

PLANNING APPLICATIONS SUB-COMMITTEE

Tuesday, 27 June 2023

Minutes of the meeting of the Planning Applications Sub-Committee held at Livery Hall - Guildhall on Tuesday, 27 June 2023 at 10.30 am

Present

Members:

Deputy Graham Packham (Chairman)
Deputy Randall Anderson
Brendan Barns
Ian Bishop-Laggett
Deputy Michael Cassidy
John Edwards
Anthony David Fitzpatrick
Deputy John Fletcher
Dawn Frampton
Deputy Natasha Maria Cabrera Lloyd-Owen
Antony Manchester
Deputy Brian Mooney
Deborah Oliver
Alderwoman Susan Pearson
Deputy Henry Pollard
Ian Seaton
William Upton KC

Officers:

Zoe Lewis	– Town Clerk's Department
Gemma Stokley	– Town Clerk's Department
Fleur Francis	– Comptroller and City Solicitor's Department
David Horkan	– Environment Department
Bruce McVean	– Environment Department
Joanna Parker	– Environment Department
Gwyn Richards	– Environment Department
Jessica Robinson	– Environment Department
Peter Wilson	– Environment Department

1. APOLOGIES

Apologies for absence were received from Mary Durcan, Deputy Marian Fredericks, Alderman Ian Luder, Deputy Shravan Joshi, Deputy Alastair Moss, Judith Pleasance, Shailendra Umrada and Alderman Sir David Wootton.

The Town Clerk advised that Deputy Fredericks had asked that the reason for her apologies be recorded. The Clerk stated that Under paragraph 8e of the Planning Protocol, Members who had been involved in promoting a project

should not also participate in making decisions on the planning application for the project, in order to maintain separation of functions between the developer and local planning authority (“LPA”) roles and Deputy Fredericks was at the Policy and Resources Committee which considered a report on the project on 7th of July 2022.

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

Deputy Anderson declared a disclosable pecuniary interest relative to Agenda Items 4 and 5 as he lived in the area of the application. He confirmed he would not be speaking or voting on these items.

Ms Oliver declared a disclosable pecuniary interest relative to Agenda Items 4 and 5 as she lived in Shakespeare Tower and was a member of Shakespeare Tower House Group. She confirmed she would not be speaking or voting on these items.

Deputy Lloyd-Owen stated that she was a resident of the Barbican but lived on the London Wall side of Gilbert House, she had taken advice and was not considered to have a disclosable pecuniary interest. She confirmed she would take part in the consideration of Agenda Items 4 and 5.

3. **MINUTES**

The Sub-Committee considered the public minutes of the last meeting held on 20 March 2023 and approved them as a correct record.

4. **BARBICAN ESTATE, LONDON, EC2Y 8EN**

The Sub-Committee considered a report of the Planning and Development Director concerning a proposal for Barbican Podium Phase 2 for the installation of new waterproofing and drainage infrastructure. Works would comprise the removal of existing tiled hard surfaces, membranes and soft landscaping, demolition of existing link building between Ben Jonson House and Frobisher Crescent, alterations to the existing entrance to Exhibition Hall including the construction of a new entrance portal, installation of a new waterproofing membrane across the site and the repair and replacement of the drainage system and the reinstatement of a new tiled hard surface with a new soft landscaping layout (including raised planters, grassed areas, trees, community growing planters, new lighting, seating, wayfinding, informal play and exercise area and relocation of existing and installation of new public art).

The Town Clerk referred to those papers set out within the main agenda pack as well as the Officer presentation slides, and three addenda containing additional/late representations plus amended conditions that had been separately circulated and published.

Officers presented the application, stating that the most recent addendum circulated related to standard conditions regarding the circular economy, managing the reuse of existing materials on site and the content of recyclable material in new materials. The Officer explained that the site was in the north-eastern part of the City. The application was for Phase 2 of the waterproofing

programme on the Barbican Estate and was an ongoing Children and Community Service's project. Members were informed that Children and Community Services were the applicants.

An Officer stated that the Barbican Estate had important designations. It was in a conservation area, was a Grade 2 listed building and was a registered historic park and garden Grade 2*. It was designated as a Highwalk and largest public space in the Square Mile.

Members were shown images of the area under consideration to the North and South of Ben Jonson House, areas to the east and west of Breton House and the area to the north of Frobisher Crescent and down the steps to Speed House and Speed High Walk.

Members were also shown images of the completed Phase 1 of the waterproofing project. There had been some failings with Phase 1 as the remedial works did not go down to the substructure and issues with the drains were not resolved. Subsequently, there had been further issues with leakages and efflorescence. The Phase 1 project had been recognised for its award-winning planting.

Members were informed that the application was essentially a waterproofing project. Members were shown photographs taken in the rain to show pooling which translated into leakages. Below the podium, 106 out of 109 downpipes were blocked and the water was pooling on site resulting in tiles becoming loose and surfaces becoming slippery. The Officer stated that there was a clear and convincing justification for the need to address the waterproofing.

Members were informed that when the scheme was first conceived, it was a much harder landscape and under an influential landscape designer, it had become slightly softer. Members were shown photographs of some of the key components within the more residential area of the estate. These included tables in pavements, vents, globe lights, sweeping edge details, concrete upstands, sculptures, water features and ventilation funnels. The pavements were an overriding defining aspect which united all the space.

Members were shown photographs of the various gardens around the Barbican and were informed that the quietest spaces were to the north of Ben Jonson House. They were also informed that the pavements united all of the hard surfaces and swept under the residential blocks.

Members were shown an image of the existing planting. Some areas had little planting and some areas had no planting. The Officer stated that the delivery of the waterproofing project required works to the substrate level and this would require the removal of all the soft and hard surfaces on site to include planting, pavements and existing membranes. Only the superstructure would be retained.

The Officer stated that a positive aspect of the scheme would be the removal of the yellow link block which was a later intervention into the landscape. This would provide many opportunities for improving the levels across the site and

more areas would become accessible. There would also be clear access running east-west. Members were informed that under the proposed plan, there was a significant increase in the amount of planting, particularly around the eastern areas and around the concrete ventilation shafts. The new planters would reproduce key details which were intrinsic to the Barbican character. Along the east-west route there would be planting with trees, shrubby grasslands and a woodland edge. There would also be some social spaces.

Members were shown an image of the more active area of the central vista. They were informed that there would be four small play spaces integrated into the planting, there would be more seating within the paved tiles and the water feature and the amphitheatre would be reproduced.

The Sub-Committee were shown an image of the area to the north of Ben Jonson House where the water feature would be reproduced. Members were informed that it was intended to have communal planters in this area and it was intended to be quieter and more tranquil.

Members were shown an image of the northeast, where planting would be blended into the area, there would be a small play area, the link building would be removed and there would be a new entrance into the exhibition hall which would be simple in design. Seating would be concentrated in the central zone area and in the quieter spaces there would be less seating.

The Sub-Committee were shown an image of the area near Cromwell Tower where one of the two small exercise areas was proposed. This would be integrated into the planting. It was also proposed to have lawn in this area.

Members were shown an image of the area near the Conservatory where there was currently no planting. The location of planters had been designed not to compromise any future plans for the Conservatory itself.

Members were also shown elevations to show the size and spacing of trees and the new entrance into the exhibition space. They were also shown images of the play and exercise furniture. There would be incidental play trails with low level, wooden, simple, natural, play equipment. The exercise areas would be located near Shakespeare Tower and near Cromwell Tower. They were integrated into the landscape as requested by Historic England. There would be an increase in seven seats overall and that would be within the main access area. The furniture would be more usable, there would be better accessibility and an overall enhancement to the current mismatch of materials and types of seating.

Members were shown two sculptures, one of two dolphins and the other, an abstract piece, currently within the Barbican, which would be restaged as part of the renewal work. Work was taking place with Barbican Renewal and a steering group had been set up to manage the introduction of three new public art pieces. These would be part of the wayfinding strategy. The Officer stated that the sculptures and the removal of the link block would give people a better sense of navigating through the Barbican.

Members were informed that Condition 11 required the applicant to work with other stakeholders to produce a final wayfinding strategy and template that could be rolled out across the estate, particularly focusing on entry points into the Barbican. The Officer stated that within the application there were two ramps, one at Whitecross Street and one from Golden Lane.

The Officer stated that the proposal had a holistic approach and the scheme represented an investment in, and the continued transformation, of the podium. It was a key public space in the City of London for residents, workers and visitors. The Officer further stated that the Barbican was a brutalist jewel in the square mile. She also stated that fundamentally the proposals would resolve waterproofing issues and secure the future of a prized, designated heritage asset in a forensic and imaginative manner working collaboratively with Historic England, 20th Century Society and the Gardens Trust as well as Officers and engaging with residents. The proposals would continue the award-winning, modern, biodiverse planting of Phase 1 with a 70% increase in urban greening and a 238% increase in biodiversity. The Officer stated that the application was a holistic response to heritage, climate resilience, user wellness, improved inclusion and accessibility. Members were informed that long-term it would deliver a functional but delightful public space which would align with Destination City aspirations and the City's Climate Action Plan. Members were informed that Officers recommended the planning application and listed building consent for approval.

The Chairman explained that there was one registered objector to address the meeting and he invited the objector to speak.

Mr Alexander Wilson stated that he did not consider that the podium needed to be renewed. He informed Members that he was not against the project in principle, however there were certain features in the design that caused him and many other residents of the Barbican great concern because they believed it would increase the noise levels for residents both from intended use and more importantly, from unintended use.

Mr Wilson stated that currently the use of the podium by the general public was almost imperceptible, except in instances of anti-social behaviour which were well-documented in the Barbican Estate Security Committee's website. He informed Members that the impact of noise on the podium between Ben Johnson Tower and Shakespeare Tower was exacerbated by two effects. There was an echo chamber effect of the architecture with noise bouncing off concrete and the flats in the Barbican were not air-conditioned and during the summer, windows had to be open for a through-flow of air.

Mr Wilson advised that he lived in Shakespeare Tower. He stated that the dolphin fountain had been a magnet for anti-social behaviour with groups of youths using it for water fights and drinking. He informed Members that at one stage, it was going to be removed but in the proposed plan, there would be a new bespoke fountain in roughly the same place. Mr Wilson requested that the Sub-Committee ensure that this fountain could not be used for paddling and

water fights by covering it with a grid or changing it to the form of the fountain on the north side of Ben Jonson Tower where the output water cascaded down a stone, convex structure and no paddling pool existed. Mr Wilson stated that this would eliminate one of the major sources of anti-social behaviour that took place in the summer.

Mr Wilson raised concern about the number of areas throughout the estate for play and exercise. He stated that Shakespeare Tower would have an almost continuous line of these along its north face. He stated that these had been a source of concern since the start of the consultation and many residents were concerned about the potential for noise generation from anti-social behaviour. Mr Wilson raised concern that despite objectors raising concerns, the number of play areas had been increased. He stated that noise from children playing was acceptable if impromptu, but the new areas were part of a City of London mandate to use these particular areas for play and exercise which would generate subsequent noise. Mr Wilson stated the play and exercise areas would attract youths, who would congregate there, drinking and shouting. This was based on his experience of living on the Barbican Estate over the last six years. He suggested that significantly reducing the number of City of London designated play and exercise areas would help to eliminate almost all of the complaints of residents.

Mr Wilson stated that parkour, the jumping between concrete structures, had been an issue on the estate. He had previously suggested there be no grassy areas next to concrete walls. He stated this had been taken on board and there was now planting beside concrete walls, however this planting was too narrow which meant the walls could still be used for parkour.

Mr Wilson asked for reassurance that the new Barbican Hall Exhibition Centre access would not become a major entrance.

The Chairman invited Members to question the objectors. As there were no questions, he invited the applicants to speak.

Mr Michael Glasgow, Associate Planner, Atkins, stated that the scheme would be transformational for the future of the Barbican. He informed Members that when the project started, it was purely focused on the maintenance and repairs across this part of the Barbican Podium, stopping the leaks from causing further damage to the occupied spaces below, safeguarding the integrity of the structures themselves and preventing the accumulation of water across the podium which had become hazardous to users.

Mr Glasgow stated that this phase of work formed a continuation of work that had been undertaken previously. Phase 1 to the west of the site at Beech Gardens had provided a platform for the development of this proposal. Lessons had been learned from that scheme in terms of technical and landscape design and the approach to engagement.

Since the inception of the project, the initial brief had evolved significantly to reflect and address some of the ambitions articulated in other strategies across

the City. In particular, the City's Biodiversity Action Plan and Climate Action Strategy had helped to steer the scheme to achieve much more than the original brief. The landscaping strategy had been further adapted to facilitate and deliver initiatives including the Global City for Sports and Destination City. Mr Glasgow stated that the project was a unique opportunity to redesign one of the world's most iconic cultural estates.

Members were informed that the removal of the link building would reconnect two sides of the podium landscape, restoring a central vista that was true to the original design intent for the space. It would improve legibility, passive surveillance, safety and accessibility across the podium landscape and would reconnect one of the main arterial routes through the Barbican estate. Increasing greening was at the heart of the proposal and brought a multitude of environmental and social benefits. The landscaping approach represented a 70% increase in greening across this part of the podium and a 235% increase in biodiversity net gain. The scheme would deliver improved water management and surface water runoff, reduce solar radiation, mitigate wind speeds and provide a more climate resilient planting landscape that would attract more wildlife to the podium.

Mr Glasgow stated that the scheme would bring urban greening to the heart of the City to reconnect people in nature. There had been technical constraints to overcome. It was a unique Grade 2 listed structure and a Grade 2* landscape and sat within a densely populated residential estate.

Members were informed that, aligned to the technical design development there had been an extensive programme of public engagement with a wide range of stakeholders throughout the pre-application process. The consultation had included over 6,000 flyers being distributed, approximately 7,000 unique visitors to the Barbican website, and a series of webinars, site visits and walkovers had taken place. There had been dedicated meetings with a host of statutory consultants including Historic England, the 20th Century Society, the Gardens Trust and local amenity societies, residents' groups and local schools. The extent and variety of the engagement had benefitted the scheme greatly. The proposal would create a more functional space and improve the podium infrastructure as well as create a more attractive, inclusive and accessible amenity space for all groups. The design was developed to include elements including improved lighting, wayfinding, play and exercise space, seating, planting.

In summary, Mr Glasgow stated that a programme for repairs and refurbishment had been developed which would safeguard the listed structure and spaces within this part of the Barbican for the longer term. Also, the ambitious solution would deliver environmental and social benefits to the Barbican estate and created a thriving plan for people in nature at the heart of the City of London.

The Chairman invited questions from Members of the Sub-Committee to the applicant team.

A Member asked why the exercise areas had not been located by the Conservatory where there were no homes. The applicants stated that the location of the exercise equipment was constrained by the limited structural build-up. Therefore, equipment had to be located in the raised areas of planting. The applicants advised that it was expected that the Barbican renewal project would look at how the Conservatory related to the podium landscape in more detail and the Barbican podium landscape interventions were designed to future proof other projects.

A Member raised concern that the height of the specified trees and location close to Ben Jonson House could reduce light to residents' living rooms. She asked if trees could be selected with a maximum growth height of 8m. The applicants stated that the trees were quite sparse along the podium landscape. The majority of tree species planted would be small and would sit below the balcony height of the first floor properties. Where they did protrude above that line, the species selected had relatively sparse canopies and there was not expected to be any impact on daylight or sunlight levels in these properties. The applicants added that the majority of trees were between four and eight metres tall with eight metres being the proposed maximum height. The blossom trees would add to the biodiversity. A Member asked if the trees would be deciduous and would therefore have less impact in winter, the applicants confirmed that they would be.

A Member referred to one of the key concerns raised by objectors throughout the consultation about the play areas and their location and asked why the plan appeared not to have addressed these. The applicants stated that one of the biggest challenges was how to balance the twin ambitions of creating a space at the heart of the City of London which was a public space and would be used by those working and visiting the area and would not just be a garden for residents whilst acknowledging that an important function of the space was to have a direct relationship with residents. These competing ambitions had been balanced, looking closely at the detailed design. Incidental play areas had been proposed rather than a consolidated play area which would have created a hive of activity at one point. These were spread evenly throughout the landscape. Other stakeholders had encouraged the health and wellbeing benefits of the increased use of this space to be recognised and as part of the Climate Action Strategy, the City had a clear ambition around urban greening and making the most of the City's assets. There was a delicate balance which had been reconciled through landscape design but this would continue to be considered as the conditions were discharged and the scheme was delivered.

A Member asked whether the reuse of some trees was possible. The applicants stated that the specification for this phase had been carefully curated to replicate the award-winning scheme from Phase 1. However, an addendum had added a condition around circular economy principles and how some material might be reused across the site. The submitted sustainability statement referred to the potential reuse of the hard landscaping including tiles, trees and soil. As the scheme was delivered, the opportunities to reuse material as part of the design, or where not possible, across the wider estate would be explored.

In response to a Member's question about the location of seating to the west side of Ben Jonson Tower, the applicants stated that, at the start of the process, an inclusive design audit had been commissioned to look at the existing conditions across this part of the podium and the wider estate in terms of inclusivity and recommendations were made. One of the principles was that there should be seating every 40 metres to make this a landscape that people felt comfortable and could rest in. The bench around the fountain, the one at the top of the ramp and the one opposite the communal planters had particular purposes.

A Member asked if the play areas alongside Shakespeare House could be planted on the walkway side to mitigate noise and the impact on Shakespeare House residents. The applicants stated that there were existing vents along the planter line and there was concern about the structural holding of these and the work that would be involved in bridging over these so that they could take the weight of play equipment. Also, the planting would not be on the scale necessary to mitigate against noise.

The Chairman stated that Members of the Sub-Committee could ask questions of Officers.

A Member asked how many people used the podium and commented that the police has stated that anti-social behaviour was only likely to reduce if more people used the podium. He also referred to the amount of public money spent on Phase 1 which although award winning, had footfall measured at less than one hundred an hour which was one tenth of any other typical gardens in the City. The Member suggested that footfall could be measured after the works and then the access signage could be adjusted and marketing take place. This would provide a feedback mechanism. An Officer stated that Children and Community Services would be undertaking their own monitoring of footfall following completion. There would also be a Communications piece on the completion of the project and a general promotion as part of the Destination City work.

The Chairman suggested that the Sub-Committee request the Planning and Transportation Committee to instruct the Streets and Walkways Sub-Committee to have an oversight role in the project, particularly with regard to wayfinding, signage and marketing. This motion was agreed by a show of hands.

In response to a Member's question about the contents of the management plan, including the management of the growth of the planting, an Officer stated that Condition 8 was specifically about managing the planting. Condition 12 was about the management of hard and soft landscaping and this included planting and maintenance. Members were informed that Officers could ensure the continual management of the heights of the trees next to Ben Jonson House and their canopies were managed.

A Member referred to the condition requiring the play equipment to be approved and asked that the equipment be silent e.g. a static bridge rather than

a clatter bridge as she was concerned about noise if people, other than the children it was intended for, used it, especially at night when noise would echo more. An Officer stated that the noise issues would be discussed with Environmental Health Officers to mitigate against noise nuisance.

A Member asked when the consultations took place and how many residential units were contacted. An Officer stated that there had been two consultation periods. One consultation was when the application was first received and the second covered the amendments to the scheme. In both consultations 2,774 letters were distributed. The Officer stated that the consultation responses listed in the agenda, covered both rounds of consultation.

A Member asked if the ecological impact assessment undertaken by the consultants was independently reviewed. An Officer stated that the current development plan policy did not require external consideration of the ecological impact assessments but this would be changing with the next Local Plan. The Open Spaces Officer and Planning Officers had received the assessment and were satisfied that it met the tests of the policies. They were also satisfied with the rigor of the assessment including the databases.

Seeing no further questions of Officers, the Chairman asked that Members now move to debate the application.

A Member stated that the photographs had shown that action had to be taken and he was supportive of the plan.

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

The Committee voted on these recommendations alongside those set out under Agenda Item 5.

Votes were cast as follows: IN FAVOUR – 13 Votes
OPPOSED – none
There were 2 abstentions.

The recommendations were therefore carried.

Deputy Randall and Ms Oliver who had declared disclosable pecuniary interests in this item, did not vote.

RESOLVED -

- 1) That Planning Permission and Listed Building Consent be granted for the above proposals in accordance with the details set out in the attached schedule.
- 2) That the Planning and Transportation Committee be requested to instruct the Streets and Walkways Sub-Committee to have an oversight role in the project, particularly with regard to wayfinding, signage and marketing.

5. **BARBICAN ESTATE, LONDON, EC2Y 8EN - LISTED BUILDING CONSENT**

The Sub-Committee considered a report of the Planning and Development Director regarding Barbican Estate London EC2Y 8EN - Listed Building Consent for Barbican Podium Phase 2- specifically for the installation of new waterproofing and drainage infrastructure. Works comprise the removal of existing tiled hard surfaces, membranes and soft landscaping, demolition of existing link building between Ben Jonson House and Frobisher Crescent, alterations to the existing entrance to Exhibition Hall including the construction of a new entrance portal, installation of a new waterproofing membrane across the site and the repair and replacement of drainage system and the reinstatement of a new tiled hard surface with a new soft landscaping layout (including raised planters, grassed areas, trees, community growing planters, new lighting, seating, wayfinding, informal play and exercise area and relocation of existing and installation of new public art).

The Committee voted on these recommendations alongside those set out under Agenda Item 4.

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

Votes were cast as follows: IN FAVOUR – 13 Votes
OPPOSED – None
There were 2 abstentions.

The recommendations were therefore carried.

Deputy Randall and Ms Oliver who had declared disclosable pecuniary interests in this item, did not vote.

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

The Sub-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.

7. *** 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.

A Member stated that there had been the successful conversion of a number of office units to residential use. He stated that these were very narrow, low, Victorian buildings and were in conservation areas. He further stated that it

would not be possible to convert these to A Grade Office use and they had been vacant for some time.

RESOLVED – That the report be noted.

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

A Member welcomed the inclusion of third-party ecological assessment and asked if consideration would be given to having an ecologist as part of the City staff. An Officer advised that there were ecological experts within the City. An information report could be submitted to the next meeting of the Planning and Transportation Sub-Committee.

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

There were no additional urgent items of business for consideration.

The meeting ended at 11.35 am

Chairman

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