

## **PLANNING AND TRANSPORTATION COMMITTEE**

**Wednesday, 25 January 2017**

Minutes of the meeting of the Planning and Transportation Committee held at Livery Hall - Guildhall on Wednesday, 25 January 2017 at 9.00 am

### **Present**

#### **Members:**

|  |                                  |
|--|----------------------------------|
| Christopher Hayward (Chairman)         | Alderman Robert Howard           |
| Deputy Alastair Moss (Deputy Chairman) | Alderman Vincent Keaveny         |
| Randall Anderson                       | Sylvia Moys                      |
| Henry Colthurst                        | Graham Packham                   |
| Sophie Anne Fernandes                  | Judith Pleasance                 |
| Marianne Fredericks                    | Deputy Henry Pollard             |
| Alderman David Graves                  | Graeme Smith                     |
| Graeme Harrower                        | Patrick Streeter                 |
| Alderman Peter Hewitt                  | Michael Welbank (Chief Commoner) |

### **In Attendance**

#### **Officers:**

|                   |   |
|-------------------|---|
| Simon Murrells    | - Assistant Town Clerk  |
| Jennifer Ogunleye | -   |
| Amanda Thompson   | - Town Clerk's Department                                     |
| Deborah Cluett    | - Comptroller and City Solicitor's Department                 |
| Alison Hurley     | - Assistant Director Corporate Property Facilities Management |
| Annie Hampson     | - Department of the Built Environment                         |
| Iain Simmons      | - Department of the Built Environment                         |
| Sam Lee           | - Built Environment   |
| Ted Rayment       | - Department of the Built Environment                         |
| Clive Cornwell    | - Department of the Built Environment                         |

### **1. APOLOGIES**

Apologies for absence were received from Alex Bain-Stewart, Revd Martin Dudley, Peter Dunphy, Emma Edhem, Deputy Bill Fraser, George Gillon, Alderman Barry Graves, Deputy Brian Harris, Gregory Jones QC, Paul Martinelli, Deputy Brian Mooney, James de Sausmarez, Deputy Tom Sleigh, Angela Starling and Deputy James Thomson.

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

Graham Packham declared a personal interest in Agenda item 8 c) – Flat 17, The Gallery - as he had been consulted by a resident on the application.

There were no other declarations.

### 3. MINUTES

#### 3.1 Planning and Transportation Committee

RESOLVED – That the public minutes of the meeting held on 13 December be approved as a correct record.

#### Matters Arising

##### 4. Bank Junction

In response to a question concerning set down and pick up for disabled passengers, the Committee was advised that the scheme did not prevent door to door access but did require the relocation of the disabled bays currently on Bartholomew Lane. Officers had undertaken monitoring and contacted regular users of the bays to discuss relocation sites and it was proposed to relocate two of the three bays on Cornhill, which during restricted hours would be significantly less trafficked.

##### 14. Questions

A member asked if the response to the question relating to the Millennium Bridge could be circulated and the Town Clerk undertook to do this.

#### 3.2 Streets and Walkways Sub-Committee

RESOLVED – That the public minutes of the meeting held on 6 December 2016 be noted.

### 4. REVIEW OF THE COMMITTEE'S TERMS OF REFERENCE

The Committee considered a report of the Town Clerk seeking approval to the Terms of Reference for subsequent submission to the Court of Common Council.

The Town Clerk advised that all the Terms of Reference for the Grand Committees would be submitted to the Policy and Resources Committee, where any changes would be joined up with other relevant Committees where necessary.

**RESOLVED** – That:

- a) the terms of reference of the Committee, be approved for submission to the Court in April 2017;
- b) any subsequent 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; and

- c) the frequency of meetings remain unchanged although some additional provisional dates be added to the schedule and cancelled if not required.

## 5. **CHAIRMEN OF COMMITTEES**

Members considered and a report of the Town Clerk and Comptroller and City Solicitor regarding the appointment of Sub-Committee Chairmen.

Discussions ensued regarding the proposal of the Policy & Resources Committee.

Members expressed the view that the service Committee should retain the right for the decision regarding Chairmen of Sub Committees as this was more democratic.

**RESOLVED** – that the resolution of the Policy and Resources Committee be not endorsed.

## 6. **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.

## 7. **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

## 8. **REPORTS RELATIVE TO PLANNING APPLICATIONS**

### 8.1 **Leadenhall Court, 1 Leadenhall Street London, EC3V 1AB**

The Committee considered a report of the Chief Planning Officer concerning the proposed development at Leadenhall Court, 1 Leadenhall Street.

The Committee noted that the proposed development would provide a 36 storey building comprising three basement levels, three storeys of retail space (including a public terrace on the second floor), a double height plant space (on the third floor), 28 floors of office space (incorporating two office terraces) and four levels of plant space (on the 32nd-35th floors). The accommodation would be arranged around a central core.

The Chief Planning Officer reported that the Mayor of London supported the scheme in strategic planning terms. Historic Royal Palaces had objected to the scheme on the grounds of its impact on the World Heritage Site and the Victorian Society has objected to the application expressing concern about the impact the proposal would have on the setting and character of neighbouring listed buildings.

The Committee was advised that the proposal accorded with the development plan as a whole and preserved the setting of neighbouring listed buildings. It was acceptable subject to the imposition of conditions, and to a Section 106 agreement and any necessary agreements under Section 278 of the Highways Act 1980 being entered into to address the matters set out in the report.

Following the Chief Planning Officer's presentation setting out the key aspects of the planning application, a number of questions were raised in relation to the delivery and servicing plans, in particular the proposals for Whittington Avenue, retail use, the impact on neighbouring conservation areas, overshadowing, and long term adequacy of the transport infrastructure and air quality.

Officers explained that a lot of work had been done during the pre-application stage to assess the long term viability of all aspects of the design, and discussions regarding the servicing had been paramount. Assurances were given that the scheme, which accorded with both the Local Plan and the London Plan, would deliver a substantial public space and consolidated access arrangements would be in place through the S.106 agreement.

The Committee noted that Officers and Members had worked hard with the developer to ensure that various objections had been addressed and the location and design was appropriate.

The application was put to the vote, the result of which was as follows:-

17 votes in favour of the application  
2 abstentions

**RESOLVED - That**

- a) The Mayor of London be 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 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.

- (c) 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.

**8.2 Flat 17, The Gallery 38 Ludgate Hill London EC4M 7DE**

The Committee considered a report of the Chief Planning Officer concerning an application relating to Flat 17, The Gallery - a six storey, grade II listed building comprising 17 residential units with commercial use at ground floor level.

The Chief Planning Officer reported that planning permission was sought for the installation of two air conditioning units associated with the sixth floor flat. They would be located to the north elevation and would sit partially behind an existing brick parapet and surrounded by an acoustic screen.

The Chief Planning Officer advised that the proposal had attracted eight objections from residents in nearby properties and the property Management Company and two neutral comments. Material planning objections related to noise, disturbance and fumes and impact on the visual appearance of the building.

Acoustic information had been submitted to demonstrate that the proposal would not cause noise and disturbance, and the visual impact would not significantly detract from the historic appearance of the listed building, the setting of nearby listed buildings, or from the character and appearance of the St Paul's Cathedral Conservation Area.

Discussion ensued and Members expressed concern at that the proposed air conditioning units would cause increased noise and disturbance which would be particularly problematic during summer, when the air conditioning units were likely to be on and neighbours had their windows open, and also during the early hours of the morning when the surrounding area was less noisy. It was noted that there were residential windows close to the proposed air conditioning units, with the closest belonging to a different flat to the flat which would be using the air conditioning units.

Members were advised that following receipt of the objections, the applicant had prepared an acoustic report to support the application. The Department of Markets and Consumer Protection had reviewed the report and recommended that in order to ensure that the development would comply with the details contained in the Acoustic Report, a condition should be included which required the applicant to undertake an acoustic assessment following installation but prior to operation to ensure that the noise from the units was 10dB below background noise level.

The application was put to the vote, the result of which was as follows:-

5 votes in favour of the application

9 votes against the application

1 abstentions

RESOLVED – That the application be REFUSED subject to the reasons for refusal to be agreed following a report to the Committee at the next meeting.

### **8.3 Flat 17, The Gallery 38 Ludgate Hill London EC4M 7DE**

The Committee considered a report of the Chief Planning Officer concerning the listed building consent relating to the previous application at Flat 17, The Gallery.

RESOLVED – That the application be DEFERRED pending the reasons for refusal of the planning application.

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

### **9.1 Cloth Fair Noise Disturbance**

The Committee received a report of the Director of the Built Environment detailing a proposal to mitigate the noise disturbance in Cloth Fair.

The Committee was advised that in July 2016 the Streets & Walkways Sub-Committee had considered six options to mitigate the late night noise disturbance issues in Cloth Fair and the recommended option was to proceed with an overnight road closure. However the Sub-Committee considered that the option of installing double yellow lines to prohibit parking required further exploration and consultation.

The Committee was advised that in November 2016, local occupiers were consulted on the proposal to introduce double yellow lines in Cloth Fair. A total of 10 responses were received of which 7 were from Cloth Fair. The proposal received overall support but the sample size was very small and the results could therefore fluctuate easily. Ward Members were also briefed on these responses and the considerations and agreed that the double yellow line should be trialled.

The Committee was further advised that officers therefore recommended that the proposal for double yellow lines should be implemented on an experimental basis so that the effectiveness of the proposals could be monitored or, if necessary modified, but also be made permanent if it was successful. Additionally, to encourage better compliance of the double yellow lines from the start, a dedicated team of Civil Enforcement Officers would be deployed to Cloth Fair to carry out enhanced enforcement for the first few weeks.

Members raised a number of questions in relation to the impact of the proposed double yellow lines, in particular that the double yellow lining option might cause difficulties for disabled visitors including those to the church who would need to find alternative parking in nearby streets. Members expressed concern that the CoL Access team had not been consulted and the fact that residents didn't require disabled parking did not address the issue.

The Director of the Built Environment advised that local consultation including with the church and surveys had been carried out and this did not identify a need for disabled parking for visitors.

Arising from the discussion an amendment to the recommendation to agree Option 2 – Double Yellow Lines and Disabled Persons Parking Bay on the South Side was MOVED and SECONDED

The amendment was put to the vote, the result of which was as follows:-

Votes in favour of the amendment - Unanimous

**RESOLVED – To:**

- a) Approve the introduction of double yellow lines in Cloth Fair and a Disabled Persons Parking Bay on the south side, on an experimental basis; and
- b) Approve the making of permanent traffic orders if the experiment is successful and no objections are received. If objections are received, that officers consider these and report them back to the Streets & Walkways Sub-Committee with their recommendations.

At the conclusion of this item, and in respect of Standing Order No. 40, the Chairman sought the Committee's consent to extend the meeting to allow for the remaining business to be considered. This was put to the meeting and **AGREED**.

## **9.2 City Freight & Servicing Strategy - Update**

The Committee received a report of the Director of the Built Environment updating on progress in relation to the City Corporation's Freight Strategy, one of the key initiatives being taken forward to reduce congestion in the city.

The Committee was advised that the stated aim in the Freight Strategy was 'to reduce the number of freight and delivery vehicles on the City's streets, particularly at peak times, whilst allowing the City to flourish.'

The report detailed progress in relation to increased use of consolidation centres in the City, which was one of the critical policy objectives, and also set out progress and related time scales on a number other key projects including:

- Use of City Corporation property to establish a new consolidation centre;
- Establishing micro-consolidation centres in the City;
- Special servicing and delivery measures for the Eastern Cluster;
- Establishing best practice in relation to existing City businesses using consolidation and 'non-peak time' servicing;
- Establishing a City Freight Forum of City stakeholders;
- New planning guidance;

- Promotional campaigning including events for City firms;
- Re-timing of deliveries and servicing in parts of the City.

Detailed discussion ensued during which a number of comments were made in relation to the need for fundamental change and the need to consider other options such as the use of Walbrook Wharf dock and the use of electric delivery vehicles, as well as ideas targeted to the Eastern Cluster.

Some members felt that there was a need to have a much more collective approach, there were lots of individual s106s arrangements in place but the strategy needed to be more cross-cutting to tackle all the issues. What was needed in terms of budget, resources and governance also needed to be identified as well as a clear direction of travel.

**RESOLVED** – That the content of the report be noted and that officers be requested to consider a more collective and progressive approach to the strategy.

### **9.3 Bloomberg Development Highway Work (Report to Follow)**

The Committee received a of the Director of the Built Environment addressing three project issues relating to the Bloomberg Development Highway Work.

In response to questions the Committee were advised that the mansion House had been consulted on the improvements to 'The Grid', and also the trees indicated on the diagrams would be severely cut back and wouldn't take up as much space as it appeared.

**RESOLVED** – To

- a) Authorise Officers to progress the highway boundary adjustments shown in Appendix 3 including any statutory procedures and any legal agreements required. Authority to consider any appeal / objection and to determine whether or not to proceed be delegated to the Director of the Built Environment (in consultation with the City Solicitor);
- b) Agree to the sum of £673,800 as payment to achieve equality of exchange (to be confirmed by the City Surveyors) and that this sum be used to carry out the approved but previously unfunded highway works at Queen Victoria Street, Bucklersbury and Walbrook (see Appendix 2);
- c) Agree a sum of £70,000 from City Cash to fund improvement works on the private land immediately in front of the Mansion House known as "The Grid" as set out in Appendix 2 (subject to approval of Recommendation (i) below);
- d) Agree that the highway improvement works referred to in Recommendation (b) above, be re-programmed to commence in February 2017, to meet Bloomberg's timetable aspirations subject to the equality of exchange payment being made prior to any costs being incurred by the City, in

- advance of the highway boundary adjustment procedure being determined and at Bloomberg's risk;
- e) Note the arrangement set out to manage water run-off and agree a voluntary payment from Bloomberg of £326,200 to be used to fund a five-year enhanced maintenance programme around the building with the proviso that this sum also be utilised as a contingency to meet any costs overrun on the highway works (subject to a separate Issues Report to increase the project budget if necessary);
  - f) Agree that the detail of the enhanced maintenance programme be delegated to the Director of the Built Environment; and
  - g) Authorise the City Solicitor to enter into necessary arrangements to secure the voluntary payment £326,200;

## 10. REPORTS OF THE CITY SURVEYOR

### 10.1 City Fund Highway Declaration - Development at 90 Fetter Lane, EC4

The Committee received a report of the City Surveyor seeking approval to declare an area totalling 88 ft<sup>2</sup> of City Fund highway land at Norwich Street, EC4 to be surplus to highway requirements, to allow its disposal and enable the development which was approved by delegated authority on the 4 August 2016.

The Committee was advised that the permitted development scheme would retain the built bay projections that were licenced as highway projections with the original 1980's construction oversailing highway land at 2nd floor level and above.

The Committee noted that before third party interests could be granted in City Fund highway land, the affected areas first needed to be declared surplus to highway requirements.

RESOLVED - to declare an area of City Fund highway land at Norwich Street, EC4 measuring 88 ft<sup>2</sup> (8.15m<sup>2</sup>) to be surplus to highway requirements to enable its disposal upon terms to be subject to the approval of the Property Investment Board subject to the City Corporation's continuing highway rights and controls remaining in place in respect of the highway stratum.

### 10.2 Public Lift Update

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.

The City Surveyor advised that all lifts and escalators were back in service.

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

## 11. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE

### Traffic Congestion Working Party

A Member asked if any progress had been made regarding the proposal to set up a Member/Officer Working Party to consider policy development in respect of managing traffic congestion in the CoL.

The Town Clerk undertook to look into this and report back.

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

There were no items of urgent business.

**13. EXCLUSION OF THE PUBLIC**

RESOLVED – That under Section 100A(4) 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 1 of Schedule 12A of the Local Government Act.

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

There were no questions.

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

There were no urgent items.

**The meeting ended at 11.30 am**

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Chairman

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