

## PLANNING AND TRANSPORTATION COMMITTEE

Tuesday, 26 July 2016

Minutes of the meeting of the Planning and Transportation Committee held at Livery Hall - Guildhall on Tuesday, 26 July 2016 at 11.00 am

### Present

#### Members:

Christopher Hayward (Chairman)	Alderman Vincent Keaveny
Deputy Alastair Moss (Deputy Chairman)	Paul Martinelli
Randall Anderson	Brian Mooney
Alex Bain-Stewart	Sylvia Moys
Revd Dr Martin Dudley	Graham Packham
Peter Dunphy	Judith Pleasance
Emma Edhem	Deputy Henry Pollard
Sophie Anne Fernandes	James de Sausmarez
Deputy Bill Fraser	Tom Sleigh
Marianne Fredericks	Graeme Smith
Deputy Brian Harris	Angela Starling
Graeme Harrower	Patrick Streeter
Alderman Peter Hewitt	Michael Welbank (Chief Commoner)
Deputy Henry Jones	

### In Attendance

#### Officers:

Amanda Thompson	- Town Clerk's Department
Sabina Johal	- Town Clerk's Department
Deborah Cluett	- Comptroller and City Solicitor
Alison Hurley	- Assistant Director Corporate Property Facilities Management
Carolyn Dwyer	- Director of Built Environment
Annie Hampson	- Department of the Built Environment
Iain Simmons	- Department of the Built Environment
Alan Rickwood	- City of London Police
Christopher Bell	- Chamberlain's Department
Martin Rodman	- Superintendent, West Ham Park and City Gardens
Steve Presland	- Transportation & Public Realm Director
Peter Shadbolt	- Department of the Built Environment

### 1. APOLOGIES

Apologies for absence were received from Henry Colthurst, George Gillon, Alderman Robert Howard, Oliver Lodge and Deputy James Thomson.

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 public minutes of the meeting held on 5 July 2016 be agreed as a correct record subject to the following amendments:

Public Minutes 24 May and 5 July 2016

The inclusion of the reference to the amendment of the public minutes of the meeting held on 26 April 2016 as follows:

'That the minutes of the meeting held on 26 April 2016 be agreed as a correct record subject to the question relating to the North-South Cycle Superhighway at Minute 17 - Non-public questions - being recorded at Minute 10 - Public questions'

Members Present

The inclusion of Graeme Harrower as being present.

Public Lift Update

The Committee expressed concern that there was no officer from the City Surveyors in attendance at the meeting and asked that an officer be available at every meeting in the future.

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

The Committee received a report of the Chief Planning Officer and Development Director in respect of development and advertisement applications dealt with under delegated authority.

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

5. **VALID APPLICATIONS LIST FOR COMMITTEE**

The Committee received a report of the Chief Planning Officer and Development Director which provided details of valid planning applications received by the department since the last meeting.

**RESOLVED** – That the report be noted

6. **REPORTS RELATIVE TO PLANNING APPLICATIONS**

6.1 **Lloyds Chambers 1 Portsoken Street London E1 8BT**

**Proposal:** Lloyds Chambers 1 Portsoken Street London E1 8BT

Demolition of existing building and erection of a new building comprising ground plus 12 storeys and 3 basement levels, including Class B1a office use, flexible

Class A1/A2 use at the ground floor, and flexible Class A1/A2/A3/D2 use at ground and basement levels associated landscaping works, vehicular access and other

works incidental to the development (47,262sq.m GIA).

**Registered No:** 16/00209/FULMAJ

The Chief Planning officer advised the Committee of an amendment to Recommendation 1 (to recommend approval rather than delegation to the Chief Planning Officer to determine), an amendment to Condition 34 and amendments to the Mayoral Planning Obligation Net Liability figures which had been tabled.

Mr Bernard Harris spoke in objection on behalf of Marlyn Lodge Management Co. to express concerns including regarding noise disturbance, possible structural damage due to the deep excavations, loss of residential amenity and impact of construction traffic.

The Committee received a late letter of objection from Mr Tristan Gielen on behalf of TfL and he was given an opportunity to express TfL's concerns which related to the relocation of the service access.

Mr Jim Pool, Mr Liam Dunford and Mr Peter Caneparo spoke on behalf of the applicant.

The Committee discussed the proposal in relation to the concerns including the extent of adverse sunlight and daylight impacts, the BRE Guidance, and Local Plan policies relating to protection of daylight and sunlight. It was felt that the loss of light caused by the proposed development, although noticeable, was acceptable within the urban context of the City. The scheme would also provide an employment led mixed use development which would support the economic policies of the London Plan and Local Plan.

TfL's concerns regarding the proposed service access being located at Goodman's Yard were noted, but the Committee considered this an acceptable arrangement and preferable to Portsoken Street having regard, amongst other things, to the comparative characteristics of the streets, including in traffic management and amenity terms. Discussion ensued regarding the possibility of reducing day time servicing impacts and it was agreed that Condition 13 (relating to servicing hours) be removed, and the servicing arrangements be provided for instead in the Delivery and Servicing Management Plan ("DSMP") provisions of the S.106 Agreement. In preparing the DSMP provisions officers were instructed to consider whether night-time servicing should be required.

Upon being put to the vote the application was approved –

Vote: 26 in support and 1 abstention.

RESOLVED - That

- a) Planning permission be granted for the above proposal in accordance with the details set out in the attached scheduled, subject to
  - (i) Planning Obligations and other agreements being entered into as set out in the body of this report, the decision notice not to be issued until such obligations have been executed; and
- (b) That officers be instructed to negotiate and execute obligations in respect of those matters set out in "Planning Obligations" under Section 106 and any necessary agreements under Section 278 of the Highway Act 1980.

## 6.2 Dewhurst House 24-30 West Smithfield London EC1

**Proposal:** Dewhurst House 24-30 West Smithfield London EC1

Conversion and part demolition of the building to create a hotel (Class C1), including refurbishment of the northern part of the building fronting West Smithfield and Hosier Lane and demolition of the southern part of the building fronting Cock Lane and erection of an 8 storey extension above ground and single level shallow basement below; alteration to rear service bay area, including the provision of 1 no. disabled parking space and cycle parking; replacement plant at roof level and basement, including reduction of existing plant enclosure on northern part of the building; ancillary restaurant at basement level and other incidental works, all in connection with the change of use of the building.

**Registered No:** 16/00215/FULMAJ

The Chief Planning Officer advised the Committee of an amendment to Recommendation 1 (to recommend approval rather than delegation to the Chief Planning Officer to determine). The Chief Planning Officer also advised that an email had been received from Smithfield Market Tenant's Association to confirm support for the application and that they believed the proposed development would be a welcome addition to the area.

The Committee was advised that loss of office use at the site was accepted in the extant planning permission for change of use to residential. In support of the current application, a financial viability assessment had been prepared, the conclusions of which satisfactorily demonstrated that the office use at this site would not be financially or commercially viable and the principle of the change of use is considered to be in accordance with relevant policies.

The Committee expressed the view that the proposed part refurbishment and part redevelopment of the site to provide a hotel would not prejudice the business function of the City and would provide a complementary use which

would contribute to the overall mix of uses and enhance the provision of visitor accommodation in close proximity to the cultural hub.

Upon being put to the vote the application was approved.

Vote: 27 in favour, 0 against, 0 abstentions.

RESOLVED – That

- (a) Planning permission be granted for the above proposal in accordance with the details set out in the attached scheduled, subject to
  - (i) Planning Obligations and other agreements being entered into as set out in the body of this report, the decision notice not to be issued until such obligations have been executed;
- (b) That your Officers be instructed to negotiate and execute obligations in respect of those matters set out in "Planning Obligations" under Section 106 and any necessary agreements under Section 278 of the Highway Act 1980.

### 6.3 191 Fleet Street London EC4A 2NJ - Retention of Shopfront.

Proposal: Retention of Shop front

**Registered No:** 15/01319/FULL

The Chief Planning Officer reported that retrospective permission was being sought to retain the existing shop front, which had been installed without planning permission. The original granite cladding had been replaced with glass, back painted white a grey tiled stall riser had been added; and the windows had been increased in size.

The Committee was advised that planning permission was granted in 2015 for the installation of new shop fronts to the Fleet Street and Chancery Lane elevations and relocation of entrance to Fleet Street. The scheme was a negotiated scheme, where the applicant was given clear advice as to what would and would not be acceptable and that the granite cladding should be retained.

The Committee considered that the current shop front was totally out of character and detracted from the character and appearance of the Fleet Street Conservation area. The applicant had also demonstrated a blatant disregard for the advice provided by officers.

Upon being put to the vote the application was refused.

Vote: 27 in favour, 0 against, 0 abstentions.

RESOLVED – That the application be refused for the reasons set out in the report schedule and the Chief Planning Officer be authorised to commence enforcement action in order to remove the ground floor cladding and reinstate the granite.

## **7. REPORTS OF THE DIRECTOR OF THE BUILT ENVIRONMENT**

### **7.1 Consultation on Enforcement Plan Draft Supplementary Planning Document**

The Committee received a report of the Director of the Built Environment seeking approval of the draft Enforcement Plan consultation which set out the City's approach to planning enforcement including trees.

RESOLVED – that the draft text of the Enforcement Plan be agreed and issued for public consultation for six weeks.

### **7.2 Adoption of the City Public Realm Supplementary Planning Document**

The Committee received a report of the Director of the Built Environment setting out the background and preparation process for the proposed adoption of the City Public Realm Supplementary Planning Document (SPD). The purpose of the document was to provide a coordinated policy approach to the design and management of the public realm in the City.

RESOLVED – To

- 1) Approve the proposed amendments to the City Public Realm Supplementary Planning document set out in Appendix 2 of the report; and
- 2) Adopt the City Public Realm Supplementary Planning Document as amended (Appendix 3 of the report).

### **7.3 City of London Local Plan Review - Public Consultation on Issues and Options**

The Committee received a report of the Director of the Built Environment seeking approval to publish the Local Plan Issues and Options public consultation document.

The Committee noted that details of the public consultation itself were still being finalised and asked that this be structured in such a way so that members of the public did not have to read through the entire document and should include public meetings, leaflets and questionnaires.

RESOLVED - to

- 1) Approve the draft Local Plan Issues and Options document for public consultation; and
- 2) Delegate authority to the Director of the Built Environment to make minor editorial amendments prior to publication of the Issues and Options document for public consultation.

#### 7.4 **ESRI(UK) Contract Waiver**

The Committee received a report of the Director of the Built Environment seeking approval to extend the contract with ESRI, the supplier of the GIS (mapping) software.

The Committee was advised that the number of licences currently available was insufficient to meet the business need and rather than purchasing individual licences it was cheaper and more effective to enter into a three year Enterprise Licence Agreement which would enable the licence pool to be extended as business needs developed.

In response to a question the Director of the Built Environment advised that the cost of the Licence was split between all the departments that used it.

RESOLVED – To

- 1) Approve the waiver of regulation 9 of the Corporation's Procurement Regulations; and
- 2) Approve the award of the contract for the ESRI Enterprise Licence Agreement to ESRI(UK) for a value of £40,000pa for the period of 3 years (£120,000 in total).

#### 7.5 **Development of a Churchyards Enhancement Programme**

The Committee received a joint report of the Director of Open Spaces and the Director of the Built Environment detailing a proposal to develop a programme to enhance the churchyards in the City.

The Committee noted that the churchyards were historic open spaces and had collective significance as a cultural asset. They formed the setting for the numerous listed churches and ancient monuments and were essential places for workers, visitors and residents to rest and enjoy. Many were popular green spaces, however, others were underutilised, uninspiring and in need of improvement.

The establishment of the Churchyards Enhancement Programme would address the need for improvements to the churchyards in order to support the Future City, and individual projects would then be initiated and progressed through the City's project gateway process as usual.

In response to a question concerning the financing of individual projects, and whether churchyards were actually part of the public realm or the responsibility of the Diocese, the Committee was advised that it was envisaged that projects would be funded from a variety of sources including CIL, the Diocese and grants.

A member also commented that the churchyards should be non-smoking.

Resolved – that Members approve the initiation and development of the Programme utilising £85,000 from the CIL Public Realm and Local Transport Improvements pot.

#### **7.6 Department of the Built Environment Business Plan 2015/16: End of Year Update and Financial Outturn Report**

The Committee received a report of the Director of the Built Environment setting out the progress against the 2015/16 Business Plan and the Financial Outturn report for the department.

The Committee was advised that the 2015/16 year end outturn position for the Department of Built Environment services covered by Planning & Transportation Committee revealed a net underspend for the department of £371k (4%) against the overall net local risk budget of £9.1m for 2015/16.

The Committee noted a request to carry forward the majority of this underspend into 2016/17 which would be considered by the Chamberlain in consultation with the Chairman and Deputy Chairman of the Resource Allocation Sub Committee.

RESOLVED – That the report be noted.

#### **8. REPORT TO AUDIT AND RISK MANAGEMENT COMMITTEE ON AIR QUALITY**

The Committee received a report of the Director of Markets and Consumer Protection regarding the Audit and Risk Management Committee's deep dive review into how air quality matters are being handled by the City Corporation. The Director advised that air quality had been identified by the new Mayor of London as being a priority issue. In addition, the Greater London Authority had introduced criteria for a London local authority to be awarded 'exemplar borough' status in action against air pollution. The City Corporation hoped to achieve this by continuing to demonstrate that the City was doing above and



beyond what was expected for statutory compliance to improve air quality and reduce public exposure to pollutants.

RESOLVED – That the report be noted.

9. **DRAFT CITY OF LONDON NOISE STRATEGY 2016 - 2026**

The Committee considered a report of the Director of Markets and Consumer Protection that sought approval for the proposed draft City of London Noise Strategy 2016-2026 to undergo external consultation until 17 October 2016. Members noted that comments could be provided to the report author (Pollution Team Manager, Department of Markets and Consumer Protection) throughout the consultation process, which would include consultation via the public website and contact with local businesses, Residents' Associations and neighbouring boroughs.

In response to Members' questions and concerns regarding noise from regular and ad hoc events, the Director advised that the City Corporation's events policy would be taken into account in the Strategy.

RESOLVED – That the report be noted.

10. **RESPONSIBLE PROCUREMENT STRATEGY 2016-2019**

The Committee received a report of the Chamberlain that set out the Responsible Procurement Strategy to support the Air Quality Strategy. Members noted that the new Strategy would increase the use of low emissions vehicles and reduce environmental impact by sourcing sustainable food, timber and other goods and by optimising environmental management practices.

RESOLVED – That the Responsible Procurement Strategy to support the Air Quality Strategy be noted.

11. **PUBLIC LIFT UPDATE**

The Committee received a report of the City Surveyor in relation to the public lift service.

The Committee expressed frustration that performance still failed to improve and asked that immediate steps be taken to improve the service.

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

Written responses were requested to the following questions:

Short Term Lets

'It is an offence for dwellings to be let out on a short term basis for more than 90 days per calendar year.

To do this planning permission is required and if this has not been obtained a fine of up to £20K may be levied as this is a breach of planning control.

This is a growing problem in the City (particularly in the Barbican) - what is the process that should be followed to put a stop to this?

#### Barts Square

'Can anything be done about the contractor noise arising from Bart's Square development'?

#### Bus Stops

'Can we push TfL to create more temporary bus-stops where buses have been diverted onto alternate routes due to construction works?'

13. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**  
There were no items of urgent business.
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 Schedule 12A of the Local Government Act.
15. **NON-PUBLIC MINUTES**  
**RESOLVED** – That the non-public minutes of the meeting held on 24 May 2016 be agreed as a correct record.
16. **NON-PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**  
There were no non-public questions.
17. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREES SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**  
There were no non-public items of urgent business.

**The meeting ended at 1.30 pm**

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Chairman

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