

PLANNING AND TRANSPORTATION COMMITTEE
Tuesday, 26 October 2021

Minutes of the meeting of the Planning and Transportation Committee held at the
Livery Hall - Guildhall on Tuesday, 26 October 2021 at 10.30 am

Present

Members:

Deputy Alastair Moss (Chair)
Oliver Sells QC (Deputy Chairman)
Randall Anderson
Douglas Barrow
Peter Bennett
Mark Bostock
Deputy Keith Bottomley
John Edwards
Marianne Fredericks
Graeme Harrower
Deputy Jamie Ingham Clark
Shravan Joshi
Alderman Alastair King
Alderman Bronek Masojada
Deputy Brian Mooney (Chief Commoner)
Deputy Barbara Newman
Graham Packham
Susan Pearson
Judith Pleasance

Officers:

Angela Roach	- Assistant Town Clerk
Gwyn Richards	- Chief Planning Officer & Development Director
David Horkan	- Environment Department
Deborah Cluett	- Comptroller & City Solicitor's Dept.
Fleur Francis	- Comptroller & City Solicitor's Dept.
Ian Hughes	- Environment Department
Jessica Robinson	- Environment Department
Ben Eley	- Environment Department
Lucy Foreman	- Environment Department
Kerstin Kane	- Environment Department
Kieran Mackay	- Environment Department
Samantha Tharme	- Environment Department
Patrick Hegarty	- Open Spaces Department
Giles French	- Town Clerk's Department
Joseph Anstee	- Town Clerk's Department
Julie Mayer	- Town Clerk's Department
Shani Annand-Baron	- Town Clerk's Department

1. **APOLOGIES**

Apologies were received from Deputy Peter Dunphy, John Fletcher, Tracey Graham, Christopher Hayward, Deputy Tom Hoffman, Alderwoman Susan Langley, Deputy Henry Pollard, James de Sausmarez and Alderman Sir David Wootton.

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

There were no declarations.

3. **MINUTES**

A Member advised of a correction to comments they had made in respect of Item 4, wherein the words “just 1% of City’s buildings” should read “only 1% of all listed buildings are Grade 1 Listed and only 4% are Grade II”, as the comments referred to national statistics rather than the City of London specifically.

RESOLVED – That, pending the above amendment, the public minutes and non-public summary of the meeting held on 5 October 2021 were considered and approved as a correct record.

4. **CUSTOM HOUSE 20 LOWER THAMES STREET & RIVER WALL, STAIRS AND CRANE, CUSTOM HOUSE QUAY LONDON EC3R 6EE**

The Committee considered a report of the Chief Planning Officer and Development Director regarding Custom House, 20 Lower Thames Street & River Wall, Stairs and Crane, Custom House Quay London EC3R 6EE – specifically, to convert and change the use of the existing Grade I listed building Custom House, formally the HM Revenue and Customs Offices (Use Class E), to a hotel (Use Class C1), with flexible ground floor and roof level retail floorspace (Use Classes E & Sui Generis (Drinking Establishment)), leisure facilities (Use Class E), a ground floor museum (Use Class F1 (c)) and ancillary riverfront public realm. The Committee agreed that the item could be decided in conjunction with the application for Listed Building Consent at Item 4a.

The Chief Planning Officer and Development Director drew the Committee’s attention to the tabled addenda, which advised of corrections to errors within the planning officer’s report, Pan-London and Local Strategic Views, updated recommendations, amended conditions and additional late representations. The Chief Planning Officer and Development Director then advised that the decision in respect of the planning application lay with the Planning Inspectorate, as the application had been appealed on the basis of non-determination.

The Chief Planning Officer and Development Director then introduced the application to Members and presented the officer’s report, informing the Committee about the details of the scheme and its wider implications and outlining the reasons for the officer’s recommendation. The officer’s recommendation was that the Committee resolve to inform the Planning Inspectorate that, were it empowered to determine the application for planning permission, the Committee would have refused permission. The Chief Planning

Officer and Development Director advised that the Committee's decision would be a material consideration in the decision of the Planning Inspectorate.

The Chair invited the registered objectors to address the Committee. Edward Waller, a Conservation Adviser speaking on behalf of the Georgian Group, addressed the Committee in support of the recommendation. The Committee heard that Custom House had a number of points of exceptional significance, also being the earliest purpose-built office building in the City of London. Whilst there had been some rebuilding on the site due to historic bomb damage, many classical arrangements and period features remained. The building was one of exceptional historic and architectural interest, and many aspects of the proposed scheme such as the subdivisions, glass roof and change of use were not desirable for the site. There were three main reasons to support the refusal of the scheme, which were shared by relevant historical and conservation interest groups; objection to the proposed subdivision, objection to the proposals in respect of the roof, and the disturbance of the proposals to the heritage of the site, which must be weighted accordingly in the Committee's considerations. It was said that it was clear the proposals did not meet the criteria for planning permission, and the Committee was urged to refuse the scheme.

Alec Forshaw, on behalf of SAVE Britain's Heritage, also addressed the Committee in support of the recommendation. The Committee heard that Custom House, one of London's great buildings, had a long tradition of public access and was hugely significant in its function as a public building. An initiative like Culture Mile should be considered for the site and surrounding area, and Somerset House and the Tate Modern provided examples of the opportunities available by retaining Custom House as a public building and an amenity for the City of London and the rest of London. SAVE Britain's Heritage were in agreement with the officer's report and with the other objecting interest groups, and felt that the scheme did not provide sufficient public access to the site, with the harm done by the scheme outweighing the benefits. The Committee was urged to support the officer's recommendation and refuse the scheme.

The Chair thanked those speaking in favour for their presentation to the Committee and invited questions from Members, of which there were none. The Chair then invited the applicant to address the Committee. Michael Squire addressed the Committee on behalf of Squire and Partners in objection to the recommendation, with an accompanying PowerPoint presentation and Gareth Fox, of Montagu Evans, also present to respond to questions. The Committee heard that a hotel would be the best use of the current site, which was no longer a public building as it was privately-owned. The impact of the scheme would be negligible in respect of views and features of the building, and the scheme would provide substantial public realm, with an open design giving access to and from the Riverside Walk and through the building, which was of significant public benefit. The proposals were consistent with the guidance on balance between free use and ticketed events set out in the GLA Public London Charter. The provision of a free-to-access museum in the most historic part of the building had been agreed during negotiations, providing further public

benefit in addition to the rooftop pavilion. This was a special scheme, to which the GLA, Port of London Authority and London Borough of Tower Hamlets, amongst other stakeholders, had not objected, and the applicant had sought to reach proper solutions in conjunction with the City of London Corporation.

The Chair thanked those speaking in objection for their presentation to the Committee and invited questions from Members. In response to questions from Members, the applicant advised that they were not sure why agreement with the planning officers had not been reached, as dialogue had been positive and productive. Whilst there were now thirteen reasons for refusal presented, previously access to the riverside had been the only point left to agree, as planning officers had deemed closure of the quayside unacceptable. However, the applicant maintained that the balance of closure and free access was appropriate, with the public benefit outweighing any harm caused by closure. The applicant advised that they were open to discussing the remaining issues further and wanted the opportunity to resolve them. The viability of the hotel was finely balanced and needed the option of the quayside facility in order to be viable. The applicant added that they had listened to the officer's concerns and made concessions, such as the museum, during negotiations.

The Chair then asked that Members move to questions for officers and to debate the application. The Chair opened the debate by advising that he had met the parties involved and regretted the application's unfortunate position. However, it was felt that there had been a failure on the part of the applicant to understand the planning officers' view of the building's capability, and the expectation of diverse and inclusive buildings. The Chair added that in his view, the scheme would render the building insufficiently open and inclusive, and the public benefit did not outweigh the harm of the scheme.

The Deputy Chairman commented that the outcome was disappointing, but the application was not acceptable, as it was not sufficiently respectful of the public nature of the building and the river frontage, to which access was a justified red line. The scheme was contrary to strategic aims to open spaces rather than restrict them, and the application could and should be improved upon. The Deputy Chairman added that he felt great care had been taken by officers to guide the application towards an acceptable solution.

A Member advised that they supported the refusal of the scheme, for the reasons outlined by the relevant historical and conservation interest groups, but expressed their disappointment that the Committee was reduced to offering a view to the Planning Inspectorate rather than determining the application. The Member asked why, if an agreement could not be reached, the application had not been referred to the Committee within the determination timeframe, with a recommendation to refuse the application if necessary.

A Member commented that they supported the point raised on open spaces and did not feel they could vote to close off the Riverside Walk. The Member urged the developer to reconsider the application, adding that there were existing hotels in the area without access to the riverside, indicating that this was not essential for viability. Another Member added that whilst they agreed

with the recommendation, they did not feel there was a general objection to the principle of a hotel on the site. However, this would have to be part of an acceptable scheme.

The Chief Planning Officer and Development Director responded that the non-determination was partly due to the efforts made towards finding a solution with the developer. Officers had requested additional information from the applicant and sought the opportunity to resolve issues. Whilst the application could have been submitted earlier, officers continued to try and reach an agreement on the scheme. The Committee was assured that its resolution would be communicated to the Planning Inspectorate and would be a significant material consideration in determining the application. A Member responded that an extension should have been sought, with the application referred to the Committee if the extension had been declined. The Chair added that planning applications involved negotiations and some applicants would inevitably use their right to appeal to the Planning Inspectorate.

A Member reported that the Ward Members for Billingsgate supported the officer's recommendation but urged both parties to try and resolve the outstanding issues, as whilst there were harmful elements of the scheme, it could potentially include enough public benefit to outweigh them.

In response to a question from a Member, the Chief Planning Officer and Development Director advised that the assertion that there had recently been only one point of objection remaining was not his understanding, adding that all points of concern had been set out in the report. However, officers had always sought to minimise any differences and balance these concerns where necessary.

A Member commented that in their view the public benefits of the scheme did not outweigh the harmful elements of the scheme. Whilst there were already plenty of hotels in the area, Custom House was a unique, historic building with a riverside setting, with which great care should be taken. The Member added that the building could be used more appropriately than conversion to a hotel and advised that they supported the officer's recommendation and reasons for refusal.

A Member advised that they were sympathetic to the concerns regarding process, and it appeared that the deadline had been allowed to pass in an effort to reach a proposal that could be recommended for approval, which was not necessarily the right approach. The Member added that they had concerns about the public offering being compromised or removed at a later stage, and the current proposals sought too many closures of the quayside.

Arising from the discussion, the application was then put to the vote amongst eligible Members, who voted unanimously in favour of the recommendation.

RESOLVED – That the Planning & Transportation Committee:

- a) Resolves to inform the Planning Inspectorate that were it empowered to determine the application for planning permission the Council would have REFUSED permission for the reasons set out below:
1. The proposed development would not ensure the continued beneficial use for a historic building. It has not been demonstrated that the proposal would conserve the amenity of existing neighbouring occupiers due to noise and overlooking or provide satisfactory or safe arrangements for servicing vehicles. The proposed development for the change of use of the existing building to a hotel (Use Class C1) would therefore not accord with, Local Plan Policy, CS10, CS11, DM3.5, DM11.3, DM15.7, DM21.3 and draft City Plan Policies HL3, HS3, CV3, DE5, S23, S24, and SB1, and London Plan Policies D3, D6, D13, D14.

Heritage

2. The proposed development would fail to preserve the special architectural and historic interest and setting of the London Custom House (Grade I) and the River Wall, Stairs and Cranes (Grade II*), causing less than substantial harm to their heritage significance the result of direct and in-direct impacts on setting, resulting from external and internal alterations, extensions, loss and de-contextualisation of historic fabric, plan form and character. The harm would not be outweighed by public benefits. The proposal is not in accordance with policies: London Plan Policy HC1; Local Plan Policies CS 12, DM 12.1, DM 12.3; HE1; Draft City Plan Policies S11 and HE1 and the NPPF.
3. The proposed development would fail to preserve the settings of Old Billingsgate (grade II), St Dunstan in the East Ruin (Grade I) and by association its Walls, Gates and Railings to the Churchyard (Grade II), the Monument to the Great Fire (Grade I and Scheduled Ancient Monument), All Hallows by the Tower (Grade I), Tower Bridge (Grade I), the Eastcheap Conservation Area, the Tower Bridge Conservation Area and the Tooley Street Conservation Area, causing harm to their heritage significance and an appreciation of it by way of contribution made by elements of setting. The harm would not be outweighed by public benefits. The development would not be in accordance with Local Plan Policies: CS 12, DM 12.1, DM 12.3; London Plan Policy HC1; City Plan Policies S11 and HE1; and policies and guidance contained in the National Planning Policy Framework (NPPF) and Planning Practice Guidance.

Design

4. The proposed development would not comprise a high standard of design as a result of its architecture, in particular the roof extensions, which by virtue of their siting, height, massing, appearance and detailed design, by day and night, would fail to be visually integrated into the overall design of the building when seen from street and higher level view, which would not be sympathetic and contextual to character or

history, adversely affecting the character and appearance of the host building, contrary to Local Plan Policies CS 10, DM 10.1 , Emerging City Plan Policies and the NPPF and National Design Guide.

Strategic Views (London):

5. The proposed development would comprise an intrusive form of development causing harm to the characteristics of London View Management Framework (LVMF) designated River Prospects from London Bridge (11B.1-2) and Tower Bridge (10A.1) including impact on the setting of the Monument as a landmark element and the Townscape View from the Queen's Walk at City Hall (25A.1-3). The development is not in accordance with Local Plan Policies: Local Plan CS 13(1); London Plan HC4; City Plan S13 and guidance contained in the LVMF SPG.

Strategic Views (Local):

6. By virtue of the height, bulk, massing and appearance of the roof extensions, associated terraces and alterations to roof level, the proposal would fail to protect and enhance significant local views of and from the Monument, and would fail to protect and enhance views of identified historic city landmarks and skyline features, namely Tower Bridge, St Dunstan in the East and All Hallows by the Tower. The development is not in accordance with Local Plan Policies: Local Plan CS 13(2); City Plan Policy S13 and guidance in the Protected Views SPD.

Public Realm

7. The proposed development would not result inclusive access by closure wholly and partly for events on the Quayside and limited internal public permeability which would limit the interpretation and enjoyment of a seminal heritage asset. The management, pedestrian movement, curation, detailed design and look-and-feel of the internal and external public realm, including the interface created between these would result in a non-inclusive form of public realm. The vibrancy or animation of the riverside for public use with limited active frontages and restricted publicly accessible open space would fail to deliver a fairer, more equitable and inclusive place which is welcoming to all communities whilst conflicting with the spatial aspirations of the emerging Pool of London Key Area of change. The proposal would not be in accordance with Local Plan Policies CS9, CS10, CS19, DM10.4 the overarching good growth objectives in the London Plan, London Plan policies D5, D8, S4, SI14 and SI16, Draft City Plan S17, S19, DE3, S14, OS1, CV2, HL1, the aspirations of the Riverside Walkway Enhancement Strategy SPD 2015, Mayor's Public Charter.

Accessible Design

8. It has not been demonstrated that the proposed development would provide highest standard of accessible design including disabled access provisions or facilities both within the hotel development and externally within the Quayside area or adjacent areas of Public Highway. The development would not meet the highest standard of accessibility and

inclusive design and would not be in accordance with Local Plan policies CS10, DM10.1, DM10.5 and DM10.8, policies D5 and E10 of the London Plan or policies S1 and S8 of the draft City Plan.

Highways

9. The lay-by would result in the width of the pavement being reduced on Lower Thames Street therefore not promoting active travel by walking and diminish pedestrian comfort levels (PCL). The development would therefore not accord with Local Plan Policy DM16.1, DM16.2, emerging City Plan Policies AT1 and AT2, London Plan Policies T1 and T2, The Mayor's Transport Strategy and the City of London Transport Strategy.
10. In the absence of a scheme for offsite consolidation it has not been demonstrated that the development would facilitate safe, and efficient deliveries and servicing of the site, including adequate safety and servicing of the Quayside for events. The proposed would therefore not accord with Local Plan Policies DM16.1 and DM16.5, London Plan Policy T7 or emerging City Plan Policy VT2.
11. It has not been demonstrated that the proposed development would not have a detrimental impact on Pedestrian Comfort Levels as a result of the change of use of the site and the potential for increased capacity. The applicant has failed to demonstrate that the closure of the quayside would not create unacceptable Pedestrian Comfort Levels and would therefore not be in accordance with London Plan Policy T4 or TfL Pedestrian Comfort Guidance for London 2019.
12. The applicant has failed to enter into an appropriate legal agreement to secure the provision of appropriate site specific mitigation including; Highway Reparation and other Highways Obligations; Local Procurement Strategy; Local Training, Skills and Job Brokerage Strategy (Demolition; Construction and End Use); Delivery and Servicing Management Plan (including Consolidation); Travel Plan (including Cycling Promotion Plan); Section 278 Agreement (CoL); Section 278 Agreement (TfL); Declaration of City Walkway; Visitor Management Plan; Cultural Strategy and associated Cultural Plan (including Cultural officer, Cultural Committee and Heritage Partner); Public Access Management Plan; and Quayside Events Management Plan and Planning Obligations in relation to Affordable Housing; Local Training, Skills and Job Brokerage; Carbon Reduction Shortfall; Section 278 Design and Evaluation; and S106 Monitoring Charge. The development therefore conflicts with Policy CS4 and the City's Planning Obligations SPD.

Urban Greening

13. It has not been demonstrated that the proposed development would achieve an adequate urban greening factor or that urban greening has been optimised on this site contrary to London Plan Policy G5, whilst having regard for emerging City Plan Policy OS2; and

- b) Delegate authority to the Chief Planning Officer and Development Director to inform the Planning Inspectorate of modified Reasons for which the City Corporation would have refused the permission (were it empowered to determine it) in response to any further information that may be provided by the Applicant.

4a) **CUSTOM HOUSE 20 LOWER THAMES STREET & RIVER WALL, STAIRS AND CRANE, CUSTOM HOUSE QUAY LONDON EC3R 6EE - LISTED BUILDING CONSENT**

The Committee received a report of the Chief Planning Officer and Development Director in relation to Custom House 20 Lower Thames Street & River Wall, Stairs and Crane, Custom House Quay London EC3R 6EE – Listed Building Consent.

RESOLVED - That the Committee resolves to inform the Planning Inspectorate that were it empowered to determine the application for Listed Building Consent the Council would have REFUSED permission for the reason set out below:

1. The proposed development would fail to preserve and would cause less than substantial harm to the exceptional special architectural and historic interest and setting of the Grade I listed London Custom House and the Grade II* listed River Wall, Stairs and Cranes at Custom House Quay which would not be outweighed by public benefits. The harm would result from external and internal extension, alteration and the loss of historic fabric, plan form and character. These proposals would be contrary to policies: London plan Policy HC 1; Local Plan Policies CS 12, DM 12.1, DM 12.3; Draft City Plan Policies S11 and HE1 and the NPPF.

5. **120 FLEET STREET LONDON EC4A 2BE**

The Committee considered a report of the Chief Planning Officer and Development Director in respect of 120 Fleet Street London EC4A 2BE; specifically the demolition of the existing River Court building at 120 Fleet Street, including part demolition of the basement and the erection of a new building comprising two basement levels and ground floor plus 20 upper storeys (93.15m AOD) including retail, commercial, office and service use (Class E). Creation of new pedestrian routes. Change of use of Daily Express Building from office (Use Class E) to learning and non-residential institutions use (Class F1), retail, flexible learning and non-residential institutions and commercial use (Class E), Alterations to and refurbishment of the existing Grade II* listed Daily Express Building at 120 Fleet Street, including works to detach the building from the River Court with demolition of part of linking floorplate and structure from basement level 01 to level 06, demolition of roof and installation of new roof with associated roof garden, erection of new north facade, retention of south-east curved corner and part demolition of existing east facade from ground level to level 05, erection of new facade and shopfront and associated works.

The Chief Planning Officer and Development Director presented the application detailed above and Members noted the following points:

The Daily Express Grade 2 Listed building (located in the Fleet Street Conservation Area) and River Court were illustrated with contextual aerial photographs.

There had been 26 responses in respect of noise and disturbance from construction and the massing of the development, including a representation from the Ward Member for Castle Baynard.

Whilst the various historic institutions had welcomed the improvements to the listed building, they had expressed some concerns about the scale of the development and the impact on the surrounding listed buildings. The Chief Planning Officer and Development Director confirmed that this had been given considerable weight and the GLA had not raised any concerns about the impact on local and strategic views or the local conservation areas.

The application had been assessed in respect of all the relevant local views and the CGI images in the presentation depicted the final proposals. Officers accepted that there would be a small erosion of the view of St Paul's from the Monument and Queen Street, but this was less than substantial and considered to be outweighed by the public benefits; ie – enhancement of the listed Daily Express Building and the public realm, the provision of a public roof garden and cultural destination, new pedestrian routes and a cycle house; thereby promoting healthy streets and active travel. The proposal would deliver cycle parking in excess of the London Plan's requirements and in accordance with the City's Transport Strategy.

The proposal would benefit local residents by relocating the loading bay away from Poppins Court onto Shoe Lane, and use of an offsite consolidation centre would reduce deliveries to 70 a day, all of which would be outside of peak hours. The developer would also fund improvements to the pedestrian environment on Shoe Lane, St Bride Street and Fleet Street, via footway widening, tree planting and other enhancements.

The impact on daylight and sunlight at Poppins Court in terms of BRE standards was considered to be acceptable. The whole life cycle carbon emissions would be lower than the GLA's benchmark and secured by condition, and the development had a very high BREEAM score for sustainability.

The Chair then invited the objectors to speak:

1. **Mr Thom Whall – a resident at Poppins Court**

Mr Whall spoke on behalf of the 2 businesses which would be most affected; ie - the Barbers Shop and Café, which had been trading for 50 years. Members noted that the last major development in the late 1990's had caused considerable disturbance, and the applicant tabled a photograph depicting this.

The businesses were concerned at not having been included in the environmental impact statements, particularly as they are less than 10m away

from the development and rely exclusively on walk-by trade. Members noted that this had been adversely affected during the last major development. The residents were seeking assurance in terms of reasonable breaks in noise, independent checks on air quality and the encroachment of hoardings, and asked whether they would be compensated for reduced earnings. The residents would like to meet regularly with the developers and asked to be sighted on the Construction Management Plan, with assurances that the demolition and building disruptions would be as short as possible.

The residents accepted that an unoccupied building was undesirable but were concerned that a 25 year old building was being demolished. They also questioned whether it was appropriate to replace this with a larger building, in this new era of increased home working.

2. Mr Christopher Edwards – resident of sovereign House

Mr Edwards endorsed Mr Whall's representation in terms of the strength of feeling amongst residents. Members noted that some people work from home in the block, and some have young families. There would also be financial consequences for flat owners who would not be able to let or sell their properties. Mr Edwards advised that the building only became fully residential in 1998, and daylight was already being compromised by the structure opposite. Therefore, even a small incremental increase would be significant, given that some bedrooms are only 5 or 6 metres away from the edge of the development.

Mr Edwards was concerned that the Condition Survey was not part of the formal planning report and, to date, residents had only had informal discussions with the agents. Residents also felt that the integrity of an old, vulnerable building was at stake and were unsure as to the remedial steps being taken.

Finally, Mr Edwards was concerned that there had been 3 road traffic deaths in the past 24 months, and felt that additional cyclists should be discouraged.

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

Mr David Hutton (representing the applicant)

Mr Hutton had been leading the professional team on this development for the past 3 years. Members noted that the developer had originally sought to work with the existing River Court building but concluded that it would miss a regeneration opportunity for the area. Mr Hutton explained that the existing building had been constructed in a different era, for a single occupier, and has limited natural light. The building was obsolete by the time that Goldman Sachs decided to move to new premises and the retail unit remained vacant. Members noted that the developer had maximised every opportunity for enhancing the environment by re-using existing materials and retained over 50% of the existing concrete.

The operational carbon was a quarter of the existing building per sqm, whilst adding a third of new floor space, and the development exceeded GLA targets for being cycle friendly. Mr Hutton was aware of businesses seeking to move to more sustainable buildings, and the development would include temperature regulators and mixed mode ventilation. There would be a single energy system for the entire development.

The Developer had sought to be very respectful of residential neighbours, by relocating the service bay away from Poppins Lane to Shoe Lane, thereby reducing disruption and deliveries. The Developer was also seeking to deliver additional public realm amenity to the area, and to open the former Daily Express Building to the public as a cultural offer.

During the questions and debate, the following points were noted:

Planning officers had looked at providing a larger number of shower cubicles but it would have been necessary to remove the WC facilities. The provision is therefore for 1 in 12, with the recommended standard being 1 in 10. The WC facilities would include both wash basins and hair drying facilities.

The lift has capacity for 400 bikes per hour and the wheeling ramps 1600 per hour, which exceeds the predicted peak hour use.

The turnaround times for lorries was calculated on the basis of 20 minutes stay per delivery but in reality, this is often less. A large number of deliveries would be overnight, with the waste being taken out in the back of empty lorries to the consolidation centre for processing. The SWEPT path analysis was included in the application documents.

In terms of massing, a number of options were considered, including the refurbishment of the existing building, which would have been unsustainable due to its stability core. Although more floor space was being provided in the new development, the benefits of enhanced public amenity were thought to outweigh this.

The developers had met with a number of representatives from the local area, including Ward Members, the Fleet Street Quarter Partnership and Church representatives. As the consultation was underway when the country was emerging from lockdown, a further detailed information pack was circulated in late April 2021 asking for feedback. There were further communications with Sovereign House and Poppins Court residents, together with an invitation to meet with the Design Team and Architect, and a couple of webinars and Microsoft Teams meetings were arranged to discuss how disruptions could be mitigated.

There would be a Condition in respect of the demolition and structural integrity of adjoining properties, together with regular meetings with residents throughout this part of the development. The Conditions would cover a construction management plan and a scheme of protective works. The

Contractor would also be required to sign up to the Considerable Contractor Scheme.

Whilst fully empathising with the disturbances 25 years ago, Members noted that modern building methods can mitigate this and would be covered by Condition.

Officers agreed that Saturday closures could be added to the office Roof Terrace Conditions, in addition to Sundays and Bank Holidays.

It was suggested that the heritage aspirations and greening had been overstated and the statements on sustainability were misleading, as it would take 25 years to pay back the carbon emissions from the development.

The cultural use would be covered by Section 106 agreement and this would require a cultural implementation strategy to secure its delivery, operating model in perpetuity throughout the life of development.

Members had received a further Condition, as a supplement to this agenda, in respect of the height of the rails around the balconies, noting the City's policy on accident and suicide prevention. Officers would be liaising with District Surveyors on the minimum height and full risk assessments would be undertaken. At pre-application stage, the design had been changed and the building reduced in height to minimise the impact on the surrounding heritage assets and views.

There was a request for the Conditions to include a requirement for the Developer to arrange regular agenda-led meetings with resident groups, and to set out a process for this engagement.

The Chair asked if future presentations could include CGI images rather than outlines, as this would give a better perspective of existing consented schemes.

On being put to a vote, 12 voted for, 6 voted against (with no abstentions) and it was **RESOLVED**, that:

1. Planning permission be granted for the above proposal in accordance with the details set out in the attached schedule, subject to the application being referred to the Mayor of London to decide whether to allow the Corporation to grant planning permission as recommended, or to direct refusal, or to determine the application himself (Article 5(1)(a) of the Town & Country Planning (Mayor of London) Order 2008);
2. Officers be instructed to negotiate and execute obligations in respect of those matters set out in "Planning Obligations" under Section 106 and any necessary agreement under Section 278 of the Highway Act 1980.
3. The accompanying application for listed building consent be granted (Reference: 21/00524/LBC); and

4. Officers be authorised to provide the information required by regulations 29 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, and to inform the public and the Secretary of State as required by regulation 30 of those regulations

5a) **120 FLEET STREET LONDON EC4A 2BE - LISTED BUILDING CONSENT**

The Committee received a report of the Chief Planning Officer and Development Director concerning 120 Fleet Street London EC4A 2BE – Listed Building Consent.

RESOLVED – that:

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. **31 BURY STREET - REASONS FOR REFUSAL**

The Committee considered a joint report of the Chief Planning Officer and Development Director and the Comptroller and City Solicitor recommending reasons for refusal to reflect the views of the Committee in resolving, at the Committee's meeting of 5 October 2021, that it would refuse the application for planning permission under application ref: 20/00848/FULEIA for Bury House, 31 Bury Street, London EC3A 5AR.

A Member commented that they had reviewed the recording of the meeting and looked carefully at the minutes, and did not feel that the reasons for refusal set out in the report reflected the views of the wider Committee. The Member added that the reasons for refusal should include additional points relating to the balance of public benefit against harm, and the wider impact on other heritage assets such as Holland House. The Chair responded that the report and its recommendation was devised with legal advice, and that his view was that the existing reasons were sufficient.

A Member advised that they wished to propose two amendments. Firstly, it was proposed that "(which harms would not be outweighed by the public benefit of the proposal)" be inserted into the fourth line of the first paragraph, as this reflected the thrust of the refusal as agreed by the Committee, and was consistent with the wording of the second paragraph. Secondly, the Member moved that the reasons for refusal be amended to include a reference to the impact on Holland House and other listed buildings.

The Comptroller and City Solicitor advised that in drafting the reasons for refusal, the first amendment was not included, but was felt to be implied, being more specifically relevant to the second paragraph. However, it could also be included explicitly within the first paragraph. The Chair sought Members' views on the first amendment proposed, and this was agreed. The second amendment was formally moved and seconded, and the Committee proceeded to vote on the second amendment, with two Members voting in favour, seven Members voting against and one abstention. The second amendment was therefore lost. The Committee then agreed the recommendations of the report, with the inclusion of the amendment to the first paragraph.

The Chief Planning Officer and Development Director then advised that a decision on the Tulip was now expected in November. The Committee noted that it may be asked to revisit the decision in some form following this decision, due to additional material considerations.

RESOLVED – That the Planning & Transportation Committee agree:

That the Decision Letter gives the following reasons for refusal to be included in the decision letter (subject to notification to the Mayor of London and the Mayor of London being content for the City to determine the application) be as follows:

1. The development would adversely affect the setting of the Grade 1 listed Bevis Marks Synagogue and its setting and amenities by reason of the overbearing and overshadowing impact of the development on the courtyard of the Synagogue (which harms would not be outweighed by the public benefits of the proposal), contrary to Local Plan Policy CS10.1 (ensuring buildings are appropriate to the setting and amenities of surrounding buildings and spaces); Local Plan Policy CS12 (conserving or enhancing the significance of the City's heritage assets and their settings and providing an attractive environment to the City's communities) and London Plan Policy GG1 (Building strong and inclusive communities, promoting fairness, inclusivity and equality); and
2. The development would adversely affect the setting of the Tower of London World Heritage Site by reason of the less than substantial harm caused to LVFM view 10A.1 from the Tower Bridge North Bastion and the resulting harm to the Outstanding Universal Value of the World Heritage Site (which harms would not be outweighed by the public benefits of the proposal) contrary to Local Plan Policy CS12 (conserving or enhancing the significance of the City's heritage assets and their settings and providing an attractive environment to the City's heritage assets and their settings and providing an attractive environment to the City's communities); Local Plan Policy CS13 (protecting and enhancing significant views of important buildings); London Plan Policies D9w; HC2, and HC3 (protecting the significance of the Tower of London).

7. **RECOVERY TASKFORCE - FINAL REPORT**

The Committee received a report of the Deputy Town Clerk & Chief Executive providing an update on the implementation of the recommendations of the Recovery Taskforce report, Square Mile: Future City, published in April 2021.

A Member commented that it was positive that exercise provision had been added to the Supplementary Planning Document, but added that an adult exercise area should be considered for the Barbican Podium, arising from a project which would create the City of London's largest open space. The addition of accessible public amenity, which had been raised during the public consultation, would more greatly accord with the principles which the City of London Corporation applied to developers in the planning process, and a lack of public amenity would need to be taken into account when considering any planning application for the project.

Members commented that the project needed to aim for the widest possible benefit rather than being specific to residents of the Barbican Estate, and that it was hoped the application put to Committee would demonstrate broad consultation, with due consideration given to the provision of an adult exercise area. Permeability and access should also be key aims of the project, and Members urged officers to work collaboratively towards bringing the project to the Committee. The Chief Planning Officer and Development Director advised that whilst feedback would be communicated to the relevant officers, it would be important to maintain a degree of separation between the planning officers and the applicant, given the nature of the application.

RESOLVED - That the report be noted.

8. **TRANSPORT STRATEGY UPDATE: QUARTER 1 2021/22**

The Committee received a report of the Executive Director, Environment updating on progress with delivering the City of London Transport Strategy, covering Quarter 1 of 2021/22 (April – June 2021). A Member expressed his significant frustration at the delays to the reinstatement and improvement of the Thames Path for public access along the Riverside Walkway at Globe View. In response the Executive Director, Environment advised that officers appreciated the frustration and gave assurance that efforts were being made to progress the work.

RESOLVED – That the report be noted.

9. **STREETS AND WALKWAYS SUB-COMMITTEE - PUBLIC MINUTES**

RESOLVED – That the public minutes and non-public summary of the Streets and Walkways Sub-Committee meeting held on 10 September 2021 be noted.

10. **OUTSTANDING ACTIONS**

The Committee received a report of the Town Clerk detailing the Committee's list of outstanding actions. In respect of the outstanding action relating to Construction Management, the Chair commented that the 120 Fleet Street scheme would be a useful case study. A Member commented that in his

experience, after-hours work carried regulations including direct communication with neighbouring residents and queried whether this was still the case.

RESOLVED – That the outstanding actions list be noted.

11. **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 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 Members note the report.

12. **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 applications received by the Department of the Built Environment since the report to the last meeting.

RESOLVED – That Members note the report.

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

A Member asked whether the Chief Planning Officer and Development Director could assure the Committee that officers would verify any statement they make about a planning application in their report or presentation. The Member added that this was in order to prevent a recurrence of the Committee's consideration of The Tulip application in April 2019, during which the Committee was informed that "the provision of an educational facility ... is a significant benefit of the proposal enabling each London school child to visit once in their school lifetime". The Member advised that this statement was unverified, and on one calculation could only be true if each London school child remained in school beyond the age of 32. Subsequent to this, the origin of the statement was not explained. The Member asked what was done to assure that such statements were verified before their transmission to the Committee.

The Chief Planning Officer and Development Director assured the Committee that the verification of statements was undertaken at the application stage, and officers made every effort to address inaccurate or misleading statements throughout the application process.

A Member then commented that, given the considerable size of the main agenda packs, tabling further documents during a meeting was problematic, and further to this, if the Committee was to move towards paperless working, power points were needed due to length of meetings. Members further suggested that officers avoid submitting multiple applications to meetings, that the length of officer presentations be reviewed, and that the meeting equipment in the Livery Hall be improved, with a system like that in the Committee Rooms.

The Chair acknowledged the teething issues experienced, this being the first meeting following a return to fully physical attendance, and advised that feedback would be taken forward in preparation for the next meeting. The Chair added that he would consider brief adjournments for the Committee to consider tabled documents, noting that the Committee was obliged to consider as many representations as possible in deliberating an application. The Chief Planning Officer and Development Director confirmed that the addendum tabled at the meeting covered objections which had been received overnight prior to the meeting.

A Member then suggested that instructions for registering to speak at Committee, or a link to the speaking protocol be provided automatically to those submitting representations to the Planning department, as they had heard complaints relating to the accessibility of the process. The Chair noted the suggestion, confirming that the protocol for speaking at Committee was a public document.

A Member queried the statistic given in respect of listed buildings in the City of London, and asked for clarification as differing figures had been reported. The Chief Planning Officer and Development Director confirmed that 2.5% of buildings in the City of London were Grade I listed.

14. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

There was no other business.

15. 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>
16	6
17	3
18 – 19	-

16. CUSTOM HOUSE LOWER THAMES STREET LONDON EC3R 6EE - TPO

The Committee considered a report of the Chief Planning Officer and Development Director concerning the Custom House Lower Thames Street London EC3R 6EE – TPO.

17. CIVIL PARKING & TRAFFIC ENFORCEMENT - OFF STREET CAR PARKS MANAGEMENT AND BARRIER EQUIPMENT REPLACEMENT; PROVISION OF CCTV ENFORCEMENT CAMERAS; AND SUPPORT SERVICES FOR COLLECTING PAYMENTS AND ISSUING NOTICE. PROCUREMENT STAGE 2 - CONTRACT AWARD REPORT

The Committee received a report of the Department of the Chief Operating Officer regarding the Civil Parking & Traffic Enforcement – Off Street Car Parks Management and Barrier Equipment Replacement; Provision of CCTV

Enforcement Cameras; and Support Services for Collecting Payments and Issuing Notice. Procurement Stage 2 – Contract Award Report.

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

There were no questions in non-public session.

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

There was no other business in non-public session.

The meeting ended at 2.06 pm

Chair

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