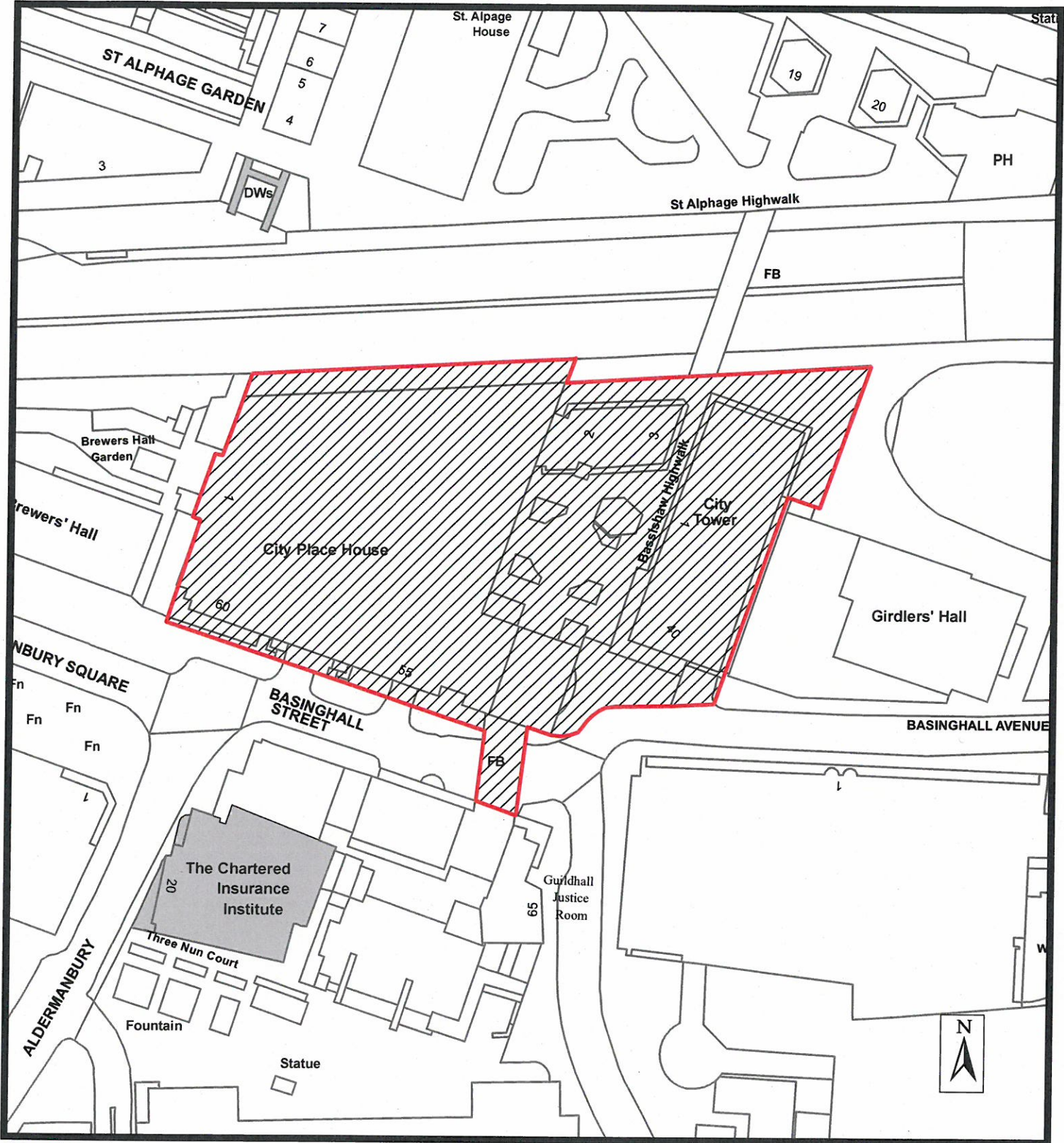


Committee:	Date:
Planning and Transportation	14 May 2013
<p>Subject:</p> <p>City Place House, 55 Basinghall Street & City Tower, 40 Basinghall Street London EC2V 5DE</p> <p>Non-material amendment to facilities for cyclists, provision of new entrance, three additional roof lights and modifications to the high level walkway to planning permission ref. 11/00630/FULL dated 6 January 2012, amended by minor material amendment ref. 12/00167/FULL dated 19 April 2012.</p>	
Ward: Bassishaw	Public For Decision
Registered No: 12/00947/NMA	Registered on: 27 September 2012
Conservation Area: No	Listed Building: No
<p><u>Summary</u></p>	
<p>Permission is sought for a non-material amendment to the planning permission dated 16 January 2012 (see above) to provide facilities for cyclists, a new entrance to City Tower, three additional roof lights and modifications to the high level walkway to planning permission ref. 11/00630/FULL dated 6 January 2012, amended by minor material amendment ref. 12/00167/FULL dated 19 April 2012.</p> <p>This amendment, whilst considered non-material, proposes the use of granite for the reinstated City Walkway to match that on the upper level piazza outside the Guildhall North Wing.</p> <p>There is an outstanding submission of details and materials which also proposes the use of granite.</p> <p>The use of granite no longer complies with the City's walkway standards. The proposed amendments to the buildings are considered to be acceptable and would result in additional and improved facilities for cyclists as are proposed use of granite as a walkway surface to match that on the upper piazza outside the Guildhall North Wing and that proposed for the private areas provided that the developers enter into a maintenance and management agreement for the City Walkway, to be secured by a Section 106 Agreement.</p>	
<p>Recommendation</p> <p>(1) That the non-material amendment be issued for the above proposal in accordance with the details set out in the attached schedule subject to:</p> <p>(a) planning obligations and other agreements being entered into under Section 106 of the Town & Country Planning Act 1990 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;</p> <p>(b) That your Officers be instructed to negotiate and execute obligations in respect</p>	

of those matters set out in "Planning Obligations" under Section 106 and The City of London Various Powers Act 1969.




Site Location Plan



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ADDRESS:
 City Place House, 55 Basinghall Street
 and City Tower, 40 Basinghall Street EC2

CASE No.
 12/00947/NMA

-  SITE LOCATION
-  LISTED BUILDINGS
-  CONSERVATION AREA BOUNDARY





View from Basinghall Street

Case No. 12/00947/NMA

Site

1. The site comprises the City Tower 40 Basinghall Street, City Place House and the Podium building which lies at the base of the tower.
2. The site lies on the south side of London Wall opposite the St. Alphage House site. The buildings are separated at Level 3 by the high level City Walkway from Basinghall Street to London Wall.
City Tower:
 3. The existing building is a 22 storey 1960's building clad in glass and powder coated aluminium.
City Place House:
 4. The existing building is a stone clad 1992 building by Swanke Hayden Connell.
 5. Both buildings currently are being refurbished for offices (B1) and retail (A3) as permitted under planning permission 11/00630/FULL dated 16 January 2012.

Relevant Planning History

6. Planning permission was granted on the 6 January 2012 for the following:
 7. Change of use of part of former library to use class A3 and D1. Re-modelling of City Place House and City Tower facades, refurbishment and re-modelling of existing reception areas to City Place House and City Tower, public realm improvements at ground and podium level, changes to vehicle servicing and associated works, Ref 11/00630/FULL.
This permission has been amended by the following permissions:
 8. Minor material amendment dated 19 April 2012 to allow for the remodelling of the existing reception area whilst retaining the car ramp to planning permission for change of use of former library and re-modelling of existing reception areas, public realm improvements at ground and podium level, changes to vehicle servicing and associated works, ref 11/00630/FULL dated 6 January 2012.

Proposal

9. The application is for a non-material amendment to the planning permission dated 16 January 2012 (see above) to facilities for cyclists, provision of new entrance at podium level, three additional roof lights and modifications to high level walkway to planning permission ref. 11/00630/FULL dated 6 January 2012, amended by minor material amendment ref. 12/00167/FULL dated 19 April 2012.

10. This amendment proposes the use of granite for the reinstated City Walkway to match that on the upper level piazza outside the Guildhall North Wing.
11. There is an outstanding submission of details and materials which also proposes the use of granite.
12. The use of granite is no longer considered to comply with the City's Walkway standards for City Walkway due to increased repair and maintenance costs and the applicants therefore propose to enter into a maintenance agreement with the City to be included in a Section 106 Agreement under which they will undertake the maintenance responsibility.

Consultations

13. The views of other City of London departments have been taken into account in the consideration of this proposal and some detailed matters remain to be dealt with under conditions and the Section 106 agreement.

Policy Context

14. The development plan consists of the London Plan, the saved policies of the Unitary Development Plan and the Core Strategy. The London Plan, UDP and Core Strategy policies that are most relevant to the consideration of this case are set out in Appendix A to this report.
15. On 14th January 2013 public consultation commenced on the Draft Local Plan and this ended on 11th March. It is expected that a revised Local Plan will be issued in autumn 2013 and the final plan adopted in 2014. At this stage the policies in the Draft Local Plan are of limited weight and the weight to be given to relevant policies will increase as the plan advances towards approval and adoption.
16. The Draft Local Plan incorporates the Core Strategy which has been carried forward with limited alterations. These alterations include, "Protecting existing office accommodation where there are strong economic reasons why the loss of offices would be inappropriate (policy CS1 – Offices) and greater restriction on where additional housing should be located (policy CS21 Housing). It includes new policies for Development Management.
17. There is relevant City of London and GLA supplementary planning guidance in respect of Planning Obligations, St. Paul's and Monument Views, Sustainable Design and Construction, London Views Management Framework and the City Open Spaces Strategy 2008.
18. Government Guidance is contained in the National Planning Policy Framework (NPPF).

Considerations

19. The Corporation, in determining this non-material amendment, has the following main statutory duties to perform:-

to have regard to the provisions of the development plan, so far as material to the application and to any other material considerations. (Section 70 Town & Country Planning Act 1990);

to determine the application in accordance with the development plan unless other material considerations indicate otherwise. (Section 38(6) of the Planning and Compulsory Purchase Act 2004).

20. The principal issues in considering this application are:
- The extent to which the proposals comply with Government policy advice (NPPF).
 - The extent to which the proposals comply with the relevant policies of the London Plan, Core Strategy and the saved policies of the Unitary Development Plan.
 - The acceptability of the amendments to the original permission and the acceptance of the use of a non- standard surface material for the walkway surface.

Economic Development Issues

21. The building is being refurbished and modified to provide high quality office accommodation to meet the demands of the City's commercial occupiers.

Design

22. The changes to the design of the existing buildings have been considered and permitted by the planning permission granted on the 6 January 2012. The amendments propose a relocation and increase and improvement to the provision of the cyclist showering and changing facilities with separate male/female showering and changing facilities and facilities for users with disabilities. A new separate entrance from Basinghall Street, comprising a revolving door and fully automatic pass door and 3 additional circular roof lights to the podium.
23. The amended facilities for cyclists would be an improvement over those provided by the original scheme. The proposed entrance would provide access to the building from podium level and is designed to accord with the scheme permitted previously.

Highwalk Modifications

24. The proposed changes to the buildings' landscaping and the walkway were granted permission subject to conditions requiring approval of details of the materials for the buildings' landscaping and walkway. The landscaping and walkway are on private land (but the walkway is to be re-declared as City Walkway once completed). The developers have proposed the use of granite for the walkway surface rather than the standard York Stone in order to match the granite used on the upper level of the Guildhall North Wing Piazza. The walkway would be realigned to accord with the proposed realignment of the walkways from the St. Alphege House development.

25. These proposals are considered to be acceptable aesthetically and are subject to the developers entering a maintenance and management agreement with the City.

Planning Obligations

26. Under Section 106 of the Town & Country Planning Act 1990 an agreement or planning obligation can be made between parties, usually the developer and the local authority, or a unilateral undertaking can be submitted by a prospective developer:
- restricting the development or use of land in any specified way;
 - requiring specified operations or activities to be carried out in, on or under or over the land;
 - requiring the land to be used in any specified way; or
 - requiring a sum or sums to be paid to the authority on a specified date or dates or periodically.
27. Planning obligation arrangements were modified by the Community Infrastructure Levy Regulations 2010 ('the CIL Regulations'). The Regulations introduce statutory restrictions on the use of planning obligations to clarify their proper purpose, and make provision for planning obligations to work alongside any Community Infrastructure Levy ('CIL') arrangements which local planning authorities may elect to adopt.
28. Regulation 122 states that it is unlawful for a planning obligation to constitute a reason to grant planning permission when determining a planning application if the obligation does not meet all the following tests:
- necessary to make the development acceptable in planning terms;
 - directly related to the development; and
 - fairly and reasonably related in scale and kind to the development.
29. The National Planning Policy Framework (March 2012) stated that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. It repeated the tests set out above and then stated that where planning obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled. (NPPF paragraphs 203-206).
30. It is proposed that a Section 106 Agreement be entered into to secure that the walkway is offered to the City for de-declaration as City Walkway, and that the developer and any successors in title, will clean,

maintain, repair and replace materials both on the re-cladded City Walkway and in the private areas in a manner acceptable to the City. The Section 106 Agreement will secure step-in rights for the City to carry out maintenance, cleansing and repair of the City Walkway and re-charge the cost to the developer should the developer default on their covenant to maintain, cleanse and repair.

Conclusion

31. The proposed amendments to the building are considered to be acceptable and would result in additional and improved facilities for cyclists. The proposed use of granite as a walkway surface to match that on the upper piazza outside the Guildhall North Wing and on the private land is considered to be acceptable in this instance provided that the developers enter into a maintenance and management agreement for the City Walkway, to be secured by a Section 106 Agreement.

Background Papers

Internal

Nil

External

Letter dated 24.09.12 DP9

Letter dated 18.04.13 Hardscape

Certificate of Conformity Grupimar

Email dated 19.04.13 DP9

Appendix A

London Plan Policies

London Plan Policies

The London Plan policies which are most relevant to this application are set out below:

Policy 7.5 London's public spaces should be secure, accessible, inclusive, connected, easy to understand and maintain, relate to local context, and incorporate the highest quality design, landscaping, planting, street furniture and surfaces.

Policy 7.6 Buildings and structures should:

- f provide high quality indoor and outdoor spaces and integrate well with the surrounding streets and open spaces
- h meet the principles of inclusive design

Unitary Development Plan and Core Strategy Policies

CS10 Promote high quality environment

To promote a high standard and sustainable design of buildings, streets and spaces, having regard to their surroundings and the character of the City and creating an inclusive and attractive environment.

CS19 Improve open space and biodiversity

To encourage healthy lifestyles for all the City's communities through improved access to open space and facilities, increasing the amount and quality of open spaces and green infrastructure, while enhancing biodiversity.

SCHEDULE

APPLICATION: 12/00947/NMA

City Place House, 55 Basinghall Street & City Tower, 40 Basinghall Street London

Non-material amendment to facilities for cyclists, provision of new entrance, three additional roof lights and modifications to the high level walkway to planning permission ref. 11/00630/FULL dated 6 January 2012, amended by minor material amendment ref. 12/00167/FULL dated 19 April 2012.

INFORMATIVES

- 1 The Plans and Particulars accompanying this application are:
1869.PL.000 Rev A, 1869.PL.031 Rev B, 1869.PL.033 Rev D,
1869.PL.034 Rev D, 1869.PL.035 Rev B, 1869.PL.040 Rev
D, 1869.PL.047 Rev D, 1869.PL. 061 Rev D, 1869.PL. B1 Rev A,
1869.PL.B2 Rev A.
- 2 You are advised that the drawings hereby approved supercede the relevant drawings submitted as part of the considerations of planning permission 12/00167/FULL dated 6 January 2012 and minor material amendment dated 19 April 2012 and are subject to the conditions imposed on those permissions.

Unitary Development Plan and Core Strategy Policies

CS10 Promote high quality environment

CS19 Improve open space and biodiversity