

PLANNING AND TRANSPORTATION COMMITTEE

Tuesday, 20 February 2018

Minutes of the meeting of the Planning and Transportation Committee held at Livery Hall - Guildhall on Tuesday, 20 February 2018 at 10.30 am

Present

Members:

Christopher Hayward (Chairman)	Deputy Jamie Ingham Clark
Deputy Alastair Moss (Deputy Chairman)	Paul Martinelli
Rehana Ameer	Sylvia Moys
Randall Anderson	Barbara Newman
Sir Mark Boleat	Graham Packham
Deputy Keith Bottomley	Susan Pearson
Emma Edhem	Judith Pleasance
Marianne Fredericks	Deputy Henry Pollard
Graeme Harrower	Jason Pritchard
Christopher Hill	Oliver Sells QC
Alderman Robert Howard	Graeme Smith

In Attendance

Officers:

Simon Murrells	- Assistant Town Clerk
Amanda Thompson	- Town Clerk's Department
Jennifer Ogunleye	- Town Clerk's Department
Simon Owen	- Department of the Built Environment
Deborah Cluett	- Comptrollers & City Solicitor
Alison Hurley	- City Suveyor's Department
Carolyn Dwyer	- Director of Built Environment
Annie Hampson	- Department of the Built Environment
Paul Beckett	- Department of the Built Environment
Iain Simmons	- Department of the Built Environment
Gwyn Richards	- Department of the Built Environment
Craig Stansfield	- Department of the Built Environment

1. CHAIRMAN'S ANNOUNCEMENTS **Chief Commoner**

The Chairman welcomed the Chief Commoner, Wendy Mead, to the meeting.

Planning Protocol

The Chairman reported that he had asked the Town Clerk to circulate a copy of the Planning Protocol to all Committee Members in advance of the meeting and also to lay copies around the table. He asked that Members remind themselves of the contents and conduct themselves accordingly.

A member commented that all Members should receive training on the protocol and that it should be a mandatory requirement before sitting on the Committee.

The Chairman advised that members could only be encouraged to do so.

2. APOLOGIES

Apologies for absence were received from Mark Bostock, Henry Colthurst, Peter Dunphy, Alderman Vincent Keaveny, Oliver Lodge, Alderman Nicholas Lyons, Andrew Mayer, James de Sausmarez, Deputy James Thomson and William Upton.

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

The Chairman declared an interest in agenda items 8 and 9 relating to 1 and 2 Garden Court and 3 Garden Court.

The Town Clerk advised that this item had been withdrawn from the agenda by the Chief Planning Officer.

4. MINUTES

RESOLVED – That the minutes of the meeting held on 29 January be agreed as a correct record subject to amendments agreed at the meeting the final wording of which was delegated to the Town Clerk in consultation with the Chairman and Deputy Chairman.

21. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

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 is 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.

Richard Cloudesley School-Site

That the third paragraph (beginning with the words “The report recommended that the Planning....”) be deleted and replaced with the following:

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.

5. OUTSTANDING REFERENCES

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

The Chairman reminded Members that the purpose of this document was to track actions arising at meetings and not for day to day ward issues which should still be directed to the relevant officers in the first instance.

A member requested that the arrangement of a training session on Building Design be included and this was agreed.

6. 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.

7. **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.

8. **21 MOORFIELDS, LAND BOUNDED BY MOORFIELDS, FORE STREET AVENUE, MOOR LANE & NEW UNION STREET**

The Committee received a report of the Chief Planning Officer in relation to the construction of a mixed use development at 21 Moorfields to deliver a development that would provide trading floors and accommodation for Deutsche Bank's European headquarters.

The Chief Planning Officer introduced the application and advised that an addendum detailing some minor amendments to the application had been tabled.

Mr Michael Swash spoke in objection to the application on the grounds that there would be a marked increase in traffic at unsocial hours along Moor Lane, which was predominantly a residential street with bedrooms facing onto the street. He urged members to consider the welfare of residents who would also suffer from the increase in environmental pollution.

Mr Ross Sayers from Landsec and Ms Kathryn Harrison from Deutsche Bank were heard in support of the application which would enable the retention of approximately 5000 City jobs, significant public realm improvements, including the reinstatement of the City Walkway between the station, Moorgate and the Barbican, and the delivery of an underused site that had not been developed since the 1970s.

Members asked a number of questions in relation to the management and servicing of the building, public consultation, how the objections raised by residents might be mitigated, and whether or not consolidation could take place offsite.

Debate ensued and many Members spoke in support of the application which they felt, on balance, was in substantial compliance with the development plan policies that related to it. In particular, the retention of a major European bank with 7,000 employees in London would support the objective of promoting the City as the leading international financial and business centre.

Members were also mindful of the concerns of residents, but overall considered that the developer had gone to great lengths to mitigate these and had committed to managing any potential issues on an ongoing basis.

Arising from the discussion the application was put to the vote and approval was UNANIMOUS.

RESOLVED –

- 1) That Planning permission be GRANTED for the above proposal in accordance with the details set out in the attached schedule subject to planning obligations and other agreements being entered into in respect of those matters set out in the report, the decision notice not to be issued until such obligations have been executed;
- 2) That officers be instructed to negotiate and execute obligations in respect of those matters set out in the report under Section 106 and any necessary agreements under Section 278 of the Highway Act 1980; and
- 3) That the draft statement set out at Appendix A and in the report are agreed as the Reasons for Grant and the Reasoned Conclusion of the Local Planning Authority on the significant effects of the proposals.

9. **1 & 2 GARDEN COURT & 3 GARDEN COURT (BLACKSTONE HOUSE) MIDDLE TEMPLE LONDON EC4Y 9BL - 17/00937/FULL**

This item was withdrawn.

10. **1 & 2 GARDEN COURT & 3 GARDEN COURT, MIDDLE TEMPLE LONDON EC4Y 9BL - 17/00938/LBC**

This item was withdrawn.

11. **FREIGHT AND SERVICING SUPPLEMENTARY PLANNING DOCUMENT - UPDATES AND ADOPTION**

The Committee received a report of the Director of the Built Environment presenting further revisions to the Freight and Servicing Supplementary Planning Document (SPD) following member comments at the Planning and Transportation Committee on 9 January 2018.

Members noted that references to river servicing had now been including, and the wording in relation to 'out of hours loading' had now been strengthened to ensure overnight deliveries in all parts of the City were subject to quiet delivery agreements to minimise impact on residential amenity.

A Member advised that he had asked for some additional wording in relation to a DSP for a building in or immediately adjacent to a residential area unlikely to be approved if it relied upon night time or weekend delivery and servicing which had not been included.

The Chairman suggested that approval be granted subject to approval of the final wording by the Deputy Chairman and himself and this was agreed.

RESOLVED – That subject to approval of the final wording by the Chairman and Deputy Chairman, the amendments to the draft SPD be approved and the document be adopted.

12. RENAMING OF PEDESTRIAN ROUTE: BARKER BRIDGE

The Committee received a report following a request made by the Streets and Walkways Sub-Committee, on behalf of Barbican Residents, that an application be made to rename a section of St Alphage Highwalk as the 'BARKER BRIDGE'.

This would commemorate John Alfred Barker OBE, the former Chief Commoner and Member for Cripplegate Ward who died in May 2017.

The Committee was advised that the naming of streets or structures/buildings after living or recently deceased persons was contrary to the City Corporation's published Advice Note, however the proposal before Members was to consider whether an exception was merited on this occasion.

The Committee UNANIMOUSLY

RESOLVED to:

1. Agree the name 'BARKER BRIDGE' for the new footbridge, and approve a statutory consultation on the proposed name; and
2. Agree that if the statutory consultation results in no objections, then the Director of the Built Environment be delegated to approve the name 'BARKER BRIDGE', and require that a statutory order be issued.

The Chairman advised that an opening ceremony would also be arranged.

13. CITY CORPORATION'S RESPONSE TO CONSULTATION ON THE DRAFT LONDON PLAN

The Committee received a report concerning the CoL's response to the Mayor of London's consultation on the draft London Plan.

The Committee was advised that the draft Plan sought to implement the Mayor's election manifesto commitments and set out detailed policies for the future development of London in the period 2019-2041.

Members noted that this draft London Plan was intended to be very different from previous London Plans, providing a much more ambitious, detailed and prescriptive Plan that could be implemented as soon as it was adopted, rather than waiting for boroughs and the City to prepare and update local plans.

Members considered that while there was much in the draft Plan that could be supported, there were several key elements of the draft Plan that would have adverse impacts on the City of London and to which objection should be raised. In particular, the draft Plan required external design review of development proposals over 30m in height, which would add greater complexity, cost and

uncertainty to development in the City and ignored the significant experience on design matters within the City Corporation.

Members considered that the draft Plan target for new housing in the City was achievable and therefore did not agree with an objection to it. Members also wished the City's response to refer to the City Corporation's separate commitment to the delivery of 3,700 new homes for Londoners by 2026.

RESOLVED – That subject to the comments made by Members being included, to agree the key points and the detailed comments on individual policies in Appendix 1 as the City Corporation's response to the draft London Plan.

14. COMMITTEE TERMS OF REFERENCE

The Committee received the annual report of the Town Clerk seeking confirmation of the Committee's Terms of Reference and frequency of meetings.

It was noted that the Terms of Reference should refer to the 'Chief Planning Officer and Development Director' and not the 'Chief Planning Officer'

RESOLVED - that the terms of reference of the Committee as set out in Appendix 1 of the report be approved for submission to the Court, and that any further changes required in the lead up to the Court's appointment of Committees be delegated to the Town Clerk in consultation with the Chairman and Deputy Chairman.

15. 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.

A Member commented that the river in Paris was being used to enable the transportation of goods and so there should be no excuse for London not to do so.

RESOLVED – That the report be noted.

16. **MILLENNIUM INCLINATOR PROJECT**

This item was originally listed in Part 2 of the agenda but on further advice it was agreed that the item should be considered in public.

At the meeting on 29 January the Committee Members expressed concern that the Millennium Inclinor would be out of service for a significant length of 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.

The report before Members set out the detail of the current project being undertaken which was scheduled to run until the end of April 2018, however the City Surveyor advised that officers were proactively working with the contractor to complete the project as soon as possible to bring the inclinor back in to service earlier.

Several Members expressed concern that such an important public lift would be out of action for so long and asked what could be done to prevent a recurrence in the future.

The City Surveyor advised that there was no guarantee that the inclinor would not break down again in future however an appropriate maintenance plan would be put in place to reduce the risk of it doing so.

It was agreed that Members should be kept informed and advised of any issues immediately as they arose in order that resident's queries could be addressed.

RESOLVED – That the report be noted.

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

Questions from Sir Mark Boleat (notice given in advance of the meeting)

Para 2.1 of the Planning Protocol refers to the Committee on Standards in Public Life recommendation that members of planning committees should receive appropriate training. The Protocol states that appointment to the Committee "effectively creates a requirement for members to undertake such training, both on appointment and periodically thereafter". What training has been arranged for members since the Committee was reconstituted in May 2017 and how many members have participated?

2. Para 5 of Annex B to the Protocol requires that persons wishing to address the Committee "must submit a written statement of their case in order that any factual or new points can be investigated prior to the meeting". Has this been complied with?

The Town Clerk advised that training sessions on the Planning Protocol had been arranged in advance of the first meeting in May 2017 and that all Members, particularly those new to the Court, had been invited to attend. General sessions were also provided for new members in relation to standards in public life by the Comptroller.

Sessions on the impact of wind and lighting had also been arranged although take up wasn't good.

In response to a suggestion that training should be mandatory, the Town Clerk advised that the Committee could not insist on this as the Protocol was not enforceable.

In response to the second question, the CPO advised that Speakers did complete a form but to a varying standard.

In response to a question concerning the legal consequences of not having training, the Comptroller advised that although non-attendance at training by a Member would not in itself make any decision unlawful, it was a very good idea as the key issue was that Members must reach their decision properly, and the training assists in ensuring that.

A Member suggested on-line training which could be done at the member's convenience, and each person's completion could be monitored.

Another Member commended external training that had been arranged in the past.

The Town Clerk suggested that If Members would like more training and would like to indicate what areas they would like to be covered and in what format they would find most helpful then this could be provided and it was agreed that a report be prepared for a future meeting.

18. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

There were no urgent items of business.

19. 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.

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

There were no non-public questions.

21. 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 12.50 pm

Chairman

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