

Committee(s): Planning and Transportation Committee – For decision	Dated: 3rd October 2023
Subject: City Fund Highway Declaration: Watling House, 33 Cannon St, London, EC4M 5SB	Public
Which outcomes in the City Corporation’s Corporate Plan does this proposal aim to impact directly?	9 & 11
Does this proposal require extra revenue and/or capital spending?	No
If so, how much?	n/a
What is the source of Funding?	n/a
Has this Funding Source been agreed with the Chamberlain’s Department?	n/a
Report of: City Surveyor CS.243/23	For Decision
Report author: Isobel Tucker	

Summary

Approval is sought to declare a volume of City Fund owned airspace measuring 118.83 sq ft, situated at Watling House, 33 Cannon St, London, EC4M 5SB, to be surplus to highway requirements to allow its disposal in conjunction with the permitted development.

The proposed development comprises of a canopy at the portal to the entrance door at the main entrance on the corner of Cannon Street and Bread Street. Planning permission was issued on 17 December 2020 (20/00824/FULL). The canopy, measuring a total of 133.58 sq ft, will encroach on City Corporation airspace (118.83 sq ft encroaches into City Fund ownership) and Power Apex International Limited are seeking to regularise its use of the airspace.

Before third party interests can be granted in the affected City Fund airspace (held for highway purposes) the areas first need to be declared surplus to highway requirements. The terms for the highway disposal, are to be reported separately to the Resource Allocation Subcommittee and will be submitted for approval under the City Surveyor’s Delegated Authority, subject to your approval to declare the affected volume of airspace surplus to highway requirements to facilitate the redevelopment of the permitted scheme.

Recommendation(s)

Members are asked to:

- Resolve to declare a volume of City Fund owned airspace totalling 118.83 sq ft (held for highway purposes), situated around Watling House, 33 Cannon St, London, EC4M 5SB, to be surplus to highway requirements to enable its disposal upon terms to be approved under the delegated authority of the City Surveyor SUBJECT TO

the City Surveyor and Deputy Director of Transportation and Public Realm first determining the relevant ordnance datum levels to suitably restrict the vertical extent of the leasehold airspace demise.

Main Report

Background

1. Watling House, 33 Cannon St, London, EC4M 5SB is situated on the corner of Cannon Street and Bread Street. The existing building comprises of 2 basement floors, used as a car park with access from Watling Court, a ground floor and 6 storeys of B1 (office) use above that. The main entrance is on the corner of Cannon Street and Bread Street. There is an existing canopy at the main portal entrance door, and it is intended to be replaced with the proposed canopy, subject to the necessary authorities.
2. Planning permission was approved for the proposed canopy on 17 December 2020 (20/00824/FULL). The new canopy does not change the massing of the building and, whilst larger than the previous canopy, it is situated higher on the building and is less obtrusive to the public highway. The shape of the portal entrance has also been modified to reduce to a minimum the overhang of the public highway. Both the new portal and canopy clear the public highway by 5.7m on the Cannon Street side. On Bread Street side the lowest point where the overhang begins is at 5.5m, due to the existing slope of the street. The existing crash-protection bollards will remain in situ following installation of the new canopy.
3. The proposed canopy measures a total of 133.58 sq ft and encroaches into City Corporation airspace. The City Fund portion of effected airspace measures 118.83 sq ft. The City Cash portion of effected airspace measures 14.75 sq ft. Power Apex International Limited are seeking to regularise its use of this airspace.

Current Position

4. Power Apex International Limited has approached the City Corporation seeking to acquire a suitable interest in the airspace affected by its approved works.
5. In the event of the airspace being declared surplus, its disposal is a matter for the City as landowner and Resource Allocation Subcommittee. The City Surveyor will approve under his Delegated Authority. However, by way of background, the airspace may be disposed of in such manner and for such consideration as the City Corporation thinks fit.
6. Before the City Corporation is able to dispose of any interests in City Fund (highway) airspace, which is highway, your Committee should first agree it is surplus to highway requirements.
7. The proposed surplus declaration does not extend to the highway stratum which will remain as highway and vested in the City Corporation as the highway authority (unless it is ever stopped up, which is not proposed in this disposal). Where applicable, the vertical extent of the highway stratum would be approved by the

Deputy Director of Transportation and Public Realm to ensure that sufficient stratum remained to enable the use, management and maintenance of the highway.

8. The proposed development will not require stopping-up of any highway.
9. Detailed research by City Surveyors confirms the City Corporation's ownership of the parcels affected comprise of airspace measuring 133.58 sq. ft. in total. This is split between City Cash (14.75 sq. ft.) and City Fund (Highway) (118.83 sq. ft.). A breakdown of the areas is available in the plans within Appendix A and B.
10. The upper and lower levels of the projection will be governed by Ordnance Datum Newlyn levels. Ordnance Datum Newlyn is the British mainland national geographic height system by reference to which the volume of land or airspace can be defined and identified by its upper and lower levels. The relevant ordnance datum levels to suitably restrict the vertical extent of the leasehold airspace demise will be agreed with Power Apex International Limited in due course and authorised under the City Surveyor's Delegated Authority.

Proposals

11. The airspace in question is not considered necessary for the use of the highway and the exercise of the highway (subject to the Deputy Director of Transportation and Public Realm approval of the vertical extent of the highway stratum) and it is therefore proposed that subject to your agreement to declare the area of City Fund airspace round Watling House, 33 Cannon St, London, EC4M 5SB to be surplus to highway requirements (measuring 118.83 sq. ft.) so that the City Corporation disposes of a suitable interest in the upon terms to be approved by the Delegated Authority of the City Surveyor.

Corporate & Strategic Implications

12. Strategic implications –

- 7. We are a global hub for innovation in finance and professional services, commerce and culture.
- 10. We inspire enterprise, excellence, creativity and collaboration.

13. Financial implications –

- The terms of the highway disposal transaction are to be reported to The City Surveyor for approval under his delegated authority and the Resource Allocation Subcommittee, subject to you declaring the affected City Fund airspace to be surplus to highway requirements.

14. Resource implications – None

15. Legal implications –

- Disposal of the interest in the City Fund airspace is authorised by the City of London (Various Powers) Act 1958, Section 9, which allows the City Corporation to dispose of its land or airspace within or outside of the City in such manner and for such consideration and on such terms and conditions as it thinks fit. (The disposal terms should have regard to the City Corporation's fiduciary duties)

16. Risk implications – The developer may not wish to proceed with the new canopy installation, but this is unlikely.

17. Equalities implications – No equalities issues identified.

18. Climate implications – None

19. Security implications - None

Conclusion

20. The airspace proposed to be declared surplus to highway purposes are not required for highway functions. If declared surplus it is proposed to dispose of an appropriate legal interest on commercial terms to enable the redevelopment of the property according to the planning permission that has been granted (20/00824/FULL).

Appendices

- **Appendix A** – Committee Plan - Watling House, 33 Cannon St, London, EC4M 5SB – Entrance Canopy Over sail (City Fund) (5-C-43477 -01)
- **Appendix B** - Watling House, 33 Cannon St, London, EC4M 5SB - Entrance Canopy over sail plan (4-C-43478-01)

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