

## **PLANNING AND TRANSPORTATION COMMITTEE**

**Tuesday, 29 January 2019**

**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)	Alderman Nicholas Lyons
Munsur Ali	Natasha Maria Cabrera Lloyd-Owen
Rehana Ameer	Andrew Mayer
Randall Anderson	Deputy Brian Mooney
Peter Bennett	Sylvia Moys
Sir Mark Boleat	Barbara Newman
Mark Bostock	Graham Packham
Deputy Keith Bottomley	Susan Pearson
Henry Colthurst	Judith Pleasance
Stuart Fraser	Deputy Henry Pollard
Marianne Fredericks	James de Sausmarez
Alderman Prem Goyal OBE JP	Graeme Smith
Graeme Harrower	William Upton
Christopher Hill	Alderman Sir David Wootton
Deputy Jamie Ingham Clark	

#### **Officers:**

Joseph Anstee	- Town Clerk's Department
Zahur Khan	- Department of the Built Environment
Leah Coburn	- Department of the Built Environment
Gillian Howard	- Department of the Built Environment
Angela Roach	- Assistant Town Clerk
David Horkan	- Department of the Built Environment
Simon Owen	- Chamberlain's
Deborah Cluett	- Comptrollers & City Solicitor
Carolyn Dwyer	- Director of Built Environment
Annie Hampson	- Department of the Built Environment
Paul Beckett	- Department of the Built Environment
Ian Hughes	- Department of the Built Environment
Ted Rayment	- Department of the Built Environment
Gordon Roy	- District Surveyor

### **1. APOLOGIES**

Apologies for absence were received from Peter Dunphy, Alderman Gregory Jones, Oliver Lodge and Oliver Sells.

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

Susan Pearson declared a pecuniary interest in Item 10 and confirmed that she had been given dispensation to speak but had not been given dispensation to vote.

Alderman Prem Goyal declared a personal interest in Item 8 by virtue of holding a tenancy in Farringdon Within.

3. **MINUTES**

With regard to the minute for item 7, on page 5, a Member clarified that the public lift report contained details of lifts that were in service less than 95% of the time, rather than out of service, and the minute should be corrected to reflect this.

**MATTERS ARISING**

The Chairman noted that there was no public lift report on the agenda for today's meeting and asked officers whether this was because no public lifts had been in service for less than 95% of the time. A Member responded that they did not think this was the case as they had noticed that the public lifts on High Walk at London Wall Place, and on Silk Street, had been out of service.

The Chairman reminded officers that the Committee wanted to receive reports whenever lifts had been out of service and asked that this be communicated to the City Surveyor.

**RESOLVED** – That, pending the above correction, the minutes of the meeting on 18 December 2018 be agreed a correct record.

4. **MINUTES OF THE STREETS AND WALKWAYS SUB COMMITTEE**

The draft public minutes and summary of the Streets and Walkways Sub Committee meeting on 4 December 2018 were received.

Several Members reported their experiences of the ongoing issues with dockless bikes obstructing the pavements, most notably in the ward of Aldersgate and at the Museum of London roundabout. Members had contacted officers to report issues and reiterated the need to be diligent in preventing highway obstructions.

The Chairman advised the Committee that the Streets & Walkways Sub-Committee raised the matter at each meeting, and asked officers to take note of the comments from Members.

**RESOLVED** – That the minutes be received.

5. **OPEN SPACES AND CITY GARDENS COMMITTEE**

The Committee considered a resolution of the Open Spaces and City Gardens Committee regarding Finsbury Circus – Closure of Highway to Vehicle Access.

The resolution stated that given the section of highway between Finsbury Circus and Moorgate had been closed for over six years due to Crossrail, and in light of the delay to the opening of Crossrail until 2020 at the earliest, it was the view of the Open Spaces and City Gardens Committee that the section of highway should remain closed to vehicles once Crossrail had vacated Finsbury Circus, to provide some pedestrian amenity.

The Director of the Built Environment advised the Committee that officers were content to begin the legal processes to action this, subject to the legal requirements, and that the matter would be brought back to Committee.

The Chairman advised that similar representations to this had been made in the past, and that this represented a good opportunity to consider creating public realm. A Member added that the proposal should be adequately scrutinised and that a report should also be submitted to the Streets and Walkways Sub-Committee.

**RESOLVED** – That the Planning & Transportation Committee note the resolution from the Open Spaces & City Gardens Committee and agree that the matter should be taken forward, with reports on the proposal to be brought back to Committee.

**6. DECISIONS TAKEN UNDER DELEGATED AUTHORITY OR URGENCY SINCE THE LAST MEETING OF THE COMMITTEE**

The Committee received a report of the Town Clerk advising Members of action taken by the Town Clerk in consultation with the Chairman and Deputy Chairman since the last meeting of the Committee, in accordance with Standing Order Nos. 41(a) and 41(b). This action related to the City Corporation's response to MHCLG Consultation on Planning Reform: Supporting the High Street and Increasing the Delivery of New Homes.

**RESOLVED** – That, Members note the report.

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

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

A Member suggested that going forward the table be presented in ward alphabetical order, as this easier for Members to read. The Chief Planning Officer and Development Director responded that officers would look into presenting the report in this manner.

**RECEIVED.**

8. **VALID PLANNING APPLICATIONS RECEIVED BY THE DEPARTMENT OF THE BUILT ENVIRONMENT**

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

**RECEIVED.**

9. **CITY FUND HIGHWAY DECLARATION - 22 BISHOPSGATE, EC2**

The Committee considered a report of the City Surveyor seeking approval to declare a volume of City Fund airspace above highway at Great St Helens, EC2 to be surplus to highway requirements to allow its disposal in conjunction with the development scheme at 22 Bishopsgate, EC2.

In response to a query from a Member, the City Surveyor advised that these decisions were part of a transaction which involved the grant of an interest. The monetary aspect of any decisions like this were reported to the Corporate Asset Sub-Committee for decision.

The City Surveyor advised that a colour version of the plan on page 71 would be circulated to the Committee via email as the printed version was unclear.

**RESOLVED – That Members:**

- Declare a volume of City Fund airspace above highway at Great St Helen's, EC2 measuring 3 ft<sup>2</sup> (0.32m<sup>2</sup>) and between datum levels to be determined by the City Surveyor to be surplus to highway requirements which will preserve the highway stratum and the continuing highway functions therein to enable its disposal upon terms to be approved by the Corporate Asset Sub Committee; and
- Resolve that part of the parcels of airspace over City Fund highway at Great St Helens, EC2 measuring 54 ft<sup>2</sup> (5.00 m<sup>2</sup>) and declared surplus by this Committee on 3 October 2017 now remain held for highway purposes.

10. **FORMER RICHARD CLOUDESLEY SCHOOL GOLDEN LANE ESTATE LONDON EC1Y 0TZ**

The Committee considered a report of the Chief Planning Officer and Development Director relative to determination of condition 5 of the planning permission for the redevelopment of the former Richard Cloudesley School site, which relates to the management and protection of trees on the site. It is proposed that on the western boundary one tree (a silver birch) is retained and four trees are removed and replaced by three 7m silver birch trees. All the affected trees are located within the London Borough of Islington and therefore regard should be had to their policies (in addition to the City's own Local Plan policies).

The Chairman reminded Members that this was part of a previous decision of the Committee that had been called-in for determination, and that there would be speakers for and against the officer's recommendation. There had also been

other representations in addition to the registered objections which had been circulated to Members.

The Chief Planning Officer and Development Director introduced the item to Members, detailing the relevant previous considerations by the Committee, and presenting the officer's report. The recommendation was that the Committee resolve to discharge the condition, and agree that trees T1, T2, T3 and T4 may be removed subject to compliance with the details set out in Condition 5 regarding replanting.

The Chairman invited the registered objectors to address the Committee. Jacqueline Swanson and Anna Parkinson addressed the Committee in objection to the recommendation, on behalf of residents of Golden Lane and the Golden Lane Baggers allotment group, with an accompanying PowerPoint presentation.

The applicant had agreed to the condition and had previously agreed to retain the trees. Objectors had a number of issues with the options testing document produced, and it was felt that the applicant had produced no evidence that they had properly considered alternative options that would not require the removal of the trees. The objectors themselves had drawn up a number of alternatives, which could be implemented at no additional cost with minimal impact. It was not clear why fewer trees were being proposed to replace the existing trees. The school hall would not need to be moved by 4 metres to accommodate the existing trees, as had been suggested. The options testing document had focussed on the worst options and dramatized severity. There was no need to reduce the number of trees and the applicant was aware of this when they agreed the condition originally.

It was felt that the applicant's interpretation of the condition was biased, and their commitment was not being upheld. The objectors' campaign was specific - the trees were needed by local residents and there would be a significant impact of removing them. The trees were needed as a public health measure against pollution. The replacements would not be in place for at least two years and would be less diverse. Their biodiversity was also valuable in attracting a number of different species of birds. Residents were entitled to expect community consultation, and had communicated with the applicants in good faith, having accepted that one tree may need to be removed. However, there was no evidence that efforts had been made to consider alternative options or construction management plans. It was hoped the Committee would refuse the application to discharge the condition.

The Chairman thanked the objectors for their presentation to Committee and invited questions from Members. In response to queries from Members, the objectors explained in more detail their alternative options for service arrangements, their concerns about the replacement trees, and their concerns about the assertion that the school hall would need to be moved by 4 metres.

The Chairman then invited Common Councilman Ann Holmes to address the Committee in her capacity as a Member of the Court of Common Council. Ann

Holmes first declared her interest in the application, that she was a Member of the Education Board, a Trustee of the City of London Multi Academy Trust and Chair of COLPAI. She had kept abreast of the issues and appreciated the account of residents but urged the Committee to consider the facts explained by officers. The Committee needed to account for the cost and benefit of removing or leaving the existing trees. The current trees had been assessed as being of limited quality and lifespan, and the replacement trees would be of superior quality. The interim period should last around 13 months, and the developer had offered to put plants in place of the trees during the interim period. The plans would need to be redrawn if the existing trees were left standing, and delays to the project threatened its viability. She could not see a case for saving the trees, but any case should be weighed against the costs incurred and impact on the project of doing so.

The Chairman invited those speaking in favour of discharging the condition to address the Committee. Jon Bradburn, Gordon Abbott and Joao Bravo da Costa addressed the Committee in support of the recommendation, on behalf of Montagu Evans and in their capacities as parents of COLPAI students respectively.

The scheme had significant benefits and would deliver a much-needed primary school and social housing. The condition to protect the trees had been attached at a time when the current level of detailed design had not been available. Reasonable measures to retain the trees had been explored and a solution had not been found. The trees were of poor quality, classed as Category C, and had a life expectancy of 10 years. The trees were not subject to formal protection and could not be retained without damage to them within the design and delivery options or without moving the school hall which would incur costs and delay. The trees would be replaced with Category A trees that had a life expectancy of 30 to 40 years. The trees were an established feature, and this was an opportunity to make a long-term improvement.

The condition was one of 71 conditions attached to the permission. The conditions had been applied in the knowledge that it may not be possible that all of the trees could be retained. The existing school site was quite barren and was not green, and 5 trees did not represent a green corridor. There would be more trees in total under the existing plans, plus other green features such as hedgerows, and therefore preventing the scheme would be to prevent ecological improvement.

A number of children had been promised a new school and would have to find another school if the school could not be provided by 2020. The importance of ecology and a healthy environment, and the importance of the allotments to local residents was appreciated, but safety should come first, and the trees were a hazard if they were retained as they were decrepit and might fall. The sooner the school was opened, the sooner the local community would have a venue to collaborate to make improvements to the local area. The school would also bring environmental benefits.

The Chairman thanked those speaking in favour for their presentation to the Committee and invited questions from Members. In response to queries from Members, the applicant gave assurances that alternatives had been properly examined, and confirmed to a Member that three months after the approval, the trees had been discussed and no objection to them was identified, that the Golden Lane Baggers had later been advised via email that approval to retain the trees had been given, and that by October 2018, the Golden Lane Baggers were informed that the trees could not be retained.

The Chairman asked that Members move to debate the application.

A Member argued that the applicant had agreed to the condition when it was originally applied and had had time to consider their options. The trees had not changed and were Category C to begin with. The replacements were fewer in number, were not diverse and were of poor quality. The green corridor would be lost for two growing and breeding seasons, and the allotments would be worse off. The options report did not appear to have looked at all the options, and the options presented showed the worst of both worlds for effect. The scaffolding during construction would only affect the canopies and not the roots and would only impact on one tree. The Committee should refuse the application so that alternative options could quickly be considered with experts, as it was possible only one tree needed to be felled. The variety of species should also be retained. The Committee should not give blanket approval to remove the trees and should retain the green features and diversity.

A Member added that the costs to the developer and delays that were raised as issues were not planning considerations. Attempts had been made to make links to policy, but no causality had been demonstrated. As revealed by the questions posed to the applicant, and the representations made, the applicants had caused delays themselves. The school hall would not need to be moved by 4 metres and the concerns raised in favour of supporting discharge were extreme and emotive. The Member felt the application should be refused and wagered that if the application was refused the developer would find a way to proceed and also retain the trees.

A Member argued that as Members had previously pushed officers to figure out how to retain the trees, he believed a genuine effort had been made to look at alternative options. Further options had been presented by the objectors, but it was not fair to say that alternative options had not been looked at.

A Member added that he had attended the site visit and could see the relationship between the site and its surroundings and the importance of the green corridor, particularly considering the proposed development on a constrained site. It was disappointing that the applicant had not been more sensitive to local stakeholders and he planned to vote against it so that proper consultation with residents could be undertaken.

A Member reiterated that the trees were not being destroyed and would be replaced, by better quality trees with a longer lifespan. The Committee had

previously made a decision to protect the existing trees, but there was nothing wrong with the Committee changing its mind.

A Member added that they had sympathy for the objectors and that there were lessons to be learned from the way the application had been conducted. The replacements could make significant improvements, and the biodiversity would be replaced as the wildlife returned. The Member wanted a commitment from the applicant and suggested a condition be added if the application was approved that ensured replacement trees that improve biodiversity, with any irrigation required to be provided at cost to the developer. The applicant should also seek advice on what types of tree would be recommended for the site.

A Member responded that it was unfair to hear that the suggestion of non-extreme solutions had not been addressed. Whilst the Committee could change its mind, delays should not be urged as a consideration as the developer had waited too long to raise the point. It had been made clear that the replacement trees were of lower quality than the existing ones.

The Chief Planning Officer and Development Director advised the Committee that the replacement trees would not immediately match the scale and the height of the existing trees but would eventually. If the Committee's view was to consider alternative types of trees, this could be proposed as part of the undertakings that the Chief Planning Officer could deal with under delegated authority in consultation with the Chairman and Deputy Chairman. The Committee was advised that officers were willing to discuss the replacement trees with the developer. It should be possible to diversify the replacements, but they would need time to grow.

A Member asked that residents and the Golden Lane Baggers allotment group should be consulted on the acceptability of the undertakings.

A Member moved an amendment to the recommendation to add that the discharge of the condition should be subject to undertakings to ensure the replacement trees were of suitable standard, quality, age and biodiversity, with a variety of species, and that irrigation should be installed at the developer's cost.

This motion was seconded, and Members then moved to a vote on the amendment to the recommendation, with 23 Members voting for the amendment, 2 voting against the amendment, and 1 abstention. Two Members had been ineligible to vote as they had not been present for the duration of the item. The amendment was therefore passed.

Members then proceeded to vote on the recommendation, plus the amendment relating to the undertakings, with 21 Members voting for the amended recommendation, 4 Members voting against the amended recommendation and 1 abstention. Two Members had been ineligible to vote as they had not been present for the duration of the item.



**RESOLVED** – That, the Committee resolves to discharge the condition and agree that trees T1, T2, T3 and T4 may be removed subject to compliance with the details set out in Condition 5 and the application regarding replanting and subject to undertakings to ensure the replacement trees are of suitable standard, quality, age and biodiversity (including variety of species) and that irrigation is installed at the developer's cost.

11. **1-2 BROADGATE LONDON EC2M 2QS**

The Committee considered a report of the Chief Planning Officer and Development Director seeking approval for the demolition of the existing buildings and construction of a building arranged over two basement levels, lower ground, upper ground and 12 upper floors plus rooftop plant to provide flexible retail, leisure and mixed retail/leisure uses (Class A1/A3/A4/D2/Sui Generis) at lower levels (Basement to 2nd floor), restaurant (Class A3) at 7th floor level and office (Class B1) at upper floor levels (3rd to 12th floor); hard and soft landscaping works; outdoor seating associated with ground level retail and other works incidental to the development. (78,020sq.m GEA).

The Chief Planning Officer and Development Director drew the Committee's attention to the tabled addendum sheet, which advised of corrections and amended conditions. The Chief Planning Officer and Development Director then introduced the application to Members and presented the officer's report.

In the absence of any speakers, Members then debated the application. A Member stated that whilst they saw the advantage of public access and increased permeability, they were concerned about the narrowing of Finsbury Avenue. The Member felt that the provision of on-site cycle parking was inadequate, with no contribution to the provision of cycle hire schemes and a lack of visitor spaces and asked if officers would address this.

A Member commended the developers for the amount of pedestrian access proposed in the scheme. The scheme would have a positive impact at ground level.

A Member added that they were impressed with the proposal which combined a number of developing needs of the City of London. The step-free access was particularly welcome. The Member added that the Committee should press for the condition set out on page 202 suggesting a post-construction BREEAM assessment. The Member queried how the developer would comply with the requirement set out on page 229 for Cycle Hire memberships for all employees of the first occupiers of the land uses. A Member added their congratulations to the applicant and praised the way the scheme covered the whole area. The scheme was a good example of what to encourage.

Members then raised a number of further points regarding Finsbury Avenue, permeability, progress in addressing the concerns raised about the energy strategy, and conditions around deliveries for retail units.

The Director of the Built Environment responded to points raised by Members and advised the Committee that there would be no loss of public highway, only estate land. Finsbury Avenue would be narrowed by bringing the existing

building façade out to the existing stair turrets. Capacity would be widened elsewhere, and officers were satisfied that the development enhanced pedestrian space and permeability. There was little scope for visitor short-stay cycling spaces as basement access could not be allowed. The developer had mitigated this by increasing curtilage spaces and overproviding long-stay parking spaces.

A Member noted that the addendum sheet proposed to remove the City's planning obligation on cycle hire membership. The Chief Planning Officer and Development Director responded that this was still a matter of discussion for the Section 106 agreement and could continue to press for this. Members agreed that the addendum should keep the wording on cycle hire.

The Chief Planning Officer and Development Director added that officers would press for the post-construction BREEAM assessment and the energy strategy would need GLA agreement. Members were advised that Broadgate had underground servicing and officers were looking at consolidation plans.

A Member said that the development would potentially have lots of small retail units, and lots of deliveries would be unsuitable even for underground servicing. The Director of the Built Environment responded that he understood the Member's reservation and assured the Committee that there was a good understanding of requirements, and officers would be robust on consolidation. Members' points would be picked up in the delivery management plan.

A Member asked officers to be firmer and make efforts to minimise deliveries through the plans. The Member also had reservations about the pavement on Finsbury Avenue due to the uplift on the building and pavement being reduced. The pavements were already difficult to navigate and needed to be safe. The Director of the Built Environment responded that the pavement would be narrower, but the remaining provision was adequate for the predicted flow of pedestrians.

The Chairman advised the Committee that the developer was present at the meeting and hoped they had taken note of Members' concerns.

Arising from the discussion, the application was then put to the vote amongst Members, who voted unanimously in favour of the recommendation.

**RESOLVED** – That the Planning & Transportation Committee:

(1) Authorise the Chief Planning Officer to determine the above application for the above proposal in accordance with the details set out in the attached schedule and addendum sheet 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);

(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;

(2) 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.

**12. STONECUTTER COURT 1 STONECUTTER STREET LONDON EC4A 4TR**

The Committee considered two reports of the Chief Planning Officer and Development Director seeking listed building consent, and approval for the demolition of 1 Stonecutter Street and 81 Farringdon Street, and associated works to retain the Hoop and Grapes Public House; the erection of a new building constructed on the retained lower basement and basement of 1 Stonecutter Street providing ground, podium, and 13 upper stories; The use of the building for offices (Class B1) at part ground and first to thirteenth floors, retail /offices (Class B1, A1, A3) at podium level, retail at part ground floor (Class A1/A3) and associated delivery bay, cycle parking facilities, together with ancillary plant at basement and lower basement levels; the laying out of a replacement private open space, associated pavilion (Class A1/A3) and enclosure, along with hard and soft landscaping; and the erection of a screen to be attached to the south west flank of the Hoop and Grapes Public House to be planted to provide a green wall, along with the enclosure of the yard to the rear of the Public House with an access to the new open space for means of escape purposes (33,528sq.m GIA).

The Assistant Director drew the Committee's attention to the tabled addendum sheet, which advised of corrections to the planning officer's report, and amended conditions. The Assistant 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 applications for planning permission and listed building consent were recommended for approval .

In the absence of any speakers, Members then debated the application.

A Member said that the site visit had been useful as the plans accompanying the officer's report could have been clearer about the exact implications of the scheme. The Member also sought assurances for future provision of motorcycle parking, as this would be relocated. A Member added his agreement that the plans pack circulated to Members could have been clearer.

A Member queried the servicing arrangements set out in the report and whether officers had identified how this would work in practice.

*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.*

A Member stated his disappointment that a building completed as recently as 1992 was proposed for demolition, and asked officers if the environmental impact of this had been taken into account.

A Member added that access between 8am-dusk Monday to Friday was not long enough, and that the Committee must insist on longer access as part of the S106 agreement.

A Member said that they had found the consultancy letter from DP9 and their comments helpful and the fact that the applicant had met with them and agreed screening for the proposed terraces.

A Member responded to points raised on public access and the demolition of a newer building, adding that the security of the neighbouring buildings needed to be taken into consideration. The Member added that more recent buildings were built more flexibly and were not built to last as long as old buildings.

A Member told the Committee that they were disappointed with the design and appearance of the scheme, as two buildings of merit were being demolished and replaced with buildings that were not an improvement. A Member added that they disagreed, and that the proposals were an improvement on the current buildings.

In response to the point on security, a Member responded that London Wall Place had the same security concerns, yet the walkways were accessible at all times, suggesting that there was a solution. A Member added that there were residents living nearby who may benefit from access at the weekend.

The Assistant Director responded to the points raised by Members, concerning the plans pack circulated. There were three possible locations for the motorcycle parking which would be finalised through traffic management orders and secured within the S106 agreement. The servicing bays would be accessed from St. Brides Street which provides two spaces for loading vehicles. Larger vehicles would need to reverse onto St Brides Street. This would represent a small number of movements and management measures would be put in place to ensure this would not impact on highway safety. The BREEAM assessment includes consideration of a site waste management strategy and the re-use and recycling of building materials from demolition forms part of this assessment.

The opening hours for public access to the open space were still up for discussion, and the current proposals were based on how the space currently operated and the Chairman and Deputy Chairman would be advised on the opening hours agreed. The design process had undergone negotiations and enhancements, including how the scheme addresses the listed Hoop & Grapes public house. The design was considered acceptable. In response to a query from a Member, the Assistant Director assured the Committee that the matters relating to servicing and delivery set out in the servicing arrangements would be enforceable, as they would form part of the S106 agreement and therefore part of the planning permission.

Arising from the discussion, both applications were then put to the vote together amongst Members, who voted unanimously in favour of the recommendations.

**RESOLVED – That:**

- (a) Planning permission be **GRANTED** for the above proposal in accordance with the details set out in the attached schedule;
- (b) That your 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
- (c) Listed building consent be granted for the works referred to above in accordance with the details set out on the attached schedule.

**13. PLANNING APPEAL DECISIONS**

The Committee received a report of the Chief Planning Officer and Development Director advising Members of the decisions made by the Planning Inspectorate on appeals against the decisions of the City Corporation since the last such report on 29<sup>th</sup> January 2018.

Members asked several questions about the report, including whether the Corporation had the right to appeal against Inspectorate decisions, whether officers felt the decisions not in the Corporation's favour were consistent within the framework of other decisions, whether costs were sought over the numerous failed appeals and whether any measures could be taken to reduce the prospect of appeals being allowed.

The Chief Planning Officer and Development Director responded to the points raised by Members. It was difficult to comment on the consistency of decisions made by individual inspectors using common guidance. However, Inspectorate decisions were mostly consistent with the original decision. A legal challenge was the only way to contest an Inspectorate decision and this had not been done. Officers had not sought costs on the numerous failed appeals relating to advertising hoardings.

A Member said that they were surprised the appeal relating to 35 Fenchurch Street had been allowed, as there were several structures nearby already and the area was heavily congested. A Member added that they agreed and felt the fact that the area was already heavily congested was surely grounds for challenging the decision. A Member said that as decisions were made by inspectors, occasional outliers were to be expected.

The Chairman advised officers should be prepared to challenge decisions and try to claim costs where possible.

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

**14. PUBLIC CAR PARKS UPDATE**

The Committee considered a report of the Director of the Built Environment updating Members on the short, medium and long-term strategies approved in the last major report on public off-street car parking in November 2018.

The Director of the Built Environment introduced the report and outlined the key points for Members. The report set out how officers were addressing issues around on-street parking and car park facilities. The second of two agreed tariff increases would be implemented in April 2019 and a further report would be brought back to Committee later in the year. The new Transport Strategy provided an opportunity to address issues.

The Committee was advised of a significant discrepancy between residential season tickets tariffs and public car park tariffs, and that officers proposed to seek parity between the tariffs over the long term. It was also proposed to offer a discount for zero emission capable vehicles.

A Member stated that they were not happy with the report and thought that parity did not make sense. The convenience value of a car parking space below their property was why residents wanted season tickets. The Member suggested that the item be deferred so that the proposals could be looked into in more detail and in a wider context.

A Member queried why the income for the Baynard House car park was expected to drop. A Member added that he thought the thrust of the report was right, and that there was no reason why on-street provision should subsidise other provision, which should at least break even.

A Member advised the Committee that the arrangement for residential season tickets at London Wall had been agreed a number of years ago as a result of pressures on on-street parking provision.

A Member commended the strategy to utilise place and last mile logistics space, adding that consideration would also have to be given to policing and proactively monitoring cargo cycles, as they operated differently to commuter cycles.

A Member said that the aim should be that vehicles are off the street to create pavement space, and that people would only use car parks if on-street parking was not a better option. It was important to signpost to people that car parks were cheaper and more secure.

A Member added that provision of on-street parking was useful for drivers making deliveries, and they were unlikely to use car parks. It was important provision remained available and that pricing was designed for short-term parking. Car parking spaces were no longer offered to property purchasers and it was a good move to lessen longer-term on-street provision and try to get those cars into car parks. A Member added that they were reassured that a Joint Steering Group was in place and was bringing interest groups together on the issue.

A Member urged officers to be ambitious in their targets for installing additional publicly accessible electric vehicle (EV) rapid charge points.

The Director of the Built Environment responded to the points raised by Members. The tariff for residential season tickets had not changed for over 15 years, and it was felt the changes would bring it up to a more appropriate rate. The Baynard House car park was currently larger due to a significant one-off windfall as a result of filming and was now returning to its normal level. Members were assured that officers were looking at cargo cycling and electric charging in detail.

A Member responded that the review of the Barbican Estate was in the context of comparable estates and not in the context of public car parks. Whilst it was sensible that the residential provision should break even, parity across car parks did not make sense. The Member moved that the item be deferred until after the Transport Strategy had been brought back to Committee. As the motion was not seconded, the motion was not carried.

Arising from the discussion, the recommendations were then put to the vote amongst Members, with 22 Members voting in favour of the recommendations, 1 Member voting against the recommendations, and no abstentions.

**RESOLVED** – That, in relation to Baynard House, London Wall, Minories and Tower Hill car parks, the Planning and Transportation Committee:

- note that the second phase of the hourly tariff increase (previously agreed by the Committee) will take place in April 2019; and
- for non-zero-emission capable vehicles, agree to introduce a three-year phased increase in residential season tickets to align them with the rate per square meter (currently £335 per quarter).

**15. BANK JUNCTION IMPROVEMENTS PROJECT: ALL CHANGE AT BANK - GATEWAY 3 - ISSUE REPORT**

The Committee considered a report of the Director of the Built Environment seeking approval to restart the All Change at Bank project, align it with the changes in the corporate project management processes and governance, incorporate the corporate plan outcomes, and seeking Members guidance on the trajectory of change desired at Bank to focus the design efforts and minimise the length of the programme. The Chairman advised the Committee that the Streets & Walkways Sub-Committee had considered the report and had recommended that Strategic Option 2 be taken forward.

The Director of the Built Environment introduced the report and gave a short presentation setting out the project timeline to date, project objectives each strategic option for consideration and indicative timescales for the project. The recommendation was to proceed with option 2, working towards semi-pedestrian priority with areas for place activity. A report would be brought back to Committee in April. The Director of the Built Environment added that the feeling amongst Members of the Streets & Walkways Sub-Committee was that option 2 should not preclude option 1, and that option 1 should continue to be the long-term aspiration for the junction. Pedestrian comfort levels could be improved at present, with significant growth expected over the next few years.

Members then debated the recommendations of the report. A Member advised the Committee that they agreed with the recommended approach, but that feedback suggested travelling westward in a taxi was currently problematic. The Member asked if strategic option 2 could accommodate a specific taxi route. The Chairman responded that he believed this could be arranged under option 2 if it was the will of Members.

A Member said that there was only one option if the junction were to be properly transformed and that was for full pedestrianisation via option 1. The Chairman responded that this remained his ambition, but that the approach to implementing this had to account for the upcoming upgrades to Bank station, which could not be facilitated if option 1 was selected because of the timescales. A pragmatic approach would be in two stages, by proceeding with option 2 before implementing option 1 later.

A Member added that they agreed that option 1 should be the target, but that this was an opportunity to make a real difference and set an example by proceeding towards option 1 straight away.

A Member said that any changes were likely to have an impact beyond Bank junction. The biggest increases in numbers would come from Liverpool Street and this would push traffic elsewhere. The Member suggested that the feasibility study should include consideration of the impact of changes to Bank junction away from the junction.

Another Member said that they agreed with the target of strategic option 1 and would oppose priority for small vehicles. The Member queried whether the political challenge to option 1, deemed to be 'High' would come from aside from taxis.

A Member responded that they had also had feedback about difficulties travelling westward. Option 1 even seemed to exclude buses, which would not serve anyone. The Member would endorse including a study on the impact of change further afield and suggested that the Committee keep its options open at this early stage.

A Member added that he favoured option 2, and that option 1 should not be an obsessive focus. The wider impact should be taken into account. The debate at later stages should allow people to argue for the inclusion of taxis, and the Committee should not predetermine or exclude any form of vehicle at this stage.

A Member suggested starting with the design for strategic option 1 and working backwards towards a solution that also had the pragmatism of option 2. When surveys had been undertaken originally, they had suggested that there would be little impact elsewhere, and impact on nearby areas would not necessarily be because of changes to Bank junction. It was important to ensure resilience so that traffic could be directed back through the junction in an emergency. Members would also need to be clear on the area defined by Bank junction, and to what extent, for example, Cheapside and Queen Victoria Street were



considered part of the junction. The Bank on Safety experiment had been a success and this project could go even further, so the Corporation should continue to be bold.

The Chairman said that his ambition was for option 1, but something needed to be in place for the upgrades to Bank station and he felt that the best initial option was option 2. However, the Committee could put on record that option 1 was their ultimate target. The Chairman added that the wider implications of changes to the junction should be taken into account as part of the scheme.

The Director of the Built Environment responded that the report was focussed on Bank, but that officers would go through any plans with TfL and ensure they were fully audited. Members were assured that the wider implications of changes to the junction would be taken into account. The extension of the arms to the junction would be accounted for as the project progressed and would be considered as part of the Gateway process. Changing the parameters by allowing a mixture of traffic would likely mean changes to the scheme., but traffic restrictions would be brought back for consideration at a later stage. With regards to political challenge, there had also been challenges from TfL on bus journey times.

The Chairman moved that Members moved to a vote on the recommendations, with an amendment to point 4 to reflect the Committee's ultimate aspiration of achieving option 1. This was then put to the vote amongst Members who voted in favour of the recommendations, with the above amendment.

**RESOLVED** – That the Planning and Transportation Committee:

1. Approve for the Bank Junction Improvements Project (All Change at Bank) to be formally restarted;
2. Approve the Project Objectives in paragraph 13 continue to be relevant to align with the wording of the Corporate plan;
3. Note change to governance arrangements of the existing Project Board into a stakeholder working group, and the creation of a new internal Project Board;
4. Proceed with feasibility design of Strategic Option 2 (semi pedestrian priority with some vehicle movement) to a Gateway 4 report, on the basis that the proposed timescales for the project be tightened, and that Strategic Option 1 be retained as the Corporation's longer-term aspiration for the junction. The next phase of work will investigate different options for highways alignment, design of public realm and vehicle mix to inform the Gateway 4 report;
5. Note the options for procurement routes to include the option of any applicable framework contract (paragraph 44 and Appendix 6); and

6. Note that Streets and Walkways will remain the nominated client Committee for future reports on this project, with escalation to Planning and Transportation Committee as required.

**16. TFL DIRECT VISION STANDARD CONSULTATION RESPONSE**

The Committee considered a report of the Director of the Department of Built Environment evaluating response options to TfL's Direct Vision Standard Consultation and proposing that the City Corporation supports firmly DVS, HGV permits, and the phased restrictions of low star rated HGVs.

**RESOLVED** – That Members approve the City Corporation's response to TfL's DVS consultation as shown in appendix 2.

**17. BREXIT UPDATE**

The Committee received a short report of the Director of the Built Environment updating Members on the potential implications of Brexit for the Department of the Built Environment.

**RESOLVED** – That, Members note this initial report and that further update reports will be made to subsequent meetings of the Committee as appropriate.

**18. OUTSTANDING ACTIONS**

The Committee received a report of the Town Clerk detailing outstanding actions since their last meeting.

Updates were provided as follows:

Ludgate Circus

The Transportation and Public Realm Director reported that the City of London Corporation had funded surveys of the junction and the findings were significant. Around 40,000 pedestrians, 18,000 vehicles and 8,500 cyclists passed through the junction every day. However, it was found that around half of the pedestrians crossed the road outside the designated crossing areas, and around 20% of cyclists crossed the junction during red or amber lights. Officers had passed on their concerns arising from the survey to TfL and would be holding meetings with TfL to arrange quick action to mitigate the danger.

The Chairman advised that this was extremely dangerous and advised the Committee that the Deputy Chairman and Director had been active in progressing the issue. The junction was a huge risk to public safety, and it was important the Corporation pressed on TfL to take action.

Committee Tour of the Bloomberg Building

The Chairman advised the Committee that a tour was in the process of being organised.

Daylight/Sunlight Training

The Chairman advised the Committee that a training session would be scheduled in the new municipal year following the Committee's re-appointment by the Court of Common Council.

**RESOLVED** – That the list of outstanding actions be noted and updated accordingly.

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

Illegal Street Traders on the City's Bridges

A Member asked for a progress update in tackling the illegal street trading on and around Tower Bridge. The Committee had previously agreed funding from Bridge House Estates for a full-time licensing officer position dedicated to enforcing across the City's bridges which are in the jurisdiction of neighbouring local authorities and agreed that a progress report would be brought back to the Committee. However, the Member had seen little, if any, reduction in illegal street trading despite the action taken.

The Port Health and Public Protection Director assured the Committee that officers would report back on the issue. The licensing officer position had been recruited to in November 2018 and had been given powers to enforce. There had been an issue with agreeing enforcement powers with Tower Hamlets, who were due to consider it at their meeting on 7 February 2019.

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

There were no additional, urgent items of business for consideration.

21. **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 the Schedule 12A of the Local Government Act.

**Item No.**

22-23

**Paragraph(s)**

3

22. **NON-PUBLIC MINUTES**

The non-public minutes of the meeting held on 18 December 2018 were considered and approved as a correct record.

23. **NON-PUBLIC MINUTES OF THE STREETS AND WALKWAYS SUB COMMITTEE**

The Committee received the draft, non-public minutes of the Streets and Walkways Sub Committee meeting on 4 December 2018.

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

There were no questions in the non-public session.

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

There were no additional, urgent items of business for consideration in the non-public session.

**The meeting closed at 1.24 pm**

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Chairman

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