

PLANNING AND TRANSPORTATION COMMITTEE

Monday, 29 January 2018

Minutes of the meeting of the Planning and Transportation Committee held at Livery Hall - Guildhall on Monday, 29 January 2018 at 10.00 am

Present

Members:

Christopher Hayward (Chairman)	Paul Martinelli
Deputy Alastair Moss (Deputy Chairman)	Andrew Mayer
Randall Anderson	Deputy Brian Mooney
Sir Mark Boleat	Sylvia Moys
Deputy Keith Bottomley	Barbara Newman
Henry Colthurst	Graham Packham
Emma Edhem	Susan Pearson
Marianne Fredericks	Deputy Henry Pollard
Graeme Harrower	Jason Pritchard
Christopher Hill	James de Sausmarez
Alderman Robert Howard	Oliver Sells QC
Deputy Jamie Ingham Clark	Deputy James Thomson
Alderman Gregory Jones QC	William Upton
Alderman Vincent Keaveny	

In Attendance

Officers:

Amanda Thompson	-	Town Clerk's Department
Jennifer Ogunleye	-	Town Clerk's Department
Deborah Cluett	-	Comptrollers & City Solicitor
Alison Hurley	-	City Surveyors Department
Annie Hampson	-	Department of the Built Environment
Paul Beckett	-	Department of the Built Environment
Paul Monaghan	-	Department of the Built Environment
Ian Hughes	-	Department of the Built Environment
Iain Simmons	-	Department of the Built Environment
Richard Steele	-	Department of the Built Environment

1. APOLOGIES

Apologies for absence were received from Deputy Alastair Moss, Rehana Ameer, Mark Bostock, Peter Dunphy, Oliver Lodge, Alderman Nicholas Lyons, Judith Pleasance and Graeme Smith.

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

There were no declarations of interest.

3. **MINUTES**

RESOLVED – That the minutes of the meeting held on 9 January be agreed as a correct record subject to the following amendments:

The deletion of William Upton under Members Present and instead being recorded under Apologies for Absence.

Annie Hampson had been awarded 'an Officer' of the Order of the British Empire.

Matters Arising

Thames Court Footbridge

The Committee was advised that the Corporation of London now owned the footbridge and an initial assessment had been undertaken which had highlighted a number of repair issues. Consultants would be carrying out further assessments, the results of which would be reported to the Committee.

The Chairman asked that urgency be maintained with a view to the bridge being open by the end of the year.

4. **OUTSTANDING REFERENCES**

RESOLVED – That the Outstanding References be noted and updated as appropriate.

5. **DELEGATED DECISIONS**

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

RESOLVED - That the report be noted.

6. **VALID APPLICATIONS LIST FOR COMMITTEE**

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

RESOLVED - That the report be noted.

7. **PUBLIC LIFT REPORT**

The Committee received a report of the City Surveyor providing an update in respect of the status of public lifts and escalators in the City.

In response to questions concerning the Millennium Inclinor, the City Surveyor advised that the Inclinor had been taken out of service whilst undergoing a major refurbishment as various parts were nearing the end of their shelf life and needed to be replaced.

As the works involved were significant the project was estimated to take 4 months with the Inclinor being brought back into service at the end of April, although officers would work with the contractor to try and achieve as early finish to the works as possible to avoid any unnecessary disruption.

Members expressed concern that the lift would be out of service for such a long time and asked that a full report on the works being undertaken including an equality assessment and future maintenance regime be reported back to the next Committee.

RESOLVED: That the report be received and its content noted.

8. 54 - 58 BARTHOLOMEW CLOSE LONDON EC1A 7HP

The Committee received a report of the Chief Planning Officer concerning the refurbishment and extension of the existing office building, including the erection of an additional floor of office accommodation and the creation of an amenity terrace at fifth floor level, at 54-58 Bartholomew Close.

The report advised that the proposed alterations and extension were considered acceptable in terms of their bulk, height, massing and design and would enable the building to continue to make a positive contribution to the character and appearance of the conservation area.

Mr Jonathan Brower, John Weeks and Helen Clifford spoke in objection to the application on the grounds of overshadowing and loss of light, increased noise from the proposed terrace, and the fact that during the consultation process the builders had advised that there would not be any further extension.

Mr Gerald Kaye, Chief Executive of Helical, was heard in support of the application which he advised had been submitted and developed entirely in accordance with planning policy and with open and honest dialogue with all relevant parties.

The Committee noted that 51 objections had been received from 37 residents which related to the design of the proposed extension and alterations, the impact on the Smithfield Conservation Area, increased traffic and congestion, the lack of provision for people with disabilities and the potential impact of the development on residential amenity including loss of daylight and sunlight, loss of privacy from increased overlooking and increased noise from the proposed terrace and construction works.

Members asked a number of questions in relation to the proposed roof terrace, the daylight and sunlight assessment and any cumulative impact, and the extent to which residents had been consulted.

Debate ensued and several Members spoke in support of the application as officers had concluded that the daylight and sunlight assessment had demonstrated that the majority of windows and rooms in neighbouring properties would not experience noticeable reductions in daylight and sunlight. The proposed development would provide additional and upgraded office accommodation

Other Members spoke against the proposal which they considered would impact heavily on residential amenity, especially the proposed roof terrace and the construction works.

Arising from the discussion the application was put to the vote, the result of which was as follows:

12 votes in favour of the application
11 votes against

RESOLVED – That planning permission be granted for the proposal in accordance with conditions set out in the attached schedule.

9. **TELEPHONE KIOSK O/S ROYAL EXCHANGE BUILDINGS LONDON EC3V 3NL**

The Committee received a report of the Chief Planning Officer relating to two Grade II listed K6 telephone boxes located to the east of the Royal Exchange on a pedestrianised area that linked Cornhill and Threadneedle Street.

The boxes were within the Bank Conservation Area and within the setting of the Grade I listed Royal Exchange and the Grade II listed Royal Exchange Buildings. Planning permission was sought to convert the telephone boxes into retail units

The Committee considered that the proposed use would obstruct the highway and detract from the public realm to an unacceptable degree.

RESOLVED - That the application be refused for the reasons set out in the attached schedule.

10. **TELEPHONE KIOSK O/S ROYAL EXCHANGE BUILDINGS LONDON EC3V 3NL - LISTED BUILDING CONSENT**

RESOLVED - That Listed Building Consent be refused for the reasons set out in the attached schedule.

11. **BT TELEPHONE KIOSK - 1 LOTHBURY**

The Committee received a report of the Chief Planning Officer relating to one K6 telephone box located on the south side of Lothbury, east of its junction with Old Jewry and opposite its junction with Coleman Street.

The Committee considered that the proposed use would obstruct the highway and detract from the public realm to an unacceptable degree.

RESOLVED - That the application be refused for the reasons set out in the attached schedule.

12. POSTMAN'S PARK CONSERVATION AREA CHARACTER SUMMARY AND MANAGEMENT STRATEGY

The Committee considered a report of the Chief Planning Officer in relation to the Character Summary and Management Strategy that had been prepared for the Postman's Park conservation area.

RESOLVED – To

- 1) Approve the draft text of the Postman's Park Conservation Area Character Summary and Management Strategy SPD, appended as Appendix A to the report; and
- 2) Agree to it being issued for public consultation for six weeks in Spring 2018.

13. DECLARATION OF CITY WALKWAY - LONDON WALL PLACE

The Committee received a report of the Director of the Built Environment concerning the declaration of a new city walkway bridge through London Wall Place.

RESOLVED - To

- 1) Approve the vesting in the City Corporation of the City Walkway Bridges at Saint Alphage Highwalk over Fore Street; (ii) Saint Alphage Highwalk over Fore Street Avenue; (iii) Bassishaw Highwalk over London Wall; and (iv) Saint Alphage Highwalk over Wood Street; acknowledging in doing so that the city walkway bridge at Bassishaw Highwalk over London Wall is at a clearance height of 5.3 metres.
- 2) Declare to be a city walkway the highwalks through London Wall Place and over the city walkway bridges to be known as Bassishaw Highwalk (part) and Saint Alphage Highwalk (part) on a date to be determined in terms of the resolution set out at Appendix 1 to this report.
- 3) Delegate authority to the Transport Planning and Development Manager to insert an appropriate date for the declaration to come into force, such a date to be within 30 days of your Committee resolving to declare the highwalks to be a city walkway.

14. MAYORAL COMMUNITY INFRASTRUCTURE LEVY 2 DRAFT CHARGING SCHEDULE - COL RESPONSE

The Committee received a report of the Director of the Built Environment concerning the City Corporation's proposed response to the consultation on the Mayoral Community Infrastructure Levy.

RESOLVED – To agree the key points of the City Corporation’s proposed response set out below and that the detailed comments set out in paragraphs 7 - 18 of this report will be forwarded to the Mayor as the City Corporation’s response to the Mayor’s consultation on the Mayoral CIL2 Draft Charging Schedule.

The City Corporation:

Has supported the delivery of the Crossrail 2 railway and supports in principle for the introduction of a new Mayoral CIL charge to contribute towards the cost of delivering this strategic transport infrastructure.

Has no objection to the proposed Mayoral CIL charge rates applicable within the City of London, but seeks the Mayor’s commitment that he will keep these charges under review and work with the City Corporation and London Boroughs to review the Mayoral CIL if evidence emerges of an adverse impact on development.

Requests that the Mayor consider in full the impacts on development costs of the emerging draft London Plan on the viability of the Mayoral CIL before CIL rates are confirmed.

Requests that the Mayor extend his CIL nil charge rate to cover development used wholly or mainly for the operational purposes of the emergency services.

Agree that the detailed comments set out in paragraphs 7 - 18 of this report will be forwarded to the Mayor as the City Corporation’s response to the Mayor’s consultation on the Mayoral CIL2 Draft Charging Schedule.

15. AMENDMENT TO SCHEME OF DELEGATIONS

RESOLVED – To agree a minor amendment to the Scheme of Delegation as shown tracked on Appendix 1 (by replacing the word ‘application’ in the second line with ‘decisions’) for onward approval by the Court of Common Council.

16. APPROVAL OF A NON-IMMEDIATE ARTICLE 4

RESOLVED – To approve the making of a non-immediate Article 4 Direction for the whole of the City of London, removing permitted development rights granted by Class O, Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 for the change of use of a building or any land within its curtilage from offices (Use Class B1(a)) to dwellinghouses (Use Class C3), as set out in Appendix 1 to this report.

17. INTERNATIONAL COMPARATIVE STUDY

The Committee received the final report relating to the International Comparative Study which had examined international traffic management best practice and benchmarked the City of London Corporation's approach against 11 other cities.

Members noted that the study found that the City Corporation and Transport for London's approaches to traffic management and reduction were in line with international best practice. In some aspects, such as improving the experience of walking and cycling, congestion charging and public transport provision, the City and London were seen as global leaders.

The report made a series of recommendations for future transport policies, projects and programmes which would help inform the development of the City of London Transport Strategy and Local Implementation Plan.

In response to a question concerning the regulation of cyclists, officers advised that this could be looked at.

RESOLVED – That the report be noted and a copy of the study itself be included on the agenda for the next meeting.

18. DEPARTMENT OF THE BUILT ENVIRONMENT RISK MANAGEMENT - QUARTERLY REPORT

The Committee received a report of the Director of the Built Environment detailing the risk management procedures in place within the Department of the Built Environment and providing assurance that these were satisfactory and that they met the requirements of the corporate Risk Management Framework.

Members noted that since the last report there had been no changes in the list of Corporate or Departmental risks managed by the department. All risks had been reviewed since the last report but no increase or decrease in the Current Risk score had been identified.

RESOLVED – To note the report and the actions taken in the Department of the Built Environment to monitor and manage effectively risks arising from the department's operations.

19. PLANNING APPEAL DECISIONS

The Committee received a report of the Chief Planning Officer advising of the decisions made by the Planning Inspectorate on appeals made against the decisions of the City Corporation since the last report on 5th July 2016.

RESOLVED – That the report be noted.

20. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE

There were no questions.

21. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**
Richard Cloudesley School-Site

The Chairman had been consulted and agreed in advance of the meeting that the following item be considered as urgent business the reason for urgency being that should delegation to Islington be agreed consultees should be advised in good time before the application is determined. This was programmed for early March. A decision at the next Committee (26 March) would be too late for consultees to be advised and for Islington to process the delegated application.

The Committee received a report of the Chief Planning Officer (CPO) concerning the delegation of a decision on a planning application relating to the Richard Cloudesley School Site.

The Committee was advised that a small part of the site lay within the administrative boundary of the City of London Corporation, but the majority of the site lay within the administrative boundary of the London Borough of Islington. As such it was a “cross-boundary application” and the applicant was required to submit the identical application to both Local Planning Authorities (“LPA’s”).

The report recommended that the Planning and Transportation Committee request Court of Common Council to delegate the Planning and Transportation Committee’s function of deciding the application to the London Borough of Islington (subject to Islington agreeing).

A member pointed out that this matter had been added at agenda item 21 after 4 pm on Friday 26 January for a meeting which was held at 10 am on Monday 29 January. The member noted that the application had been filed five months earlier, and the possibility of the decision on it being delegated to Islington had existed since then. The member asked why this matter had therefore not been brought to this Committee at any of the Committee meetings which had been held since the application was filed, and was now being treated as urgent. The Comptroller and City Solicitor responded that this matter had not previously been brought to this Committee because the Corporation was unsure as to whether Islington would accept the delegation, and Islington had only clarified on 25 January that it would be prepared to consider doing so. The application was to be reported to its planning committee on 1 March. Another member stated that as it was still uncertain as to whether Islington would accept the delegation, and as the possibility of its doing so had existed for the previous five months, that explanation was unsatisfactory. In view of this, the member expressed concern over the matter being put on the agenda in this way. The Comptroller and City Solicitor replied that there was nothing untoward.

Several members expressed the view that although the majority of the site fell within Islington, the majority of residents affected were those with in the City of London, significantly the Golden Lane Estate, therefore both authorities should make a decision.

Arising from the discussion the application was put to the vote, the result of which was as follows:

9 votes in favour of the proposal
11 votes against

RESOLVED – To refuse

To request Court of Common Council to delegate the Planning and Transportation Committee's function of deciding planning application ref: 17/00770/FULL (and any amendments) to the London Borough of Islington under section 101(1)(b) of the Local Government Act 1972, subject to LB Islington's agreement (and authorise any necessary agreement under section 101 of the Local Government Act 1972 to give effect to the delegation.)

To Authorise the Chief Planning Officer and Development Director to send comments on planning application ref: 17/00770/FULL to the London Borough of Islington, subject to prior consultation on the comments with the Chairman and Deputy Chairman of the Planning and Transportation Committee.

21 Moorfields

The Chairman reported that the site visit to 21 Moorfields was due to take place on 13 February and urged as many Members to attend as possible.

Bernard Morgan House

The Comptroller & City Solicitor advised that the challenge to the Committee's decision had been refused by the High Court.

22. 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 Schedule 12A of the Local Government Act.

23. NON-PUBLIC MINUTES

RESOLVED – That the minutes of the meeting held on 9 January be agreed as a correct record subject to the following amendments.

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

There were no questions.

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

None.

The meeting ended at 1.00 pm

Chairman

**Contact Officer: Amanda Thompson
tel. no.: 020 7332 3414
amanda.thompson@cityoflondon.gov.uk**