

## **PLANNING AND TRANSPORTATION COMMITTEE**

**Tuesday, 10 July 2018**

**Minutes of the meeting of the Planning and Transportation Committee held at the Guildhall EC2 at 10.00 am**

### **Present**

#### **Members:**

Christopher Hayward (Chairman)	Shravan Joshi
Deputy Alastair Moss (Deputy Chairman)	Oliver Lodge
Randall Anderson	Alderman Nicholas Lyons
Peter Bennett	Andrew Mayer
Mark Bostock	Deputy Brian Mooney
Deputy Keith Bottomley	Sylvia Moys
Peter Dunphy	Barbara Newman
Stuart Fraser	Graham Packham
Marianne Fredericks	Susan Pearson
Alderman Prem Goyal OBE JP	Deputy Henry Pollard
Christopher Hill	Oliver Sells QC
Deputy Jamie Ingham Clark	William Upton
Alderman Gregory Jones QC	Alderman Sir David Wootton

#### **Officers:**

Angela Roach	- Assistant Town Clerk
Joseph Anstee	- Town Clerk's Department
Natasha Dogra	- Town Clerk's Department
Simon Owen	- Chamberlain's
Deborah Cluett	- Comptrollers & City Solicitor
Carolyn Dwyer	- Director of Built Environment
Annie Hampson	- Department of the Built Environment
Paul Monaghan	- Department of the Built Environment
Ian Hughes	- Department of the Built Environment
Simon McGinn	- City Surveyor's
Laura Goddard	- Comptroller & City Solicitor's
Steve Presland	- Transportation & Public Realm Director
Bhakti Depala	- Department of the Built Environment
David Horkan	- Department of the Built Environment

### **1. APOLOGIES**

Apologies for absence were received from Rehana Ameer, Sir Mark Boleat, Henry Colthurst, Emma Edhem, Graeme Harrower, Judith Pleasance, James de Saumarez and Graeme Smith.

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

Graham Packham declared a non-pecuniary interest in Item 9 (Illuminated River Project) by virtue of his being Chairman of the Culture, Heritage and Libraries Committee.

3. **MINUTES**

The Committee noted that a Member's apologies for absence at the previous meeting had not been recorded and that this should be amended.

A Member commented that they had also expressed their concern about the condition of Blackfriars Bridge Underpass, and that given the underpass was used frequently by pupils, parents and prospective parents of the City of London School, the poor condition of the underpass reflected badly on the City of London Corporation. It was asked that these comments be included in the minutes as a matter of record.

**RESOLVED** – That, subject to these amendments, the public minutes and non-public summary of the meeting held on 29 May 2018 be agreed as a correct record.

4. **MINUTES - STREETS & WALKWAYS SUB-COMMITTEE - 21 MAY 2018**

**RESOLVED** – That the minutes of the Streets and Walkways Sub-Committee held on 21 May 2018 be received.

5. **DELEGATED DECISIONS OF THE CHIEF PLANNING OFFICER AND DEVELOPMENT DIRECTOR**

The Committee received two reports 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 reports be noted.

6. **VALID APPLICATIONS LIST FOR COMMITTEE**

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

In response to a query from a Member, the Chief Planning Officer and Development Director advised that planning applications relating to Great Arthur House and Golden Lane Community Centre were scheduled to be considered by the Committee at its meeting on 11 September 2018.

**RESOLVED** – That the reports be noted.

7. **WARDMOTE RESOLUTIONS**

The Committee considered the following Resolutions from the Ward of Aldgate:

*“That this Wardmote asks that the Court of Common Councilmen do consider the traffic situation around Fenchurch Street Station and in particular the taxi parking/queuing in Fenchurch Street between Fenchurch Place and Lloyds Avenue to include considering reversing the flow of traffic in Fenchurch Street to address traffic flow, environmental and health and safety concerns.”*

and

*“That this Wardmote asks that the Court of Common Councilmen considers that the location of the motorcycle parking bay on Creechurch Lane for relocation back to its original position as had been understood would occur following completion of construction works.”*

The Chairman advised the Committee that as both Wardmote Resolutions were relevant to the work of the Streets & Walkways Sub-Committee, officers would be instructed to report to the Streets & Walkways Sub-Committee, who would then make recommendations to the Grand Committee. The Grand Committee would then decide on a final response to the resolutions.

**RESOLVED** – That the Wardmote Resolutions be received and noted, and referred to officers to prepare responses.

**8. 100, 106 AND 107 LEADENHALL STREET**

The Committee considered a report of the Chief Planning Officer and Development Director seeking planning permission for the proposed development of a tower comprising 56 storeys above ground level, providing offices, retail (ground floor), a publicly accessible viewing gallery and ancillary basement cycle parking, servicing and plant.

The Chief Planning Officer and Development Director introduced the application to Members and presented the officer's report, informing the Committee about the details of the scheme and its wider implications. The Committee was also advised of objections that had been withdrawn since the publication of the agenda. The application was recommended for approval, subject to the approval of the Mayor of London and Section 106 agreement.

Oliver Caroe, Surveyor of the Fabric at St. Paul's Cathedral, addressed the Committee in objection to the application. The scheme would cause harm and diminishment to St. Paul's Cathedral, as acknowledged in the report, which was not mitigated by the benefits of the scheme, and there were development options easily achieved, for instance through a slight reduction in floorspace, which would not cause any harm. The view of the dome of St. Paul's Cathedral, designed to be prominent and dominant, was being encroached upon and each application approved was causing incremental harm, which was not in accordance with essential stewardship responsibilities, shared values or adopted policy. It was felt that there were grounds to contest the officer's report with regards to the impact assessment and the application's adherence to developmental planning policies and National Planning Policy framework (NPPF). The scheme would cause harm to London's greatest heritage asset and therefore any harm should accordingly be given the greatest weight.

Louise Newman addressed the Committee in support of the application, on behalf of the applicant. The scheme had been through a rigorous assessment process and the views of St. Paul's Cathedral from Fleet Street had been key to discussions, shaping the building's scale and form. Historic England's policy on Protected Views stated that developments should aim not to worsen the view, and the application did not block the view of St. Paul's Cathedral or change the silhouette. The impact of the scheme had been discussed with Historic England who had agreed that the application was appropriate and were content that it would not cause harm to the setting of St. Paul's Cathedral. The scheme had been carefully designed to have a minimal impact on the cathedral, and it was believed the scheme was not harmful to it.

Members of the Committee noted that each application should be judged on its individual merit, and asked questions of officers. The Chief Planning Officer and Development Director advised the Committee that there was no defined or formal methodology for measuring the benefit and harm of a scheme against one another. In this case, it was not felt that the intrusion on the view of St. Paul's Cathedral from Fleet Street represented sufficient harm to outweigh the benefits of the scheme.

Members of the Committee then debated the application. There was some concern over the lack of ground floor cycle space, the removal of short-term parking facilities, and the planned amount of retail space. A Member queried whether it was clear that substantial additions to the working population was an unqualified benefit, adding that additions needed to be sustainable, as overcrowding would make the City less attractive as a place of business. The Committee was advised that proposals to mitigate growth in the working population of the City were under consideration.

Members were sympathetic to the concerns over St. Paul's Cathedral and wary of the need to protect it but felt generally that the scheme was considerate and did not cause significant harm or diminishment to the Cathedral. Members recognised that cities evolved and develop, noting that the City of London as a place of business was older than the Cathedral itself.

A Member queried the servicing plan set out in the report, and suggested that it be secured by conditions, as well as in the S106 agreement. It was also suggested that as the pavement around the site was narrow compared to other areas, consideration could be given to restricting or not using the Leadenhall entrance.

There was strong support for the scheme amongst a number of Members. The site was a key site in the Eastern Cluster, and the scheme met a need for developments to meet the demand for office space in the area. Members commended the quality and quantity of work that had gone into the scheme, and the elegant and attractive design of the building. The City was a key economic asset for the country and the scheme would demonstrate that the City was open for business.

The Chief Planning Officer and Development Director then addressed queries made by Committee Members. Any ground floor cycle space would be at the expense of retail area which was considered to be critical to the area, where pedestrian movement was dominant. Officers agreed with the applicant that this would be appropriate. However, a nearby cycle-for-hire hub included in the S106 agreement, additional long-stay parking and bike parking for visitors to the building would help address the need for short-stay provision. Officers recognised the significance of St. Paul's Cathedral, but believed the modest intrusion was not unacceptably harmful and was outweighed by the significant benefits of the scheme. The servicing and delivery plans were usually agreed by way of obligation and could be delivered either by S106 agreement or conditions, although usually through S106 agreement for schemes such as this.

Arising from the discussion, the application was then put to the vote amongst eligible Committee Members with 21 voting for and 2 voting against the application. One Member was not eligible to vote as they had not been present for the duration of the item.

#### **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) the Mayor of London being given 14 days to decide whether to allow the Corporation to grant planning permission as recommended, or to direct refusal, or to determine the application himself (Article 5(1)(a) of the Town & Country Planning (Mayor of London) Order 2008); and
- (b) 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.

#### **9. ILLUMINATED RIVER PROJECT**

The Committee considered a report of the Chief Planning Officer and Development Director covering the planning and listed building consent applications associated with the Illuminated River project within the City. The project comprised a major public art installation which would illuminate fifteen of the central London bridges across the River Thames, including six within the City of London.

The Comptroller and City Solicitor advised Members of an update to the report following the resolution of an issue relating to the boundary of London Bridge. The application was not a cross-boundary application as all of London Bridge and the application site fell within the City boundary, which was acknowledged by Southwark Council. As further publicity and consultation may be required, the recommendations should be amended to reflect this. It was also clarified that there were two Listed Buildings involved in the application, Blackfriars Bridge and Southwark Bridge and the main statutory duty in relation to the

listed building applications was to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest it possesses.

An addendum detailing additional representations received after the publication of the agenda was circulated to Members. The Chief Planning Officer and Development Director introduced the application to Members and presented the officer's report, informing the Committee about the details of the scheme and its wider implications. The application was recommended for approval, subject to the imposition of the conditions set out in the Schedule appended to the report.

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

Roy Palmer, a local resident, addressed the Committee in objection to the scheme. There was concern amongst local residents that the lighting on the bridges would cause disruption, particularly to those who worked from home, or had bedrooms looking onto the bridges. It was felt that residents had been consulted at too late a stage in the process, after many decisions had been made. A number of conditions should be added to the application, to give residents further consultation, and a voice in the colour scheme, as well as restrictions to prevent noise or light-related disturbances during night time hours. It was felt that the colours should be changed to softer, white light, as the current colour scheme was inappropriate, particularly with regards to respecting the history of the bridges and commemorating events. Residents in the area were permanent, and if the installation was also to be permanent, the concerns of local residents needed to be addressed, and the installation respect and honour the history and legacy of the bridges.

Sarah Gaventa, Director of the Illuminated River Foundation, addressed the Committee in support of the application on behalf of the applicant. The scheme aimed to celebrate and capture the spirit of the River Thames. The installation was based on a single concept, but designs would be tailored to each bridge to reflect its location and history. The scheme would reduce existing light and energy consumption on the bridges, and it was hoped the scheme would be calming, bring coherence to the decoration of the bridges and reflect London's burgeoning night time economy. The scheme was accessible for everybody and visible to all modes of transport. All funding for the scheme had been raised from private sources, and maintenance of the scheme would also be privately-funded. The applicant had met with stakeholders and resident groups, and hosted pop-up events to gather opinions on the scheme. The applicant recognised concerns about the scheme and was keen to work with everybody to address them. The lighting would be controlled locally by each bridge owner and not the artist and could be adjusted if needed to minimise any disturbance or harm, or turned off or reprogrammed to commemorate holidays or events. The applicant was working with the Port of London Authority (PLA) to ensure the scheme's lighting did not impact on navigational lighting and the safety of the bridges. The lighting would not put more light onto the river itself and reduced overall lighting on the majority of bridges involved in the scheme.

Members of the Committee then debated the application. Whilst Members were generally supportive of the scheme, there was some concern amongst Committee Members about the level of consultation that had been undertaken, and whether all groups who would be impacted by the scheme had been consulted. Members stressed that the scheme should not interrupt or delay any work to improve the condition of Blackfriars Bridge and Underpass. A Member stated that the installation should account for the views of residents and be adjusted if it caused discomfort. Members also stressed the importance of managing the scheme's impact on river traffic and that it was imperative that the scheme did not impact on safety. It was suggested that the scheme be run for a trial period to test it against potential conflicts.

A Member moved that a number of amendments be made to the conditions; that condition 3 relating to a trial period include the power to refuse the application if the trial was not successful; that condition 12 be amended to include dark periods; and that the scheme should be subject to a review after two years. The motion was seconded and subsequently put to the vote amongst eligible Committee Members, with 8 Members voting for the amendments, 10 voting against the amendments, and 2 abstentions. The amendments were therefore defeated.

The Chief Planning Officer and Development Director then addressed queries made by Committee Members. It was clarified that Tower Bridge was not included in the application as it was not within the boundaries of the City of London. The installation would be fine-tuned following installation to mitigate any light spillage. Officers would work and consult with the PLA and applicant to ensure there was no adverse impact on navigation lighting or safety. The Committee was assured that officers were negotiating with the applicant to ensure there would be no delay to works on Blackfriars Bridge. It was proposed that condition 3 be amended to include further consultation with the PLA. If there were concerns about protections, then these could be reported back to the Committee before approval was given.

The Chairman advised that the recommendation would be subject to any further publicity or consultation which may be appropriate in respect of London Bridge, as proposed by the Comptroller and City Solicitor.

Arising from the discussion, the application, with the proposed amendments, was then put to the vote amongst eligible Committee Members, with 16 Members voting for the application, 1 voting against the application and 6 Members abstaining from the vote. One Member was not eligible to vote as they had not been present for the duration of the item. With the assurances given the majority of Members accepted the evaluations in the report.

**RESOLVED** – That the Planning & Transportation Committee grant planning permission subject to the imposition of the conditions set out in the Schedule appended to the report, taking account of proposed amendments. In respect of London Bridge, the recommendation is subject to any further publicity or consultation which may be appropriate resulting from acknowledgement that

London Bridge is wholly within the City. If considered appropriate, the CPO is authorised to consider any further representations resulting from any such further publicity or consultation, and to determine the applications in respect of London Bridge (unless any representations raise significant new issues in which case they shall be reported to the Committee).

10. **BANK ON SAFETY**

The Committee considered a report of the Director of the Built Environment seeking a decision on the future of the current Bank on Safety experimental scheme.

The Committee was advised that the fundamental operation of the scheme could not be changed without restarting a six-month statutory consultation period, which could not be carried out under the existing experiment as it expired in November 2018. The consideration of whether taxis should be given access to the junction could not be added as an amendment to the current experiment. Members could still instruct officers to investigate and develop a new scheme which sought to introduce limited access for taxis in some form. However, first the Committee would still need to agree whether to keep the current experiment or revoke it and return to the previous operation. The Committee noted a draft minute of the Streets and Walkways Sub-Committee, which had already considered the report, tabled for information.

Members were strongly supportive of the experiment and felt it had been a great success. The new operation could be kept under review to explore any ways to make further improvements if possible. Following a brief discussion, the recommendation was put to the vote amongst Committee Members, who voted unanimously in favour of the recommendation.

**RESOLVED** – That, subject to the outcome of the Court of Common Council meeting in September 2018, the Planning & Transportation Committee agree to make the experimental traffic orders at Bank Junction (to restrict traffic to bus and cycle only, Monday to Friday 0700-1900) permanent, and to delegate authority to the Director of the Built Environment to take all steps necessary to put the relevant orders into effect.

11. **MIPIM PROPERTY CONFERENCE 2018/2019**

The item was deferred.

12. **REVENUE OUTTURN 2017/18**

The item was deferred.

13. **OUTSTANDING REFERENCES**

The item was deferred.

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

The item was deferred.

15. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**



The Chairman advised the Committee that the decision made by the Committee in 2017 on a planning application relating to Inner Temple Library had been challenged. However, a permission application for a Judicial Review had been rejected by the High Court.

16. **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.

<b>Item No.</b>	<b>Exempt Paragraphs</b>
17 - 18	3
19	3, 5, 7
20 - 21	-

17. **NON-PUBLIC MINUTES**

The item was deferred.

18. **THAMES COURT FOOTBRIDGE**

The Committee considered a report of the Director of the Built Environment.

19. **DEBT ARREARS - BUILT ENVIRONMENT**

The item was deferred.

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

The item was deferred.

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

The Chairman reminded Committee Members of a forthcoming site visit.

**The meeting closed at 1.00 pm**

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Chairman

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