

PLANNING AND TRANSPORTATION COMMITTEE

Tuesday, 4 July 2017

Minutes of the meeting of the Planning and Transportation Committee held at the Guildhall EC2 at 10.30 am

Present

Members:

Christopher Hayward (Chairman)	Alderman Vincent Keaveny
Deputy Alastair Moss (Deputy Chairman)	Oliver Lodge
Rehana Ameer	Paul Martinelli
Randall Anderson	Andrew Mayer
Alderman Sir Michael Bear	Deputy Brian Mooney
Sir Mark Boleat	Barbara Newman
Mark Bostock	Graham Packham
Deputy Keith Bottomley	Deputy Henry Pollard
Henry Colthurst	Jason Pritchard
Peter Dunphy	James de Sausmarez
Emma Edhem	Oliver Sells QC
Marianne Fredericks	Graeme Smith
Graeme Harrower	Deputy James Thomson
Alderman Robert Howard	William Upton
Alderman Gregory Jones QC	

Officers:

Simon Murrells	- Assistant Town Clerk
Amanda Thompson	- Town Clerk's Department
Jennifer Ogunleye	- Town Clerk's Department
Deborah Cluett	- Comptrollers & City Solicitor
Simon Owen	- Department of the Built Environment
Carolyn Dwyer	- Director of the Built Environment
Annie Hampson	- Department of the Built Environment
Paul Monaghan	- Department of the Built Environment
Iain Simmons	- Department of the Built Environment
Peter Young	- City Surveyor's Department

1. APOLOGIES

Apologies for absence were received from Christopher Hill, Deputy Jamie Ingham Clark, Sylvia Moys and Susan Pearson.

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

Oliver Sells declared a personal interest in agenda item 6 a) – Inner Temples Treasury Building which was also stated on his Register of Interests and

advised that he would remain in the meeting but take no part in the discussion or voting.

Alderman Gregory Jones declared a personal interest in agenda item 6 a) – Inner Temples Treasury Building which was also stated on his Register of Interests and advised that he would remain in the meeting and take part in consideration of the application as his interest was not pecuniary.

William Upton declared a personal interest in agenda item 6 a) – Inner Temples Treasury Building which was also stated on his Register of Interests and advised that he would remain in the meeting and take part in consideration of the application as his interest was not pecuniary.

Emma Edhem declared a personal interest in agenda item 6 a) – Inner Temples Treasury Building and advised that she would remain in the meeting and take part in consideration of the application as her interest was not pecuniary.

Deputy Alastair Moss declared a personal interest in agenda item 6 a) – Inner Temples Treasury Building and advised that he would remain in the meeting and take part in consideration of the application as his interest was not pecuniary.

3. **MINUTES**

RESOLVED – That the minutes of the meeting held on 13 June be approved as a correct record subject to the addition of the following:

'Wind Modelling' – Eastern Cluster

The Committee requested that the issue be looked into and a report be brought to a future meeting.

Matters Arising

Thames Court Footbridge

A Member expressed concern that nothing had happened yet and reported that there was a degree of impatience building in the Ward as the footbridge had been closed since October 2016.

Officers advised that a report would be coming to the next meeting on 25 July 2017.

Sensitive Material

A Member asked if any work had been undertaken on what was being done to resolve the issue about access by members to sensitive information in relation to viability submitted by applicants.

Officers advised that a report would be coming to the next meeting on 25 July 2017.

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

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

RESOLVED – That the report be noted.

5. **VALID APPLICATIONS LIST FOR COMMITTEE**

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

RESOLVED – That the report be noted

6. **REPORTS RELATIVE TO PLANNING APPLICATIONS**

6.1 **17/00077/FULMAJ - Inner Temples Treasury Building, The Terrace, Crown Office Row, London, EC4Y 7HL.**

The Committee received a report of the CPO in relation to an application for the extension and refurbishment of the Inner Temple Treasury Building to provide a new barristers' Education and Training Centre, primarily at third floor level within adapted library space and a new roof level extension above the Library and the Hall. The CPO informed the committee of late representations including one from Richard Humphries QC, which had been previously circulated. The CPO also advised of corrections to the report at paragraphs 80, 85 and 101 to state that the roof ridge height would be 400mm higher than the current ridge height (not the same, as stated in the report in error).

The CPO presented the report including by reference to photographs, drawings and plans shown on screen and advised that the development comprised a new mansard roof extension featuring dormer windows and chimney stacks. Two extensions were proposed on the north elevation to accommodate a new lift shaft and stairs and internal alterations included the insertion of a new ceiling above second floor level within the library.

The Committee noted that a total of 77 (plus 8 supplementary) representations had been received across two rounds of consultations. The issues raised included the harm to the library space, the impact of the proposed extension on heritage assets and the Temples Conservation Area, the need for education facilities and the impact on the Inner Temple Garden of potential temporary structures during construction.

The CPO advised that the proposals would result in less than substantial harm to the significance of the Temples Conservation Area and the setting and significance of Temple Church. The proposals would result in some harm to the Treasury Building as a non designated heritage asset, however the harm was outweighed by the public benefits of the proposal which comprised the completion of the original design for the building, and the creation of a barrister's' training centre which would reinforce the legal character of the Inner Temple and sustain the building's long-term use.

It was considered that the development complied with the NPPF and the Development Plan as a whole and was appropriate subject to conditions, and a Section 106/Section 278 Agreement being entered into and complied with.

Robert McCracken QC, Desiree AA Artesi and Marcus Binney (of Save Britain's Heritage) spoke in objection to the application including on the grounds that the harm to the library interior was highly material, amounted to substantial harm and had been under-estimated by the officers, and irreplaceable damage would be caused to the Inner Temple Library which was one of the finest law libraries in the world and one of the Inn's most precious assets. It was in the great tradition of fine libraries and an example of the important post-war reconstruction period. The library provided comprehensive and up to date research facilities and contributed to the education and training of students and pupils, and the loss of open access shelving would adversely impact legal practise. It would be a loss to future generations and the claimed benefits were highly questionable.

The Chairman advised Mr McCracken that he had received his request for his 'reasons for refusal' to be circulated to Members in advance of the meeting, but advised that should the Committee decide to refuse the application, it would be appropriate for the reasons to be drafted by officers based on the Committee's views.

Members asked the objectors a number of questions in relation to the significance of the loss of shelf space, how often the library was used and whether it was open to Members of the public, alternative options, and the relevance of the business case .

Guy Featherstonhaugh QC and Michael Spencer QC spoke in support of the application which they felt would improve the external appearance of the Treasury Building and enhance its standing within the conservation area. The Inner Temples needed to provide a high quality training and teaching facility to meet the needs of students, pupils and its members so that the primary purpose of providing education and training for the Bar could be maintained.

Members asked a number of questions including in relation to the scale of the education provision, the availability of facilities at other Inns, the scope of proposed Condition 17 in restricting use of Inner Temple Gardens, and

the ordinary functioning of the Inn during the construction period, why the option of going underground wasn't pursued, and why it was essential that training staff were accommodated on site.

Debate ensued and several Members spoke in support of the application as they felt the applicants had made a credible case regarding the need for facilities that would address current and future demand for a barrister's training centre. Some Members felt that some concerns raised by the objectors were 'operational' issues and questioned whether they were material planning considerations. The historic role of the Inns and their contribution to sustaining the country's justice system was also referred to.

Other Members spoke against the proposal, including concerns about the importance of the library as a heritage asset, and the scale of harm to the library which some members felt would be substantial. They also felt that there was no requirement for a tiered lecture room or for training staff to be based on site and the harm was therefore unnecessary. Alternative options were also raised.

A Member asked for clarification of Condition 17 which prohibited the use of the Inner Temple Garden as a works compound or for temporary structures during construction. The CPO clarified that it was not intended to prohibit temporary structures unrelated to construction of the library proposals, such as event marquees currently used on a few occasions a year. The Condition was intended to withdraw permitted development rights for structures in connection with construction works under Part 4A of the GPDO and possible minor clarification had been discussed. Buildings required for temporary relocation of Treasury Building facilities during the course of the works would require a separate grant of planning permission.

Arising from the discussion, the application was put to the vote, the result of which was as follows:

14 votes in favour of the CPO recommendation
12 votes against

RESOLVED – That Planning permission be granted for the above proposal in accordance with details set out in the proposed schedule, subject to:

- 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; and
- b) Officers being instructed to negotiate and execute obligations in respect of those matters set out in "Planning Obligations" under Section 106 and any necessary agreements under Section 278 of the Highway Act 1980.

6.2 Leadenhall Market Draft Supplementary Planning Document - Adoption

Members considered a report of the CPO in relation to the Supplementary Planning Document (SPD) for Leadenhall Market which was issued for public consultation during April and May 2017.

Members were advised that in response to comments received one minor amendment was proposed.

RESOLVED - That

- 1) The amendment to the Leadenhall Market SPD listed in Appendix B of the report be agreed, and
- 2) Members resolve to adopt the amended Leadenhall Market SPD.

7. REPORTS OF THE DIRECTOR OF THE BUILT ENVIRONMENT

7.1 Historic Environment Strategy: adoption after public consultation

The Committee considered a report concerning the Historic Environment Strategy which brought together City of London Corporation guidance on the historic environment. The Strategy was an interlinked series of documents that could be read independently. Between October and December 2016 three of these documents were issued for public consultation, arising from which some minor amendments were proposed.

RESOLVED - That

- a) The amendments to the Introduction, Archaeology and Development Guidance SPD and Churchyard Statements listed in appendix 2 be agreed.
- b) Members resolve to adopt the amended Archaeology and Development Guidance as an SPD.
- c) Members agree the publication of the Introduction and City of London Churchyards evidence base.

7.2 Pipe Subways of Holborn Viaduct and Snow Hill over Thameslink: GW3 Internal Consultation

The Committee considered a report proposing the combining of two projects to progress to Gateway 4a, and in order to select the best option in terms of whole-life costings, sought to appoint a Quantity Surveyor and a Contractor for just early contractor involvement.

RESOLVED - That

- a) Approval be given to the Director of the Built Environment to proceed to the next gateway by combining the above listed two projects and close them as two separate projects.
- b) Approval for an increase of the budget by £280,000 to allow a consultant to be appointed, undertake any further exploratory works and for staff costs funded from the On-Street Parking Reserve, bringing the project overall budget to £313,000 (i.e. £280k + £33k already approved).

7.3 City Transportation Network Performance 2017/18 Work Programme

The Committee considered a report previously considered by the Streets and Walkways Sub-Committee concerning the transportation network performance work programme.

At the Streets and Walkways Sub-Committee Members had discussed workload pressures and requested that they be made aware of current workload issues and, given the pressure on staffing resources, be given the opportunity to agree work programme priorities.

The report set out those significant work items that either directly or indirectly impacted upon the workload of the City Transportation's 'Network Performance' team, and provided a proposed work plan.

Members were advised that the 'Network Performance' team within the City Transportation section was experiencing significant service demands and a workload that even if staffed to current full establishment it would not be possible to meet. It had therefore been necessary to recommend a review of service priorities.

RESOLVED - to

- a) Agree the proposed highest priority programme (Appendix 1: table 1) which based on current staffing resource can be progressed within 2017/18.
- b) Agree the proposed additional programme (Appendix 1: table 2) which could be progressed in 2017/18 if the network performance team is fully resourced.
- c) Agree the proposed reserve programme (Appendix 1: table 3) which could commence in 2018/19 or sooner if resources permit.
- d) Agree those projects proposed as 'low priorities' (Appendix 1: table 4) which it is proposed are indefinitely deferred but that this decision be reviewed in quarter four 2017/18.

After consideration of this item, and in respect of Standing Order No. 40, the Chairman sought the Committee's consent to extend the meeting to allow the item to be considered and this was agreed.

8. MIPIM PROPERTY CONFERENCE 2017

The Committee received a report detailing the CoL Corporation's activities at the MIPIM property exhibition in March 2017, and seeking approval for City attendance at MIPIM 2018. This report also identified potential areas to develop to maximise the benefit of the City Corporation's attendance at MIPIM 2018.

Members welcomed the report and commented that MIPIM provided an opportunity to engage with local and international representatives of the property industry together with high level representatives of other London Boroughs and UK cities. It provided a unique opportunity to engage in the debate relating to key issues and demonstrate how the City Corporation would provide leadership in taking forward matters of local and international importance. The programme of activities was extremely well received by those who attended.

A member commented that appointing a PR consultancy to support the visit had really helped and urged that this be allowed to continue.

RESOLVED - That

- a) The report on MIPIM 2017 be noted.
- b) Approval be given in principle for the City of London Corporation to attend MIPIM 2018, and
- c) A further report outlining a detailed programme of activities and costings for MIPIM 2018 be submitted for consideration in October 2017

9. CITY FUND HIGHWAY DECLARATION - LEADENHALL STREET, EC3

The Committee received a report of the City Surveyor seeking to declare a volume of airspace situated above 365 ft² of City Fund highway land at Leadenhall Street, EC3 to be surplus to highway requirements to allow its disposal in conjunction with the development known as 'The Scalpel'.

The development scheme was approved by the Committee on the 15 May 2014 and was designed with projecting glazed canopies along its two principal elevations part of which was intended to project into City Corporation property above the highway.

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 a volume of City Fund highway land above an area of highway measuring 365 ft² (33.91m²) situated in Leadenhall Street EC3 to be surplus to highway requirements to enable its disposal upon terms to be approved by the Corporate Asset Sub Committee and subject to the City Corporation retaining ownership of the highway and the continuing highway functions.

10. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE

Question from Sir Mark Boleat

Following lengthy discussion on three recent planning applications and in anticipation of another lengthy discussion on one item today can I ask the Chairman if he agrees that the time is right for the Committee to have a fundamental review of how it considers major planning applications. Today, members are being asked to consider 567 pages on a single application. For most members this is the first they know about this application. We were invited for a site visit but at notice that was so short as to be impossible for most members.

I have been looking at practice in other London authorities as part of the research I am doing for a paper I am writing on the housing problem. We are an outlier in respect of how we consider planning applications. Best practice seems to be that decisions are taken by a panel, typically of around ten members, and that those members are involved in pre-application discussions with the developer. As I understand it until recently in the City such discussions involved only officers; it is welcome that the Chairman is now involved but in my view that is not enough.

Could I ask the Chairman what is currently the process for advising developers informally of what is or is not likely to be acceptable to the Committee, and who is involved in this process. And would the Chairman establish a small working group of members to consider whether there is a better way of considering major planning applications, for example by involving a smaller group of members (I should add not the same members in every case) in major applications from a very early stage.

RESPONSE

The Chairman replied that he was very open to improving processes although he would be nervous about having smaller groups of members considering applications and running the risk of pre-determination. He added that it was important for Members of the Committee to be available to applicants and developers and attend site visits, although only in the presence of officers. The Chairman also reminded Members that the Committee's terms of reference were set by the Court of Common Council so any changes would require the Court's approval.

Members of the Committee expressed concern at the suggestion that the current process needed reviewing as the strength of the Committee lay in the knowledge of its Members and the practice of holding a full debate. Also the CoL was a unique area and very different to other local authorities.

A Member commented that it was obvious to the public how much effort went into the decisions made by the Committee, which also enabled a totally transparent process.

Another member suggested that a review would be helpful only if undertaken properly, although caution would need to be taken in relation to site visits and meetings.

Arising from the discussion, the proposal was put to the vote, the result of which was as follows:

11 votes in favour of a review of the existing process

6 votes against

The Chairman stated that while Members had agreed that a full review was unnecessary, there was always scope for improvement which officers should bring to Committee.

11. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**
Cultural Hub Public Realm Temporary Artistic Projects: Look and Feel
'Quick Wins'

This Committee was asked to consider an urgent report updating Members on the Artistic installations for the public realm: the programme of events, temporary art installations, new street furniture, and greening for the Cultural Hub area of the City that had been termed the Look and Feel 'Quick Wins'.

The Committee was advised that the Cultural Hub Working Party and its Chairman had expressed a strong desire to see a series of 'Quick Wins' across the Cultural Hub ahead of the proposed major capital interventions, and an indicative programme was endorsed by the Working Party on 1 February 2017.

A Gateway 1/2/3/4 report was thereafter approved by Members in March 2017 to initiate the programme and since that date a creative producer had been appointed to put the programme together; artists had been appointed to do some pre-evaluation work; designs had been drawn up and costs clarified ready for approval at Gateway 5.

RESOLVED that the outlined 'Phase 1' of the Quick Wins project, comprising events, installations and greening in the public realm in support of the Cultural Hub, be approved in principle.

12. **EXCLUSION OF THE PUBLIC**

RESOLVED - That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds

that they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Local Government Act.

13. TOWER BRIDGE - REPLACEMENT OF HEATING SYSTEM SERVING THE HIGH LEVEL WALKWAYS AND TOWERS

The Sub-Committee considered a report of the Director of Open Spaces regarding the project to replace the heating system serving the high level walkways and towers at Tower Bridge.

14. FINSBURY CIRCUS - CROSSRAIL ISSUE REPORT

The Committee considered a joint report of the Director of Open Spaces, the City Surveyor and the Comptroller and City Solicitor in relation to the reinstatement of Finsbury Circus Garden upon completion of Crossrail tunnelling works.

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

There were no non-public questions.

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

There were no items.

The meeting closed at 1.00 pm

Chairman

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