In addition to these new requirements, the procedure for applying for approval under the Building Regulations will also change.

- Gateway 1 has already been implemented, with all applications for Planning Permission for high-risk buildings having to be consulted with the BSR, regarding fire safety.
 - Gateways 2 and 3 will commence from October 2023. These Gateways are still being developed but will require all Building Regulation applications to be approved or part approved before works can commence on site.
 - Gateway 3 will require a formal application for a Completion Certificate to be issued.
 - Enforcement powers for Building Control will also be improved with the introduction of a “Non-Compliance Notice” and a “Stop Notice”. This will allow Building control to issue these Notices and if a Stop Notice is issued a contractor is not permitted to continue works until the matter is rectified.
 - Additional information will be required to be submitted at part of the Building Regulation application process, with details still being developed.
6. The Building Safety Act 2022 also requires significant amounts of secondary legislation to be approved and this is still in the process of being consulted on.

Proposal

7. As part of the new Building Safety Act, the BSR will become the Building Control Authority for all new high-risk buildings and all applications for Building Regulation consent will go directly to the BSR and not to local authorities or private Building Control Approvers. Under section 13. Building Safety Act 2022, the BSR can request the assistance from a local authority Building Control department, to help them determine the application and to carry out site inspections, providing they have the necessary resources and appropriate proven competence to do so.
8. This potentially will require the BSR to communicate directly with all 300+ local authorities in England. However, the quality of service delivered by local authorities can vary, and if the BSR does not receive a reliable, efficient service, there is the potential for the BSR to request a private Building Control Approver to assist them with their work on high rise buildings.
9. To ensure a consistent level of service is provided to the BSR and to ensure any request for works remains with local authority's, the national organisation, Local Authority Building Control (LABC) have agreed to act a single point of contact for the BSR when they are requesting assistance for all local authorities in England outside of Greater London. Within Greater London, the London District Surveyors Association (LDSA) have requested that one London Building Control team acts as the single point of contact for all of London's 33 building control teams.
10. Following meetings of the LDSA Executive Committee on the 6th October 2022 and the full LDSA committee on the 20th October 2022, the City of London District Surveyors Office was nominated as the preferred Building Control office to act as the BSR single point of contact for London. This process will be known as the London HUB.

11. The London HUB will identify which borough can assist the BSR to help them check plans and carry out site inspections, to ensure compliance of the Building Regulations 2010. All initial requests for assistance will go from the London Hub to the Borough where the building is located, but if they are unable to assist, then the HUB will look for an alternative Borough for the BSR.
12. The London HUB will have the objective to ensure that all BSR requests for assistance are provided by a London Local Authority building control team in a timely manner. This will have the benefit of.
 - Ensuring a consistent level of service is provided initially to the BSR.
 - Local Authorities maintain the work within their teams, rather than requests for assistance going to private Building Control Approvers.
 - Additional work will help retain staff and upskill others within Local Authority building control teams.
 - Maintain and increase income to building control departments within local authorities including the City of London.
 - Help build good working relationships with the BSR.
13. Procedures and protocols will be developed to ensure an efficient, cost-effective process is established, which will help all London Local Authority building control departments.
14. The establishment of the LDSA HUB within the District Surveyors Office, will ensure the City of London's Building Control team are at the forefront of new working practices within the Building Control industry as the Building Safety Regulator starts to act as a new Building Control Authority.
15. All costs for the London HUB will be met by other building control teams, on a cost recovery basis, but will allow the District Surveyors office to identify the potential for new services early, when/if other local authority teams are unable to assist the BSR on their own, with the result of increasing income.

Corporate & Strategic Implications.

Financial implications

16. This proposal will increase work for the District Surveyors technical support team, but costs will be recovered from other local authority building control teams on a cost recovery basis.
17. Acting as the London HUB will allow the District Surveyors to monitor all requests for assistance from the BSR and will allow the department to offer to assist the BSR if required, which will increase workload and income.

Resource Implications

18. The development of forming the London HUB and managing the process is expected to be undertaken within the departments existing establishment.

Legal Implications

19. There are no legal implications. Acting as the London HUB is subject to acceptance of all London Building Control departments and will be established under a Memo of Understanding.

Risks

20. The development of the London HUB will ensure that all requests from the BSR are managed in an efficient manor, with the objective that all requests are carried out by local authority building control teams, and not private companies. The District Surveyors office can provide assistance with plan checking and site inspection services when required which will increase workload and income. This will reduce the risk of work and income reducing.

Equalities

21. There are no equalities implications.

Climate

22. There are no climate implications.

Security

23. There are no security implications.

Conclusion

24. Following the Grenfell tragedy in 2017, the government have been reviewing and improving safety including fire safety across the built environment. In 2022, the new Building Safety Act received Royal Assent, and will start to take affect from April 2023. In October 2023, the BSR will become the Building Control Authority for all high-risk buildings, but under section 13 of the Building Safety Act, they can request assistance from a local authority, to help them in their role to ensure compliance of the Building Regulations.

25. To ensure an efficient service is provided to the BSR from all local authorities, the LDSA and LABC are to establish a single point of contact for the BSR, rather than the BSR trying to contact 300+ different local authorities.

26. The LDSA have requested the City of London, District Surveyors team to act as the single point of contact, and establish a London HUB process, to act as the single point of contact for London.

27. I request that the committee agree for the District Surveyor to establish the LDSA London HUB within the District Surveyors Office and develop all required procedures and protocols as necessary.

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PLANNING AND TRANSPORTATION COMMITTEE – OUTSTANDING ACTIONS

Item	Date	Action/ Responsible Officer	Progress Update and Date to be progressed/completed
1	6 March 2020 2 June 2020 23 June 2020 14 July 2020 8 Sept 2020 6 Oct 2020 27 Oct 2020 17 Nov 2020 15 Dec 2020 5 Jan 2021 26 Jan 2021 16 Feb 2021 24 Feb 2021 9 March 2021 30 March 2021 22 April 2021 12 May 2021 8 June 2021 29 June 2021 20 July 2021 7 Sept 2021 21 Sept 2021 26 Oct 2021 16 Nov 2021 14 Dec 2021 11 Jan 2022 1 Feb 2022 22 Feb 2022	<p align="center"><u>Daylight/Sunlight – Alternative Guidelines</u></p> <p align="center">Chief Planning Officer and Development Director</p> <p>A Member argued that the Committee should separate out the desire for Member training and the desire for alternative guidelines on daylight/sunlight and requested that a report be brought to Committee setting out how the City of London Corporation might go about creating alternative guidelines, including timescales, if Members were so minded and the legal implications of this.</p>	<p>UPDATE (10 January 2023) – see action 1a)</p> <p>The new BRE guidance for daylight/sunlight was published in June 2022 which Officers are reviewing. A report will be brought back to Committee in 2023 to set out options for producing a new advice note/guidance for the City.</p>

1a)	<p>5 March 2020 30 March 2021 22 April 2021 12 May 2021 8 June 2021 29 June 2021 20 July 2021 7 Sept 2021 21 Sept 2021 26 Oct 2021 16 Nov 2021 14 Dec 2021 11 Jan 2022 1 Feb 2022 22 Feb 2022 26 April 2022 17 May 2022 7 June 2022 1 July 2022 19 July 2022 20 Sept 2022 11 Oct 2022 1 Nov 2022</p>	<p style="text-align: center;"><u>Radiance Studies</u></p> <p style="text-align: center;">Chief Planning Officer and Development Director</p> <p>A Member referred to a training session that had taken place for the Committee earlier this morning, and in which a consultant had expressed a view that radiance studies were the best way for laymen to assess the impact of developments on daylight where there was a genuine concern about this issue. The consultant felt that, in appropriate cases, the applicant should be asked to provide a radiance study.</p> <p>In view of this, the Member asked Officers to undertake, when future applications were received in which daylight will be an issue, to ask the applicant to prepare a radiance study to be provided to this Committee so that Members could make an informed assessment of the issue.</p>	<p>UPDATE (10 January 2023) - The Chief Planning Officer and Development</p> <p>Radiance assessments continue to be requested and submitted with planning applications. An update on the use of this methodology will be incorporated into the abovementioned report to Committee setting out options for a new advice note/guidance.</p>
2	<p>17 Nov 2020 15 Dec 2020 5 Jan 2021 26 Jan 2021 16 Feb 2021 24 Feb 2021 9 March 2021 30 March 2021 22 April 2021 12 May 2021</p>	<p style="text-align: center;"><u>Member Training</u></p> <p style="text-align: center;">Chief Planning Officer and Development Director / Director of the Built Environment</p> <p>A Member questioned whether there would be further training provided on Daylight/Sunlight and other relevant planning matters going forward. She stated that she was aware that other local</p>	<p>UPDATE: (10 January 2023): New Committee Members are provided with training on key aspects. A programme of wider Member training will be implemented in 2023.</p>

	<p>8 June 2021 29 June 2021 20 July 2021 7 Sept 2021 21 Sept 2021 26 Oct 2021 16 Nov 2021 14 Dec 2021 11 Jan 2022 1 Feb 2022 22 Feb 2022 26 April 2022 17 May 2022 7 June 2022 1 July 2022 19 July 2022 20 Sept 2022 11 Oct 2022 1 Nov 2022</p>	<p>authorities offered more extensive training and induction for Planning Committee members and also requested that those sitting on the Planning Committee signed dispensations stating that they had received adequate training.</p> <p>The Chair asked that the relevant Chief Officers consider how best to take this forward. He also highlighted that the request from the Town Clerk to all Ward Deputies seeking their nominations on to Ward Committees states that Members of the Planning & Transportation Committee are expected to undertake regular training.</p>	
3.	<p>11 Jan 2022 1 Feb 2022 22 Feb 2022 26 April 2022 17 May 2022 7 June 2022 1 July 2022 19 July 2022 20 Sept 2022 11 Oct 2022 1 Nov 2022</p>	<p style="text-align: center;"><u>Sustainability SPD</u></p> <p style="text-align: center;">Chief Planning Officer and Development Director</p> <p>A Member questioned whether the production of a Sustainability SPD could feature on the list of outstanding actions.</p> <p>The Chief Planning Officer and Development Director stated that he would be liaising with his sustainability officers to provide a more targeted timeline around the production of the Sustainability SPD and agreed to include this information in the list of outstanding actions.</p>	<p>UPDATE 10 January 2023:</p> <p>The Sustainability SPD is being developed and will be brought to the Committee in March 2023, before public consultation.</p>

4.	<p>22 Feb 2022 26 April 2022 17 May 2022 7 June 2022 1 July 2022 19 July 2022 20 Sept 2022 11 Oct 2022 1 Nov 2022</p>	<p style="text-align: center;"><u>Update to Statement of Community Involvement</u></p> <p style="text-align: center;">Chief Planning Officer and Development Director</p> <p>The Chief Planning Officer agreed that now would be an appropriate time to fundamentally review the DBE Users Panel and look again at how best to engage with all stakeholders given that DBE no longer existed as a department with a new, wider Environment Department with a wider remit now established. He reported that work on this was already being undertaken at present and that a key element of this would be a review of the Statement of Community Involvement. It was hoped that Officers would be in a position to report back to Committee on this in Autumn 2022 as to future options around receiving feedback about how engagement with various stakeholders could be improved.</p>	<p>UPDATE 10 January 2023: The draft new Statement of Community Involvement has been approved by this committee and is currently out for public consultation. The consultation can be found here:</p> <p>https://www.cityoflondon.gov.uk/services/planning/planning-policy/other-planning-policy-documents</p>
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