

## PLANNING AND TRANSPORTATION COMMITTEE

Tuesday, 16 November 2021

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

### **Present**

#### **Members:**

Deputy Alastair Moss (Chair)	Shravan Joshi
Oliver Sells QC (Deputy Chairman)	Alderman Alastair King
Randall Anderson	Deputy Brian Mooney (Chief Commoner)
Peter Bennett	Deputy Barbara Newman
John Edwards	Susan Pearson
John Fletcher	Judith Pleasance
Marianne Fredericks	Deputy Henry Pollard
Graeme Harrower	James de Sausmarez
Deputy Tom Hoffman	Alderman Sir David Wootton
Deputy Jamie Ingham Clark	

#### **Officers:**

Gemma Stokley	- Town Clerk's Department
Joseph Anstee	- Town Clerk's Department
Shani Annand-Baron	- Media Officer
Aqib Hussain	- Technology Support Partner
Deborah Cluett	- Comptroller and City Solicitor's Department
Juliemma McLoughlin	- Executive Director, Environment
Gwyn Richards	- Chief Planning Officer and Development Director
David Horkan	- Department of the Built Environment
Bhakti Depala	- Department of the Built Environment
Peter Shadbolt	- Department of the Built Environment
Paul Beckett	- Department of the Built Environment
Ian Hughes	- Department of the Built Environment
Elisabeth Hannah	- Department of the Built Environment
Catherine Evans	- Department of the Built Environment
Neel Devlia	- Department of the Built Environment
Gideon Stothard	- Department of the Built Environment
Gemma Delves	- Department of the Built Environment
Kerstin Kane	- Department of the Built Environment
Janet Laban	- Department of the Built Environment
Kieran Mackay	- Department of the Built Environment
Tim Munday	- Department of the Built Environment
Joanna Parker	- Department of the Built Environment
Amrith Sehmi	- Department of the Built Environment
Dom Strickland	- Department of the Built Environment
Kathryn Stubbs	- Department of the Built Environment

Shahbaz Ahmed	- Department of the Built Environment
Izzey Barlow-Millen	- Department of the Built Environment
Hibaaq Gelleh	- Department of the Built Environment
Alec Soper	- Department of the Built Environment
Rianne Watson	- Department of the Built Environment

**Also Present:**

- Simon Allford – Co-founder of Allford Hall Monaghan Morris architects and the current President of the Royal Institute of British Architects
- Richard Selby – Partner, Brockton Everlast
- Hayden Thomas – Formation Architects
- Liam Dunford – Co-founder of Point 2 Surveyors
- Lana Joyce – Resident of Petticoat Tower
- Mark Lemanski – Resident of Petticoat Square
- Roger Way – Chair of Middlesex Street Estate Residents' Association

1. **APOLOGIES**

Apologies for absence were received from Mark Bostock, Christopher Hayward, Alderwoman Susan Langley, Oliver Lodge, Natasha Lloyd-Owen, Alderman Bronek Masojada, Andrew Mayer, Graham Packham and William Upton.

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

There were no declarations.

3. **MINUTES**

The Committee considered the public minutes and summary of the last meeting held on 26 October 2021 and approved them as a correct record.

4. **115-123 HOUNDSDITCH LONDON EC3A 7BU**

The Committee considered a report of the Chief Planning Officer and Development Director relative to 115-123 Houndsditch, London, EC3A 7BU, specifically demolition of existing buildings and construction of a new building comprising four basement levels (plus one basement mezzanine), ground floor plus 23 upper storeys, including office use (Class E), flexible retail/café use (Class E); community space (Sui Generis), ancillary basement cycle parking, servicing and plant; new public realm and highway works; and other works associated with the development.

The Chief Planning Officer and Development Director introduced the application and referred to the late representations and accompanying addendum report published and circulated yesterday. He began by highlighting that the site in question was to the southwest of the Middlesex Street Estate and north of Houndsditch. He reported that the existing buildings were four buildings built in the 1980s as a comprehensive redevelopment and were somewhat unexceptional and unwelcoming. When sharing the existing site plan, the Chief Planning Officer drew Members' attention to Clothier Street which ran north-south through the existing site. The proposed removal of this

was one of the key elements of this scheme. Under the proposed scheme, Clothier Street would be stopped up, removed, and replaced by new public realm on the periphery. He went on to remark that Clothier Street had had a rather transient life and shared maps from the past depicting how the previous street pattern had been more east-west. It was reported that Clothier Street itself had only been established in the 1980s and that the name itself was not of great antiquity given that it was introduced in 1906 in recognition of the former Cloth Market which was in the area.

Members were shown images of the entrance to Clothier Street approaching from the North with the Chief Planning Officer describing it as a rather forbidding area used for refuse and servicing making it very utilitarian and gloomy and not conducive for people to dwell here. Its townscape contribution was therefore considered to be minimal, if not, negative. New public realm would replace Clothier Street on the periphery of the site to both the north-west and the south. These would be outward facing, attractive and accessible spaces of approximately 372 square meters which would constitute a net gain of public realm of 173 square meters and a net gain of public highway of 27 square meters including seating, tree planting and areas for pop-up stalls to enhance the offering from Petticoat Lane nearby. There would be a minimum pavement width of two meters around the periphery of the site and this would extend to between 3.9 and 7.4 width below a 7-meter-high soffit to create a sense of openness. Pedestrian comfort levels would also be enhanced to a minimum of A-. The scheme would also see the delivery of a raised table along Cutler Street West and North, enhancing the public realm and prioritising pedestrian and cycle movement. Members were shown images and artists impressions to demonstrate the sense of openness of this new public realm and the greatly enhanced permeability/connectivity from this part of the cluster to the hinterland of the City fringe area and the communities based here.

In terms of servicing, two servicing bays would now be located on Houndsditch. The existing servicing arrangements were on Cutler Street north. This would be a much more beneficial relationship to the residents of the Middlesex Street Estate. There would be a cap of 34 deliveries per day as well as a requirement for off-site consolidation that would form part of the S106 agreement. No deliveries would be permitted during peak hours in the morning, lunchtime, or afternoon. Members were informed that there were also two cycling entrances planned to the north and south and that the cycling provision was compliant with London Plan standards with 948 long stay and 33 short stay cycle spaces proposed. The Chief Planning Officer went on to talk of wider community use which had been negotiated by Planning Officers because of the site's relationship not only to the Middlesex Street Estate but also other communities such as Mansell Street. It was intended that this would create a different offer from existing community facilities such as those on Middlesex Street and would be made up of approximately 238 square meters at ground and mezzanine level. The space would be available to use free of charge for registered education providers, community groups and charities between 7am-10pm daily on weekdays and between 10am-6pm at weekends. There would also be a food and beverage offer available daily between these times. The space would be controlled through a Management Plan to be secured by the S106

agreement. The Committee were shown images of the proposed community use unit.

Proposed floor plans were shared with the Committee. The Chief Planning Officer reported that the building would offer over 56,000 square meters of office space which constituted an uplift of over 44,000 on the existing office on site. 4,000 square meters of this would be incubator, flexible workspace at levels one and two and was intended for SMEs in a really vibrant economic part of the City in terms of diversity, this would include local start-up businesses. The scheme would also include 23 affordable desk/ workspaces available at 50% of the market rate and the proposed floorspaces throughout would allow for flexibility and subdivision permitting use from a range of tenants. Roof terraces were incorporated throughout the building which was an important post pandemic feature of new office developments. From the 13<sup>th</sup> floor, terraces would begin to step back leading up to the sky pavilion at the top of the building.

In terms of the architectural approach, Members were informed that this was to be a 23-storey building above ground, at 117 meters high. Images of the existing and proposed elevation from Houndsditch, Cutler Street north, Cutler Street west and Stoney Lane were shared. The design had been informed by reduced carbon emissions and had been amended throughout the process. The building would sit within the northern foothills of the Cluster, just to the north, with its height absolutely determined in terms of the impact upon the World Heritage Site, the Tower of London. Members were informed that the design approach was considered to be very convincing with cascading massing and refined detailing of verticality. It was described as an art deco inspired, contemporary warehouse aesthetic. Members were informed that there was also an artwork strategy which would include interpretation of the Houndsditch murders of the jewellery raid which preceded the Sydney Street siege which was an important historical marker on this site. The urban greening was incorporated architecturally and would achieve an urban greening factor of 0.53 which far exceeded the 0.3 target set out within the London Plan. There was also a potential biodiversity net gain of 0.61 units provided by green wall, street trees and shrubs.

The Committee were informed that the proposed building had exceptional sustainability credentials which were built into the design development. It was on track to achieve the highest rate of BREEAM assessment (Outstanding) as well as WELL building standard Platinum and LEED standard Platinum. Members were shown existing and proposed LVMF River prospect views of the World Heritage Site from the North Bastion of Tower Bridge. In this view, the building would be dovetailed behind the White Tower so as to not compromise this view and to stay in line with the visual management guidance of the LVMF. The view from City Hall also showed the minimal impact of the proposal from here where it sat to the west of the Tower of London with the White Tower to the east. More locally, views from Devonshire Square, the north corner of Petticoat Square, Houndsditch, the Minories, Leadenhall and the courtyard of the Bevis Marks Synagogue were shared (existing and proposed). It was noted

that no objections had been received from any quarter as to the impact on the synagogue courtyard or the synagogue itself.

Finally, in terms of heat transfer, Members were informed that the scheme involved thermal stores inside the building which would retain the waste heat generated by the building during colder months and it was proposed that this be exported to the neighbouring Middlesex Street Estate to supply hot water and heating. The on-site equipment for this would be secured by condition with the link to the estate and their equipment funded solely by the applicant – to be secured by S106 agreement.

In terms of daylight/sunlight the Chief Planning Officer reported that there was a very thorough assessment including radiance studies. Applying BRE guidance, it was considered that the proposed development would not reduce noticeably the daylight available to residential dwellings nearby. In terms of overshadowing and daylight and sunlight to public spaces one of the key public spaces concerned was the raised podium area within the Middlesex Street Estate. Members were shown images of the existing and proposed overshadowing plans and informed that there was not considered to be a significant diminution of this area.

The Chief Planning Officer remarked that the Committee would have received correspondence from an elected Member suggesting that the cumulative scenario of daylight and sunlight had not been tested sufficiently and that this should be ground for deferral. He went on to advise Members that a thorough scoping exercise had been carried out to scope out those cumulative consented schemes which had no material change to daylight and sunlight to the building tested in these assessments. Therefore, the information before the Committee was as thorough and sufficient as possible for them to be able to determine the cumulative impacts and Officers were of the view that there were no grounds for deferral.

In conclusion, the Chief Planning Officer described this as a very good scheme with an uplift of over 44,000 square meters of much needed, flexible office floor space including incubator and affordable workspaces. It was described as being sensitive to the heritage sensitivities of this area with the massing of the building dovetailed to respect heritage assets such as the World Heritage Site. The building would be of a high-quality design with extensive urban greening and a design informed by carbon reduction, It would be socially and economically inclusive with a new community use with a focus on education for the wider communities in and around the City. The building would have exceptional sustainability credentials and whole-life carbon qualities and would create a significant increase in new public realm, providing an enhanced canvas for Petticoat Lane Market to extend southwards and thrive. It would also improve connectivity between the City Cluster and areas to the north and east whilst improving pedestrian comfort. For all of these reasons, the application was recommended to the Committee for approval.

The Town Clerk introduced those speaking in objection to the application – Ms Joyce, resident of Petticoat Tower, Mr Lemanski, resident of Petticoat Square and Mr Way, Chair of the Middlesex Street Estate Residents Association.

Ms Joyce began by stating that the demolition and replacement of a building, no matter how efficient, threatened the environment adding that both the demolition and the rebuild would produce destructive levels of carbon emissions and increased levels of embedded carbon, not forgetting the pollution and the disruption of both processes. She went on to state that the massive increase in the size of this building (approximately five times the floor space) destroyed the argument that it was environmentally sensitive. The huge amount of embedded carbon it would create had not been given sufficient weight and could not be compensated for by the purported energy efficiency of the new building. Ms Joyce was of the view that retro fitting of existing buildings was the only sustainable option if the City were to meet its own policy ambitions and that retro fitting would produce a familiar but updated streetscape that would enable the retention of Clothier Street which could, with some innovation, be repurposed as public realm, landscaped to service local residents, particularly children who have a severe shortage of outdoor space. She added that this space could also be planted with a view to biodiversity or even considered suitable for the sorely needed skateboard park.

Ms Joyce went on to comment that the greening proposals of this development, integrated though they may be, were nothing more than green dressing. She said that the greening of buildings paid minimal regard to biodiversity. She added that the additional public realm proposed was little more than a walk-through space and not somewhere to linger or play.

Mr Lemanski introduced himself as a single parent of two children and a social housing tenant residing in Petticoat Square. Whilst he lived some distance from the planned building, he reported that it would still shade his flat. He reported that the single bedroom flats here were 1 meter 80 wide and that, at 68 square meters, his flat was 20% smaller than the GLA's 2010 housing design guide recommendations. He added that the size was, however, tolerable as the flat enjoyed the afternoon sun in the kitchen, living room and balcony areas at present. This would not be the case if the proposed building existed. Mr Lemanski underlined that sunlight was essential, not just for the flats but, in particular, for the Estate's communal areas. He added that, in his experience as an urban designer, it was the single most important quality of open spaces which was well documented including in the City's own planning advice notice on sunlight. He articulated how sunlight was essential to physical health but also critically important to mental health and encouraged people to spend more time outdoors. Conversely, a lack of sunlight discouraged people (especially children) from spending time outside. Mr Lemanski went on to underline that this country was in the midst of an obesity and mental health crisis, especially amongst teenagers – something that he and some of his neighbours had personal experience of. He stressed again that sunlight was essential in mitigating poor physical and mental health and in promoting healthy lifestyles and fostering good health.

Mr Lemanski went on to state that the proposal for this high-rise building would blight the quality of outdoor spaces with both dedicated play spaces on the Petticoat Square Podium. He explained that both the playground and the ball games area currently received good direct sunlight in late afternoon and would be completely cast in shade. He shared images with the Committee of a best-case scenario for these spots in June where the proposed development would deprive them both of sun in the late afternoon. He added that, at any other time of the year, an even larger area would be shaded for longer periods of time. He commented that no offer of a community facility within the proposed development could begin to mitigate this loss. He informed the Committee that some planning guidelines suggest that at least two hours of sunlight per day needed to be maintained and, at first sight, this would appear to be the case here. However, it was noted that children spent most of the daytime in school and that, in the early evening, when the podium would start to be shaded by other buildings anyway, they would have to eat dinner, complete homework and any other extra-curricular activities/tutoring and attend personal appointments. With this in mind, he reported that the late afternoon was the only time when children could and did use the open spaces of the podium. The proposed building would therefore eliminate all sunlight to amenity spaces used by children at the only time when it was available to them, It would deprive children of almost 100% of sunlight and certainly not maintain two hours. Mr Lemanski went on to explain that there were no alternative play spaces close by for younger children or older children as Middlesex Street Estate was situated in a dramatically underserved part of London. He substantiated this by reporting that the closest play space was Allen Gardens which was at least 50 minutes away on foot and required crossing several major roads with the nearest games court at Quaker Gardens which was 22 minutes away. Mr Lemanski stressed that children depended on the amenity spaces of the Podium due to a lack of alternative provisions. He added that if the City Corporation wanted to protect the mental and physical health of its residents, particularly younger residents, then it could not, in all consciousness, agree to this proposed high rise building and implored Members to vote against the proposal in order to protect community cohesion, protect amenity and play spaces in an area lacking alternatives, promote active and healthy lifestyles and protect children's mental and physical health.

Mr Way began by sharing images of the amenity area referred to by Mr Lemanski and underlined its importance to residents and children on the estate. He explained that the corner of this community area was within 20 meters of the proposed development. The Committee were shown existing images of the podium gardens alongside an afterview with the new development very clearly shown to overshadow the area and reduce the amount of sunlight available. Further images showing areas of new overshadowing from the proposed development at 5pm on a midsummer's afternoon served to further reinforce what Mr Lemanski had already stated with regard to impacted use of the play, sports and family areas for children after school. With regard to Clothier Street, Mr Way commented that the plans as submitted showed a very marginal increase in public space from the development. He commented that residents would much prefer to see Clothier Street remodelled into an interior courtyard of the development in the same way that the Aldgate gyratory system had been

to greatly enhance the public realm. He agreed that Clothier Street was, at present, an awful space but stressed that he saw no reason why it could not be remodelled as an internal courtyard space and become a very valuable asset. Instead, the developer was offering wider pavements around the edge of the development – a space where no one would choose to sit and dwell, conduct a business meeting or take lunch. Mr Way shared some images of other interior courtyards throughout the City.

Mr Way went on to state that, by granting Clothier Street to the developer, they were being granted the space 28 times over (10,000 square meters of commercial space) – with 24 floors proposed above ground and 4 below – in exchange for widened pavements. He added that the developers offering of a community space and waste heat to the Estate was appreciated but were categorised as ‘nice to haves’ but not at the expense of sunlight on the Estate. He highlighted that just last week a new community centre had been opened. He urged the Committee to refuse the application stressing that the proposed building was too high for its surroundings and nearby residential area and that there were other spaces in the City where it could be more appropriately placed. This development would lead to the potential loss of high-grade public space and Mr Way underlined that there was no obligation on the City to grant Clothier Street to this development.

The Chair invited any questions that Members may have of the objectors.

A Member questioned whether, in discussion with the developers, residents had raised the concept of rearranging spaces on the Podium to mitigate against any loss of sunlight. Mr Way responded to state that this had not been discussed. He confirmed that there had been some discussion as to how the developer might help improve the sports area on the Podium. Mr Lemanski stated that it was important to note that the overshadowing shown to Members today was a best-case scenario in mid-June and that, at any other time, the entirety of the Podium would be cast in shade during the afternoon.

Seeing no further questions of the objectors, the Chair thanked them for their contributions and invited those speaking in support of the application to address the meeting.

The Town Clerk introduced Mr Simon Allford and Mr Richard Selby on behalf of the applicant.

Mr Allford introduced himself as co-founder of Allford Hall Monaghan Morris architects and the current President of the Royal Institute of British Architects. He reported that, from the outset of this project, he had been tasked with bringing forward a design that would transform the urban experience and meet the City’s aspirations, not just for occupants but for visitors and neighbours too. He reported that the current buildings on the site failed to meet the City Recovery Task Force ambition for a world-class business eco system and a vibrant offer in outstanding environments. He added that the site was an important, historic corner of Aldgate between the Eastern Cluster and the wider City which should be a connector but was currently wholly uninviting and



unwelcoming. He stated that he believed that the site with its tired buildings, inactive frontages and narrow, hostile public realm detracted from its context. After much study, Mr Allford stated that his design took this disconnected, underperforming group of buildings and replaced them with a single, flexible building of exceptional standards – a building informed by the site's history and character, a building that inspired and animated this corner of Aldgate with an architecture, public realm and mixed uses that referenced the past and the present whilst looking firmly towards the future. He added that the architecture was of proven material such as terracotta and natural stone which sat well with neighbouring buildings. The public realm offering would be increased by setting back the building at lower levels on all three streets, introducing ten new street trees and further urban greening, public seating and retail amenities.

Mr Allford went on to report that long-term sustainability sat at the heart of his ambitions and that the proposal was about delivering a building that met the highest standards of BREEAM, Lead and Well. The highest embodied and operational carbon targets had also been set with the current industry norms being 1100 kilograms of carbon per meter squared for a new build and the LETI target hit at 600. Working collaboratively, this building would currently achieve 526 kilograms of carbon per metre squared. LETI's ambitious operational target of 55 kilowatt hours per meter squared a year would also be achieved which was less than a quarter of the current norm of 225. Above the green streets the biophilic design would continue offering occupiers a further 17,000 square feet of outdoor amenity. Members were informed that further significant greening at every level supported the biodiversity of the area and provided appropriate screening from and visual amenity to the building's neighbours. This provision would achieve an urban greening factor of 0.53. Mr Allford impressed that the building was designed to connect with and serve its community and that energy efficiency would be maximised. As an office building, however, it would remain a net generator of heat. This heat would be stored in thermal tanks with any surplus then put to good use and offered to neighbours. Working with the City and local stakeholders, Mr Allford reported that the developer was committed to an innovative heat transfer offer where heat from their building was transferred across to the Middlesex Street Estate providing it with domestic hot water and space heating at no cost thereby reducing their energy bills and their carbon footprint. Having just returned from COP26, Mr Allford underlined that he was very aware that immediate and long-term targets were key. The building was therefore designed for the well-being of future occupiers as well as with its neighbours in mind. New retail spaces would animate the streets and an affordable retail unit on Cutler Street would test retail concepts in the future. Above this, 23 distinct and visible flexible studio office floors would be delivered. Every studio would open directly onto two sheltered green terraces which would be generous, characterful, well-lit and predominantly naturally ventilated. Mr Allford reported that the building would offer spaces that were attractive to a range of very different occupiers and would help the businesses of the future to establish themselves within the Eastern Cluster and then to grow. These spaces would allow occupiers to level up and play an important role in the City's vision for London, one that would curate innovative ecosystems and enable businesses of all sizes to flourish.

Mr Allford commented that what would be created would be a long-term building, one with a life span of at least 100 years, designed within the very specific limits of the relevant LVMF view. Mr Allford stated that the building would be generous, adaptable and attractive enough that, though designed to be recycled, it should, in his opinion, never be deconstructed as future generations would have the ability to renew it. He described what had been designed therefore as 'forever architecture', architecture where sustainability, wellness and the proposed new public realm would transform the silhouette and the street scene for local people. He added that the developer was confident that they had provided the physical means for Brockton Everlast to deliver on their commitment to be a proactive and inclusive neighbour – one that will play an important role in Aldgate's future.

Mr Selby reported that Brockton had a long-established property investment track record in the UK and prided itself on a keen appreciation and focus on London and the evolving workplace. He added that they invested in the long-term in both the buildings, the occupiers, the communities, the quality, the design, the people and the place. He went on to state that the site which was well-known to Members was exceptionally well located and connected being just a short walk from Liverpool Street and Aldgate Station, moments from the traditional City core to the south and within easy reach of the vibrant and eclectic streets and markets of Spitalfields and, more broadly, Shoreditch to the north. Mr Selby remarked that the current site was a challenging group of four rather inefficient, self-contained, 1980s buildings of varying sizes. The internal facades wrapped around a dark service and refuse yard known as Clothier Street with the external facades framed by narrow and unwelcoming pedestrian footways and heavily trafficked roads. Mr Selby went on to highlight that one of the key opportunities here was that the vacant possession of the buildings could be secured in 2023 which afforded the developer the opportunity presented today. He commented that COVID had accelerated a change in the way that people live, work, travel, socialise and shop which was amplified in the City. He was of the view that there was a collective responsibility to embrace these changes and adapt so that London and the City of London could remain the global powerhouses that they are, supported by thriving, mixed-use economies. Members were informed that the challenge set for this site was to assess the existing buildings and the extent of the opportunity and then consider designing a best-in-class, long-life, sustainable office building that supported a low-carbon future.

Mr Selby acknowledged that Mr Allford had already spoken about the developer's overarching environmental targets which included leading carbon credentials from embodied carbon to operational carbon, BREEAM, Lead, Well certifications, extensive landscaping plans and significant improvements to the ground plane and the public realm. Mr Allford had also mentioned the detail of the neighbourly heat transfer offer – an initiative that the developer was really proud of and demonstrated where they were trying to go even further. It was an opportunity for the building's neighbours in Middlesex Street to directly benefit from the proposals. In the simplest form, at the developer's cost, the proposal for the heat transfer offer was for the building's service excess heat to be captured, stored and piped across into the plant room of the Middlesex Street

Estate and then converted to provide significant energy source to support their heating and hot water. Mr Selby stipulated that, from the outset, the developer had set themselves an aspirational sustainability brief and it was felt that the design proposals presented today exceeded these. Carbon aside, the proposed building would also have a fundamental urban role to play as a new building would have to be resilient and adaptable, meet the spatial and environmental needs of a demanding, diverse and intergenerational workforce. It would also need to connect with and enhance the surrounding streets and wider neighbourhoods. Mr Selby reported that this building would have a wide range of floorplates, would have volume, natural light and an outside space, activated at ground level by significantly improved public realm, urban greening and community space. Essentially, a best-in-class office building needed to be designed to work harder but get smarter, be leaner, go greener and last longer and that was what, in Mr Selby's view, had been designed here. The Committee were informed that the scheme had been developed through extensive consultation over the last two years, open collaboration with all stakeholders and a shared vision.

The Chair welcomed any questions that Members might have of those speaking in favour of the application.

A Member questioned why, given the objectors huge concerns, the speakers had chosen not to address any of these reasons for concern and their own views on these in their own addresses to the Committee. He noted that Mr Selby had concluded by referring to extensive consultation but underlined that this had not been remarked upon by any of the three objectors speaking today. He asked if Mr Selby and Mr Allford could address some of these concerns now. Mr Selby stated that he hoped that residents would agree that Brockton and the applicant team had directly consulted with their neighbours from inception and had worked hard through this consultation to try and understand what local residents and neighbours would want to see in a new building on this site. This had led to the strategy around the ground plane, activating the ground plane and providing what was felt to be a real improvement to public realm. Since this point, the conversation had developed further and today residents had raised specific comments in relation to overshadowing. This matter was covered within the Officers report and Mr Selby added that, from the way the building had been designed, the architecture itself and the way in which the building stepped down respectfully in response to Middlesex Street and neighbours to the north before stepping up towards the Eastern Cluster created a form that minimised the impact on, and overbearing nature referred to in relation to Middlesex Street Estate which sat approximately 45-47 meters away. This was recognised as a very important relationship with the Committee informed that the developer had gone even further and had heard very loud and clear from the local residents that previous developments had ignored things at street level on the Estate. The ground plane and service yards were facing the Estate with no permeability or porosity at present and no sense of this building relating to the Middlesex Street Estate. As a result, one of the things focused on very quickly had been whether or not the developer could make the foot of Harrow Place and that frontage along Cutler Street north an active, community space and a street that extended onto Middlesex Street Estate. There would

also be a community offering on the ground and mezzanine floor and retail offers here at a discount rate to try and create a compelling opportunity for independent and local traders. Finally, the developer had also put the service yard on Houndsditch which removed this from the Estate. Mr Allford added that Clothier Street was not actually a street but a service yard at present with bin stores, air conditioning units and vehicle tracking completely dominating the space. The proposition that this became a landscaped, public garden was therefore not feasible and what the architect had done was to take this space and transformed it to a well-greened, public street. Mr Allford stressed that the concept of a courtyard had not been raised with the architect previously but underlined that they were nevertheless aware from all of their studies that this was not in any way viable. Conversely, the proposals for this space presented today were viable, deliverable and tested in terms of sunlight and extensive use. This would become an important street that delivered onto the Harrow Place façade and on to Cutler Street west as well as Houndsditch and transform a pavement that was currently difficult to traverse into a proper, green piece of public realm.

Another Member questioned whether those speaking in support of the application factually agreed with the objector's analysis of the loss of sunlight and, if so, whether they could indicate approximately how many storeys they would have to lose to protect sunlight during the early evening hours after school as indicated by the objectors. Secondly, the Member noted that the developer was to be awarded the Clothier Street space 28 times over in exchange for approximately 1.5 times more public space. He questioned whether they agreed that this was a sharp commercial deal. Mr Hayden Thomas, project architect for the development responded to state that, in terms of the assessment under the current BRE guidelines, this was based on well, daylit space achieving a minimum of two hours of sunlight per day. He added that this building would sit considerably to the west and the south and that these hours, in terms of the total amount of sunlight available to the Podium space in question, would be maintained. Members were informed that there was no diminishment in those spaces that received a total of two hours of sunlight per day when comparing the existing and proposed situation. Mr Thomas reported that, in reality, any space was subject to transient overshadowing, including from existing buildings already surrounding the Podium space. Similarly, this development would lead to periods of transient overshadowing. In terms of the time of day that this would impact upon, it was noted that this was particularly relevant to the position of the site relative to its neighbours.

In response to the point around the decision to stop-up Clothier Street and the commercial quality of this negotiation, the developer reported that this had been the result of long consultation and a long process/commercial discussion that was ongoing with Officers and other stakeholders. The developer commented that, ultimately, this was a building that did aspire to and achieve what they felt was exceptional environmental credentials and made further significant offers over and above this in order to really try and reach out to its neighbours. It did so at considerable cost, and it was noted that it was not possible to deliver an

exceptional building with this sort of spatial and environmental performance at market standard cost.

The Member came back to seek absolute clarity as to whether the developer agreed with the objector's analysis as to the loss of sunlight and questioned again how many storeys would need to be lost to protect this sunlight in the vital hours discussed. Mr Liam Dunford, co-founder of Point2 Surveyors and the developer's daylight and sunlight expert responded to state that he disagreed with the objector's analysis. He qualified this by highlighting that the Podium area was predominantly open and therefore experienced sunlight for the vast majority of the day. He stated that he did appreciate the objectors concerns about the sensitivity at the end of the day and reported that this had therefore been vigorously tested. Three or four workshops had been held with the Residents Committee to discuss these points in greater detail and to explain why any reduction in sunlight at the end of the day was very much short-lived. Members were asked to appreciate that the development was to the very west of the site and that there was also already significant overshadowing from the Travelodge that was also to the west. Mr Dunford went on to report that, when dealing with the setting sun, even a single brick course would cause additional overshadowing. The conclusion reached by the developer was based on a BRE overshadowing assessment – which was known to be very risk-averse – and this scheme was shown to be fully compliant with the BRE overshadowing test. This had also been confirmed by the Officer's review. When looking at the end of the day, any increase in overshadowing which the objectors had quite rightly identified, was very short-lived as the sun was setting.

A Member questioned how many occupants were in the buildings at present and how many were expected within the new development. With regard to the heat transfer proposals to Middlesex Street, she questioned if, for any reason, this were not possible, how much extra carbon would be emitted into the air. She went on to question why the plant for heat storage was positioned on the roof as opposed to the basement, noting that she had emailed to request a copy of the Environmental report but was yet to receive this. The developer estimated that the existing buildings accommodated one person per 100 square feet and so, in terms of the net area, might have in the order of 500-600 people. On a similar calculation, the new building would accommodate approximately 4,000 people as a headline figure. In terms of operational carbon/energy and the environmental design of the building, the developer stressed that they had absolutely minimised the plant on the roof with just a small area of lift overrun, bmu storage and heat rejection on the roof given that this was the only place from which you could adequately reject the heat. He added that any office building using modern technology was effectively a net generator but the innovation here was to drive down the operational energy and quartering the operational energy that would be expected to be used by any occupier which would require landlord/tenant collaborative approach to achieve. The roof and the roof terraces which had all been shaped to maximise the sun into the Middlesex Street Estate were all green which was why the building would have almost the same area as the footprint of the building as roof terraces stepping up the building. The basement would house condensed waste management

and delivery systems as well as the cycle stores and large thermal stores allowing the building to use the surplus heat from the office. Even so, it was acknowledged that any office was a net generator and so any surplus heat beyond this could be used to supply heat to the Middlesex Street Estate.

Seeing no further questions of the applicant team, the Chair invited the Committee to debate the application as well as to ask any outstanding questions that they may now have of Officers.

A Member referred to paragraph 588 of the Officer report which stated that it was almost always the case that, where major development proposals come forward in the City, there was at least some degree of non-compliance with planning policies. He felt that members of the public might be surprised at the complacency of this statement and perhaps more surprised that Officers had recommended this application for approval when it failed to comply with most of the City's relevant major policies. First, the policy on office space – the Member noted that although the application would add more than 44,000 square meters of office space to the City, the policy on office development (Policy CS1 of the Local Plan) 'seeks to ensure that there is sufficient office space to meet demand'. The Member remarked that, post-COVID, demand for office space was falling with telephones and desks in the Guildhall itself having been removed and staff now hotdesking or working remotely. He stated that this trend could be seen elsewhere in the City. He went on to say that putting up new tall buildings like the one proposed would attract a flight to quality that would leave the City with many older, functional but unwanted properties and that he felt that it was this Committee's responsibility to prevent this from happening and to ensure compliance with its policies based on demand. Next, the Member referred to the policy on tall buildings, noting that this tall building would fall outside of the draft replacement Local Plan's City Cluster for tall buildings. The report dismissed this fact in paragraph 108 by stating that the boundary was not prescriptive. However, the Member argued that the boundary was, by definition, prescriptive otherwise it was not a boundary at all. Next, he referred to bulking and mass and highlighted that paragraph 121 of the report accepted that there would be 'an increased sense of visual enclosure to the Podium' (the residential open space on the Middlesex Street Estate shown by the objectors today). The report, however, then dismissed this report at paragraph 459 by saying that the new building would be located '32 meters from the closest points on Middlesex Street Estate'. The Member stressed that the new building would be much more than 32 meters high and that from the point of view of any resident standing on the Podium, the building would appear to be enormous.

The Member went on to reference policies on daylight and sunlight – recognising that the Committee had already heard a lot about the loss to daylight and sunlight that this building would cause to residential properties however, amongst the number of objections receive there was one from Ms Vicky Stewart within the agenda pack which reported that her flat would lose 10.2% light. Ms Stewart states that, 'on querying this, I was told that this falls within the maximum permitted limit loss of 20% per dwelling is the loss of light accumulative'. Ms Stewart notes that she has already lost light from the

construction of Beaufort House, the St Botolph building, 1 Creechurch Place, the Scalpel, the Gherkin, the Can of Ham and 22 Bishopsgate and that the site alongside Cutler Street would be the next proposal that would impact her hugely. She questioned whether the threshold would remain at 20% in this instance and expressed her fears that, at this rate, in the future, no light to residences would eventually be permitted. The Member praise the common sense of Ms Stewart's words and underlined that the Corporation's response had been to refuse to take cumulative loss of light that would be caused by uncompleted developments into account. The Member highlighted that this was directly contrary to paragraph 3.10.41 of the Local Plan which provides that 'when considering proposed changes to existing lighting levels, the Corporation will take into account the cumulative effects of development proposals'. The report tried to justify this in paragraph 387 by stating that none of the accumulative schemes as assessed within the submitted Environmental Statement re professionally considered by the applicant's team to materially affect the proposed development in terms of the impacts upon daylight and sunlight'. The Member underlined the point that this was according to the applicant's team and questioned where the independent assessment of this was. Finally, the Member remarked that he felt that the applicant had used a long list of conjuring tricks to try to distract the Committee from the contravention of major policies. However, he referred specifically to their claims around connectivity where, in an online presentation which the applicant gave to the Committee last week, Members were told that the development would achieve connectivity between the City and Petticoat Lane. The Member highlighted that the City and Petticoat Lane were already connected by the streets surrounding the development site and that this would continue to be the case if the development went ahead. This claim was therefore, in his opinion, spin without substance. Next, the Member noted that applicant proposed to make the ground floor and mezzanine available for community use but, as already pointed out, a community centre for the local community had just been opened nearby. The applicant had chosen to ignore this and had simply repeated its claim around community use to tick a box in planning terms. The Member noted that the applicant had chosen not to talk about how the development would benefit children – something that was a typical claim from developers. He commented that perhaps this was because the development would harm children, particularly with the overshadowing effects of this new building as Mr Lemanski had already cogently argued. The Member concluded by stating that, when the Committee were voting on this application, it needed to consider three questions – firstly, would it ignore major planning policies, secondly, would it ignore these policies to the detriment of its own residents and thirdly, would it ignore these policies to seek favour with developers.

Another Member asked the Officers about the objection quoted by the previous speaker and the cumulative effect on loss of daylight/sunlight which seemed to be at the heart of this application. He sought some clarity as to how the City actually went about protecting people's access to light. The Chief Planning Officer responded to clarify that the cumulative effect of past developments was budgeted into the baseline scenario in assessing the proposals and reported that Officers also formed a view as to whether the light levels (existing and as is proposed) were sufficient in an urban environment, recognising that there may

well be a tipping point in that if the light levels experienced cumulatively reached the point where Officers were not comfortable this would be raised as an issue. In this instance, some of the consented schemes were demonstrated not to have any impact on the daylight and sunlight to affected residences and were therefore discounted in the scoping exercise which had been worked up by the consultants and Officers at the early point of developing the scheme.

The Member came back to seek further clarity on this point and questioned whether, once a residence was already cumulatively experiencing a 20% loss of light, at this point every additional building would be breaching guidelines. The Chief Planning Officer reported that every application received budgeted in the baseline of all of the consented schemes with these applications assessed and referred to when Offices were considering additional proposals in the area. He clarified that this was a material consideration and that the main judgement was if Officers felt that it reached a point where the diminution or the light levels experience cumulatively reached a point that was not supportable this would be raised as an issue and require amendments to a scheme. He stated that there had certainly been cases like this in the past where schemes had had to be amended accordingly.

Another Member reiterated the point about height and argued that it could not, in her view, remotely be described as foothills. She noted that the building proposed would be higher than the Can of Ham at 70 St Mary Axe and would overpower all of its surrounding buildings, with foothills ordinarily sitting at between 7 and 14 storeys high and not 23 plus. The Member argued that the further overshadowing of Middlesex Street and Devonshire Square was not acceptable and that the setting back of the building at street level was necessary to allow for the extra numbers of building occupants, not to do with adding a public benefit to the additional public realm. The Member remarked that the building would reduce pedestrian comfort levels for the surrounding streets and the seating areas of Devonshire Square and, as Mr Way had already questioned, who would want to sit in these uncomfortable places. The Member went on to suggest that the community space should not be thought of as an asset or public benefit either. She reported that the local residents would like to be trained in horticulture and that the roof terrace or other terraces throughout the building should be reserved for them for such hands-on training and not reserved for office staff. She commented that a two-storey community space with no outside area was of little use or benefit. Finally, and most importantly, the Member spoke on sustainability and highlighted that the Committee were again be asked to demolish fairly recent buildings whilst being told that the new one would have a 60-year life or a 100-year life according to paragraph 337 of the report. She questioned how this could be believed given ever-changing technologies and building science. It was reported that the whole-life carbon would be recouped in 30 years but questioned what the situation would be if the building were to have been refurbished further with new technologies. She concluded by stating that she was firmly against this application.

A Member questioned whether Officers agreed with the objector's assertion that direct sunlight would be lost to the play areas on the Podium during the



vital hours between school ending and teatime. Secondly, he noted that there was an emphasis on education around the community space being offered and questioned whether anyone had consulted with the City's own adult education team on this to seek their views as to whether the space was suitable for this purpose and whether they would be inclined to use it. The Chief Planning Officer responded to state that Officers did agree that light levels to these areas would be impacted at certain points in the year and that, on a transient level, there would be a loss of sunlight to those areas at this point in the day. This would still be BRE compliant. The Chief Planning Officer went on to say that he was not aware that any direct consultation with the adult learning team or other education providers had taken place to date. This would, however, be developed as part of the Section 106 Management Plan and the Committee were informed that there was a special consultant on board tasked with engaging with community groups and education providers in the City and Tower Hamlets to develop this offering and be responsive to community needs.

A Member questioned the operational carbon and the proposal from the applicant to cooperate with the building tenants to minimise this. He commented that there was a legal expression for this – 'green leases' – and questioned whether there was any legal way in which the City could ensure that the leases were green so that this was more than just an aspiration. He went on to state that he had had conversations with building managers in his own neighbourhood who were often very keen to see their tenants do the right thing but struggled to really enforce these behaviours in any way. The Comptroller and City Solicitor stated that it would be quite challenging to impose requirements, specifically about the form of the lease. That being said, in terms of future developments, if there were requirements through conditions or Section 106 obligations requiring certain energy efficiencies for example, then the owner/head lessee would be bound by these. The only way they could then satisfy themselves that they could achieve compliance would be for them to impose leases on their new tenants. It was noted that there may be difficulties with older leases where current freeholders or long leaseholders were trying to impose requirements on lessees or tenants that would have gone in under older agreements where these requirements may not have been imposed.

Another Member spoke to state that she was extremely disappointed with this application. She stressed that the City had a Local Plan in place which Members spent a lot of time consulting on and developing but yet again this seemed to be totally ignored. The site in question was on the edge of one of the City's largest residential estates where a huge building was now proposed. She stated that one of the reasons that the Bury Street application had recently been refused was on the basis that it was a tall, overbearing building. This building would be tall and bear down upon residents, diminishing their quality of life and health and wellbeing. The Member stated that the City was very poor at providing resources and facilities for its residents and upkeeping their housing. The City provided no real open space for children to play, and this application sought to take a small spot that was currently enjoyed and cast it into the shadows. The Member was of the view that this represented over development – she added that she saw no need for the proposed building to be this high and stressed that it was outside of the boundary of the Eastern Cluster. She added

that she was dismayed to see that these 1980s buildings would not be retrofitted, particularly after COP26. She spoke on the need to stop and preserve the amenity of the City's residents and to preserve their health and wellbeing and stressed that what was being presented as additional public realm around the building, was actually required for those entering and exiting the development as well as for fire evacuation. Whilst a small piece of additional space was provided at street level, the building then lurched out again and would overhang the street further up. The Member was of the view that halving the height of the building would address many of the concerns as to overshadowing and ensure that the resident's play areas were not cast in shadow. She was of the view that a 20% loss of light to residents was very noticeable and felt that light levels could not continue to be diminished in this way. She added that she was disappointed that Officers had not fought harder to protect amenity for these residents and that it was also proposed that Clothier Street be granted to the applicant. She concluded by stating that she felt that it was about time that this Committee started upholding the policies that it consulted upon and seeking to retrofit buildings.

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

Votes were cast as follows: IN FAVOUR – 11 Votes  
OPPOSED – 6 Votes  
There were no abstentions.

## **RESOLVED –**

1. That planning permission 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 & 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; and
  - b) either receiving confirmation from the Secretary of State that the Corporation may grant planning permission as recommended or the expiry of the 30-day referral period.
2. That you agree in principle that the land affected by the proposal which is currently public highway and land over which the public have right of access (comprising the entire area of Clothier Street) 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 making of a Stopping-up Order for the various areas under the delegation arrangements approved by the Court of Common Council.
3. That your 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.

*\*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, John Fletcher, Marianne Fredericks, Graeme Harrower, Barbara Newman and Susan Pearson.*

## 5. **RIVERSIDE STRATEGY FOR ADOPTION**

The Committee considered a joint report of the Executive Director, Environment and the District Surveyor and Environmental Resilience Director seeking Member approval for adoption of the City of London Riverside Strategy 2021.

Officers introduced the report by stating that it was actually a refined version of a report which originally went to Committee this Summer as a draft for public consultation. This consultation had now concluded and had attracted approximately 70 responses from all major stakeholders. In general, the responses were supportive of the Strategy which was very reassuring. That being said, there had been some suggestions for changes, particularly around the need for greater emphasis on protecting biodiversity during any changes to the river frontage and the foreshore as well as the need for better integrated designs to ensure that access was maintained along the riverside walk as well as to and from the river during the changes to the river defences that would be necessary as a consequence of this strategy.

Members were informed that this was a pioneering report, and it was recognised that this would need to change and evolve over the course of the next few decades to come. Nevertheless, it was felt that this was a good starting point and would put the City Corporation in a good position to address these serious issues not least in the aftermath of the recent COP26 conference, at a time when climate action was at the forefront of people's minds.

The Chair spoke of the importance and excellence of the report.

**RESOLVED** – That Members of Planning and Transportation Committee recommend for onwards approval to the Policy and Resources Committee, the text of the draft Riverside Strategy for adoption.

## 6. **MANAGEMENT OF CUMULATIVE CONSTRUCTION IMPACTS**

The Committee received a report of the Executive Director, Environment detailing how Officers are managing the cumulative impacts of construction works to minimise disruption to residents and nearby occupiers and setting out the processes in place which help to minimise the impacts of construction by collaborative working, use of planning conditions, Planning Performance Agreements (PPAs), Code of Construction and Considerate Contractors Scheme all of which encourage early engagement and consistent dialogue with residents and other neighbouring occupiers.

Officers introduced the report highlighting that, since October 2020, a new Development Liaison Manager had been appointed, a post that sat within Planning but worked collaboratively across the Corporation. The role involved

acting as a single point of contact between developers and the Corporation from the time an application came in for pre-application to scheme delivery to allow for a more efficient scheme delivery process and to resolve complex development challenges. As part of this, scheme delivery planning performance agreements had been introduced whereby applicants and contractors entered into a performance agreement with the Development Liaison Manager attending regular project meetings during the course of construction to ensure that there was an ongoing dialogue and as a means of intelligence sharing. This allowed first-hand knowledge of what was happening on site and gave Officers the ability to foresee, manage and mitigate any construction impacts.

Members were informed that regime to collect a construction levy through Section 106 was now also in place which allowed for additional resources to monitor construction impacts on site. It was reported that this was all over and above regular face-to-face meetings that took place between Highways and Environmental Health Officers and contractors to co-ordinate the construction of schemes, the Code of Construction and the Considerate Contractor Scheme, planning conditions and licensing regimes.

A Member questioned exactly what a construction manager had to do if they wanted to gain permission to work after hours and what communications with local residents and business would look like in these circumstances. Officers responded to state that there were only certain reasons that noisy, out of hours working would be permitted. One was if they would not disturb anyone, two was around safety, three around engineering and four around logistics. With this in mind, Members were informed that the common types of works that would be permitted after hours for these reasons would be the creation/construction of a core, a crane going in or construction of steels on larger sites. A construction manager, prior to applying for the works, would be expected to identify all of the sensitive receptors around them including hospitals, schools, and businesses. Once they had gathered this information, they would need to contact Environmental Health Officers with an application at least five days before the works were due to commence in the case of small works and, for larger works, these discussions would be programmed in from the outset when the scheme of protective works was thought out and organised. Once this had been approved for small scale works that were of a shorter duration, the developer would be required to carry out a letter/email drop a minimum of 48 hours before the works began. For bigger impact, longer duration works, Officers would expect a liaison meeting with the nearest occupiers to explain what the works involved, what the impacts would be and what choices they had as to when and how the works happened. It was recognised that sometimes contractors failed to do this, and Members were reminded that the City had an out of hours noise service which ran 24/7 with very good response times (45 minutes for a visit and 15 minutes for a call back). If there were sites that residents or others had not received a notification from then they were urged to use this service so that works that were not permitted could be stopped immediately and, for those that were, Officers could ascertain what had happened with regard to communication with neighbours.

Another Member queried what City Maps was and whether this was publicly accessible. Officers reported that City Maps was a public-facing GIS layer that had been in place for approximately 5 years now. It enabled residents to see that works were happening and the contact details for specific sites. Officers undertook to share the link to this with Members.

A Member commented that his own home had been surrounded by building sites for the past 10-11 years now and wanted to congratulate the out of hours team for their very speedy responses to concerns every time.

Another Member agreed that the out of hours team did an excellent job however, she was of the view that they should not have to be relied upon to come out and resolve and monitor issues as the onus should be more on the developers to ensure that they were complaint. She went on to state that she felt that the report lacked reference to the real-life experiences of residents who frequently reported that the processes were not always followed and impacted on them enormously. Too often, residents received letters informing them of out of hours works and felt that they had no say in this matter. She also highlighted that there was a lack of resources in terms of enforcement which still needed to be addressed.

The Chair thanked Officers for all of their hard work in this area and reported that he had been meeting with various resident groups and wanted to assure them that the City would endeavour to do its best on such things and not start from a presumption of disruption.

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

7. **BUSINESS PLAN 21/22 - Q2**

The Committee received a report of the Executive Director, Environment setting out the progress made during Q2 of the 2021/22 Departmental Business Plan.

A Member referred to Appendix B and highlighted that the brackets convention in the final column of the table here was incorrect and that it should actually be presented as over with brackets and under as set out in the title. He went on to state that he was interested to see that the only reason that the Department was projecting an overspend at present was because a contingency cost was being forecast. He questioned how this contingency had been arrived at and why there appeared to be no attempt to ameliorate this cost in terms of the final outturn.

Another Member also referred to Appendix B, noting that the first half was well within budget whilst the second half was certainly not. He sought an explanation on this.

Officers responded to report that the contingency was based around the fact that the Department of the Built Environment had unidentified savings of approximately 12% in relation to the Target Operating Model and that these had not yet been identified at the start of the year and were still being developed before coming to this Committee early next year. For this reason,

they were marked in Appendix B as contingency as opposed to unspecified savings.

In response to a question from the Chair, it was reported that it was too early to say at this stage whether the Department would achieve the 12% savings. As Members were aware, the Target Operating Model for this department was quite complicated given that it would bring together two and a half existing departments into one new department, would involve multiple different funding streams and different elements of City Cash and City Fund charity monies. With regards to the upturn and downturn in income, Officers reported that, due to the impact of COVID, income targets were revised downwards for this year. This seemed to be increasing in some but not all areas and was therefore very much a moving target in terms of things such as carpark usage, income from planning applications and pre-performance agreements.

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

8. **PUBLIC MINUTES OF THE STREETS AND WALKWAYS SUB-COMMITTEE**  
The Committee received the draft public minutes and summary of the last meeting of the Streets and Walkways Sub-Committee held on 12 October 2021.

**RECEIVED.**

9. **OUTSTANDING ACTIONS**  
The Committee received a report of the Town Clerk detailing the Committee's list of outstanding actions.

**RECEIVED.**

10. **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 the report be noted.

11. **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 the report be noted.

12. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**  
**Barbican Podium**

A Member drew attention to the fact that the Middlesex Street Estate residents, in their presentations today, had referred to the fact that the nearest play areas for their children were some distance away. This suggested that they did not perceive the Barbican Podium which was much closer by as a place to go for recreation. This was the biggest open space in the City and an issue that therefore clearly needed to be addressed. The Deputy Chairman agreed with this point and stated that the map used by the objectors today demonstrated that the Barbican Podium was widely perceived as not being a public space. He reported that he had been trying to persuade Officers that it should be incorporated within Open Spaces so that it became formally recognised as such and a place that was open to children and adults wherever they might live in the City.

Another Member commented that Mansell Street residents, including himself, also failed to see the Barbican as a publicly accessible open space.

A Member stated that one of the difficulties with the Barbican highwalk was access to it. She commented that, in previous years, parking meter surplus had been used to install an escalator from near the rotunda up to podium level which had made a huge difference to numbers accessing the area. She reported that she had also observed that the benches around the lakes were frequently occupied by people who visited regularly and took lunch here. She added that she was also aware that the London Wall West group were currently looking at raising the profile of the small, wooded area here.

Another Member highlighted that the areas referred to by the objectors today were proper, larger areas for ball games. She reported that Golden Lane had exactly the same issue in that there were no places to play ball games and that the City was sorely lacking these and organised facilities for children.

A Member highlighted that there was a ball games area on the Middlesex Street Podium which many residents had complained about noise wise and so it was difficult to please all. He agreed with one of the previous speakers in that access was a key issue with regard to use of the raised Barbican Podium. He disagreed that transferring this to Open Spaces would improve matters, reporting that it used to sit under this Department, before transferring to Community and Children's Services. He reported that the budget for maintaining the entirety of the Podium is £55,000 which was woefully inadequate.

The Chair reported that the Committee needed to be quite careful here as to what capacity they were acting in and that it was being proposed that this Committee would receive a presentation on the Barbican Phase II project in the near future. The Comptroller and City Solicitor added that the particular knotty problem with the Podium which Officers were still in the process of trying to work through and had been for a while now, was that the last report concerning the appointment of architects and taking this project forward had come to this Committee. This arguably put the Committee in the category of promoting the proposal which, as a result of the changes arising from the Holocaust Memorial case and changes made to the Planning Protocol because of this, presented an

issue in that members of the Committee promoting the proposal should not also determine the proposal. Members were informed that, at present, there were two or three options under consideration as to how this could be addressed in governance terms which would, in time, be presented to Members for a decision. Until such time as this was crystallised, the Comptroller had sounded a note of caution around bringing further reports to this Committee which might further embed its position as a promoting Committee.

A Member highlighted that this work needed to progress and questioned why the Community and Children's Services Committee were not the proposing Committee given that this responsibility and the aforementioned budget had been moved to this Department some time ago now.

Another Member commented that when this matter had been discussed previously at Committee there had been no mention of what happens above the Podium and that, at the time, this had only focused on the membrane and damage to the reinforcing bars which was clearly a pressing issue.

Another Member stated that he felt that this was a good example of why the City Corporation needed a Property Committee so that matters such as this did not fall through the gaps.

The Chair asked that the Comptroller further consider the matter and report back to this Committee in due course.

### **Cost of Tulip Inquiry**

A Member commented that it was reported that the Mayor of London had spent almost £600,000 on the Tulip Inquiry and questioned how much the City had incurred in costs and a breakdown of these. She asked whether the budget previously set by the Committee had been adhered to or exceeded. The Chief Planning Officer responded to state that he would report back on this to the next meeting of the Committee but underlined that the lion's share of the work had been done in-house in order to avoid additional costs.

### **Use of Battery Technology**

A Member noted that a question put to the applicant today and to others was around the use of diesel generators at roof level and whether alternatives had been looked at. One such alternative discussed and presented by previous applicants had been around the use of battery technology. One of the pushbacks on this had been complying with fire brigade requirements for evacuating the building with light. He therefore questioned whether Officers were engaging with the fire brigade to try and enable this new, greener, pioneering technology for new builds.

The Chief Planning Officer reported that the District Surveyor was already in liaison with the fire brigade and that this was something that he could perhaps update the Committee on at a future meeting.

## **13. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

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



14. **EXCLUSION OF THE PUBLIC**

**RESOLVED** – That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Part I of the Schedule 12A of the Local Government Act.

**Item No.**

**Paragraph No(s)**

15. **NON-PUBLIC MINUTES**

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

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

There were no questions in the non-public session.

18. **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 12.23 pm**

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Chairman

**Contact Officer: Gemma Stokley  
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