

Committee:	Date:
Planning and Transportation	15 December 2015
Subject: Guildhall Yard London EC2P 2EJ Use of the Guildhall Yard for up to 15 markets and 40 events not ancillary to the function of the Corporation of London per year.	Public
Ward: Bassishaw	For Decision
Registered No: 15/00748/FULLR3	Registered on: 15 July 2015
Conservation Area: Guildhall	Listed Building: No

Summary

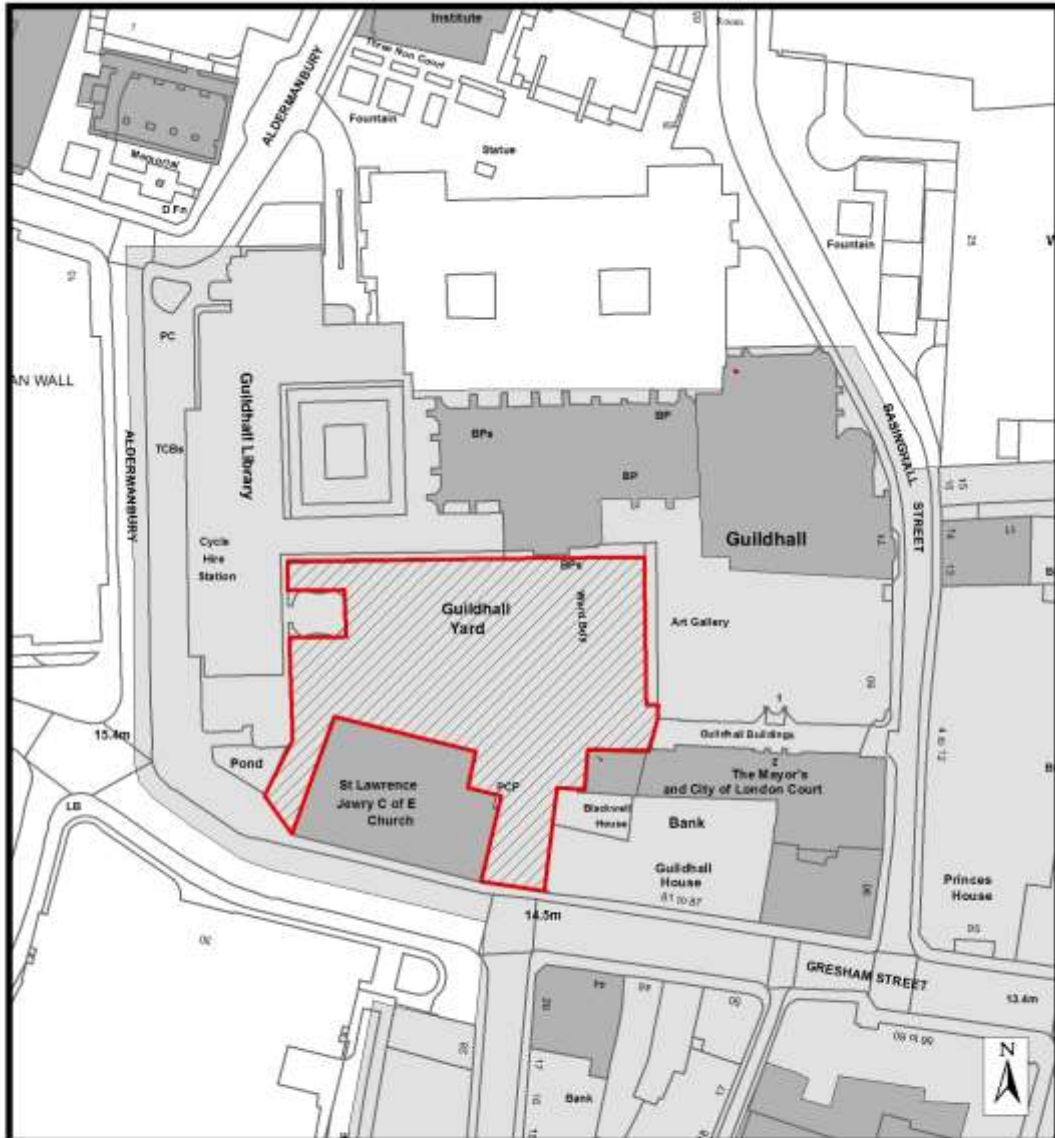
Planning permission is sought for the use of the Guildhall Yard for up to 15 markets and 40 events not ancillary to the function of the Corporation of London per year.

Events have been held in the Guildhall Yard for a number of years; these are varied in nature and include events that are part of the function of the Corporation of London, for example the Lord Mayor's show and exhibitions. The yard is also used for market events including lunchtime food markets and private functions that are not ancillary to the Corporation of London. This application seeks to regularise the use of the Guildhall Yard for these purposes.

Recommendation

That planning permission is approved in accordance with details set out in the attached schedule.

Site Location Plan



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ADDRESS:
Guildhall Yard

CASE No.
15/00748/FULLR3

-  SITE LOCATION
-  LISTED BUILDINGS
-  CONSERVATION AREA BOUNDARY



CITY OF LONDON
DEPARTMENT OF THE BUILT ENVIRONMENT



Main Report

Site

1. Guildhall Yard is an open space bounded by the Guildhall (listed Grade I), the Guildhall office complex, The Church of St Lawrence Jewry (listed Grade II), the Guildhall Art Gallery, the Mayor's and City of London Court (listed Grade II), the Irish Chamber and Guildhall House.
2. The Guildhall Yard is not listed but is within the curtilage of the Guildhall complex and within the Guildhall Conservation area.

Proposal

3. Planning permission is sought for the use of the Guildhall Yard for up to 15 markets and 40 events not ancillary to the function of the Corporation of London per year.

Consultations

4. The application has been publicised on site and in the press. No representations have been received from members of the public.
5. Nearby residents and the Church of St Lawrence Jewry have been specifically consulted and no objections have been received.
6. The views of other Departments of the Corporation have been taken into account in the consideration of this application.

Policy Context

7. The development plan consists of the London Plan and the City of London Local Plan. The London Plan and Local Plan policies that are most relevant to the consideration of this case are set out in Appendix A to this report.
8. Government planning guidance is contained within the National Planning Policy Framework (NPPF) and accompanying National Planning Practice Guidance (NPPG)

Considerations

9. The Corporation in determining the planning application has the following main statutory duties to perform:-
 - (i) To have regard to the provisions of the development plan, in so far as it is material to the application, to local financial considerations so far as they are material to the application, and to any other material considerations (Section 70 (ii) Town & Country Planning Act 1990);
 - (ii) 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);

10. When considering the application, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area (S72 (1) Planning (Listed Buildings and Conservation Areas) Act 1990).
11. In considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building/structure or its setting or any features of special architectural or historic interest which it may possess. (S66 (1) Planning (Listed Building and Conservation Areas) Act 1990)
12. The main considerations in this case are the requirement for planning permission, impact of the proposed markets and events on existing retailing in the locality, setting of nearby listed buildings, impact on this part of the Guildhall conservation area, the use of the Guildhall yard as a public open space and servicing of the proposed activities.

Requirement for planning permission

13. Not all markets require planning permission. Under Part 4, Class B of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 there is a provision which allows the use of any land for any purpose for not more than 28 days in total in any calendar year, of which not more than 14 days in total may be for the purposes of the holding of a market. It also allows the provision on the land of any movable structure for the purposes of the permitted use. There are a number of conditions one of which states that the development is not permitted if the land in question is a building or is within the curtilage of a building.
14. In this case the Guildhall Yard is considered to fall within the curtilage of the Guildhall complex and the proposed use of the Guildhall Yard would require planning permission.
15. Events have been held in the Guildhall Yard for a number of years; these are varied in nature and include events that are part of the function of the Corporation of London, for example the Lord Mayor's show and exhibitions. The yard is also used for market events such as lunchtime food markets and private functions that are not ancillary to the Corporation of London. This application seeks to regularise the use of the Guildhall Yard for these purposes.

Impact on Existing Retail

16. There are no specific policies on outdoor markets or events in the Local Plan. Policy CS6 refers to exploring the potential for street markets in the Cheapside and St Paul's Key City Place. The Guildhall Yard lies just to the north of this area as defined in the Local Plan.
17. The proposal would not constitute a permanent retail operation likely to impact on the vitality and viability of the nearby Cheapside Principal Shopping Centre or retail links.

Public Open Space

18. Open spaces such as Guildhall Yard provide a valuable resource of open space in a rapidly expanding City. Policy CS19 seeks to protect existing open spaces. It is important that the semi-permanent use of this open space for large scale market use should not compromise the qualities of the Yard as an open space, contrary to Policy CS19.
19. The use of the Guildhall Yard for the limited number of markets and events proposed would not have a harmful impact upon the accessibility of the Yard by members of the public.

Setting of Nearby Listed Buildings and Conservation Area

20. It is considered that the proposed use of the Guildhall yard and the associated movable structures, for the temporary period proposed, would not have a detrimental impact upon the special architectural or historic interest of the nearby listed building or the character or appearance of this part of the Guildhall Conservation Area.

Servicing and Management

21. To ensure access to the Guildhall Yard by the public is not obstructed and that the proposed activities would not conflict with other City events and functions the proposed markets and ancillary events would be run and serviced in accordance with the submitted Servicing Management Plan.
22. The plan requires that refuse storage and collection is provided by the City of London Cleansing Department. Bins would be provided for food, general and recycling waste. Cleaning of the Yard before and after markets and events would be undertaken by Cleansing Department street operatives.
23. Vehicles are limited to 4 on site at any one time for set up and set down, no parking is permitted in the Yard.
24. The appearance of the market stalls is controlled by the Servicing and Management Plan. All stalls are provided by Shepherds Markets and are of the same shape and type.
25. A condition is recommended to ensure compliance with the Servicing and Management Plan.

Conclusion

26. The use of the Guildhall Yard for Guildhall Yard for up to 15 market events and 40 events not ancillary to the function of the Corporation of London per year would be of public benefit and would not be detrimental to existing retail provision in the area, the setting of the nearby listed buildings or the Character or appearance of the Guildhall Conservation Area.

Background Papers

Internal

Email 24.09.15 Department of Markets and Consumer Protection

External

Nil

Appendix A

London Plan Policies

- Policy 2.12 Central Activities Zone – predominantly local activities.
- Policy 4.8 Supporting a successful and diverse retail sector and related facilities and services.
- Policy 4.6 Support for and enhancement of arts, culture, sport and entertainment
- Policy 7.5 Public Realm

Relevant Local Plan Policies

CS6 Meet challenges Cheapside/St Paul's

To develop Cheapside and St Paul's area as the City's 'high street' and key visitor destination, increasing the amount of high quality retailing, promoting the City's unique cultural and leisure activities and heritage, and improving the pedestrian environment.

DM12.1 Change affecting heritage assets

1. To sustain and enhance heritage assets, their settings and significance.
2. Development proposals, including proposals for telecommunications infrastructure, that have an effect upon heritage assets, including their settings, should be accompanied by supporting information to assess and evaluate the significance of heritage assets and the degree of impact caused by the development.
3. The loss of routes and spaces that contribute to the character and historic interest of the City will be resisted.
4. Development will be required to respect the significance, character, scale and amenities of surrounding heritage assets and spaces and their settings.
5. Proposals for sustainable development, including the incorporation of climate change adaptation measures, must be sensitive to heritage assets.

DM12.2 Development in conservation areas

1. Development in conservation areas will only be permitted if it preserves and enhances the character or appearance of the conservation area.

2. The loss of heritage assets that make a positive contribution to the character or appearance of a conservation area will be resisted.
3. Where permission is granted for the demolition of a building in a conservation area, conditions will be imposed preventing demolition commencing prior to the approval of detailed plans of any replacement building, and ensuring that the developer has secured the implementation of the construction of the replacement building.

CS11 Encourage art, heritage and culture

To maintain and enhance the City's contribution to London's world-class cultural status and to enable the City's communities to access a range of arts, heritage and cultural experiences, in accordance with the City Corporation's Destination Strategy.

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.

DM11.1 Visitor, Arts and Cultural

- 1) To resist the loss of existing visitor, arts and cultural facilities unless:
 - a) replacement facilities are provided on-site or within the vicinity which meet the needs of the City's communities; or
 - b) they can be delivered from other facilities without leading to or increasing any shortfall in provision, and it has been demonstrated that there is no demand for another similar use on the site; or
 - c) it has been demonstrated that there is no realistic prospect of the premises being used for a similar purpose in the foreseeable future.
- 2) Proposals resulting in the loss of visitor, arts and cultural facilities must be accompanied by evidence of the lack of need for those facilities. Loss of facilities will only be permitted where it has been demonstrated that the existing floorspace has been actively marketed as a visitor, arts or cultural facility at reasonable terms.

CS12 Conserve or enhance heritage assets

To conserve or enhance the significance of the City's heritage assets and their settings, and provide an attractive environment for the City's communities and visitors.

SCHEDULE

APPLICATION: 15/00748/FULLR3

Guildhall Yard London EC2P 2EJ

Use of the Guildhall Yard for up to 15 markets and 40 events not ancillary to the function of the Corporation of London per year.

CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To ensure compliance with the terms of Section 91 of the Town and Country Planning Act 1990.
- 2 No generators shall be used to provide electrical power or lighting for this market.
REASON: To safeguard the amenity and air quality of the adjoining premises and the area generally in accordance with the following policies of the Core Strategy: CS15, CS21.
- 3 No vehicles shall be parked on the site during the period that a market or event is in operation other than those being used for the purpose of a stall or display.
REASON: To protect the visual amenities and environmental character of the area in accordance with the following policies of the Unitary Development Plan and Core Strategy: CS10, CS12.
- 4 Stalls used for markets or events, vehicles, protective surfaces, other market or event related equipment and waste shall be removed from the site by the end of the day on which the market or event operated.
REASON: To protect the visual amenities and environmental character of the area in accordance with the following policies of the Unitary Development Plan and Core Strategy: CS10, CS12.
- 5 The operation of the proposed markets and events shall be undertaken in accordance with the approved Servicing and Management Plan.
REASON: To ensure the good management of the venue to protect residential amenity and to ensure compliance with the following policy of the City of London Core Strategy: CS15, CS21.
- 6 The development shall not be carried out other than in accordance with the following approved drawings and particulars or as approved under conditions of this planning permission: Site Location Plan. Servicing and Management Plan received 15.10.15.

REASON: To ensure that the development of this site is in compliance with details and particulars which have been approved by the Local Planning Authority.

INFORMATIVES

- 1 In dealing with this application the City has implemented the requirements of the National Planning Policy Framework to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in dealing with planning applications in the following ways:

detailed advice in the form of statutory policies in the Local Plan, Supplementary Planning documents, and other written guidance has been made available;

a full pre application advice service has been offered;

where appropriate the City has been available to provide guidance on how outstanding planning concerns may be addressed.