

PLANNING AND TRANSPORTATION COMMITTEE

Tuesday, 25 July 2017

Minutes of the meeting of the Planning and Transportation Committee held at the Guildhall EC2 at 10.00 am

Present

Members:

Christopher Hayward (Chairman)	Paul Martinelli
Deputy Alastair Moss (Deputy Chairman)	Andrew Mayer
Randall Anderson	Deputy Brian Mooney
Alderman Sir Michael Bear	Sylvia Moys
Sir Mark Boleat	Barbara Newman
Mark Bostock	Graham Packham
Deputy Keith Bottomley	Deputy Henry Pollard
Henry Colthurst	Jason Pritchard
Marianne Fredericks	James de Sausmarez
Graeme Harrower	William Upton
Deputy Jamie Ingham Clark	

Officers:

Amanda Thompson	-	Town Clerk's Department
Jennifer Ogunleye	-	Town Clerk's Department
Alison Hurley	-	Assistant Director Corporate Property Facilities Management
Carolyn Dwyer	-	Director of Built Environment
Annie Hampson	-	Department of the Built Environment
Paul Beckett	-	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
Simon Glynn	-	Department of the Built Environment
Peter Shadbolt	-	Department of the Built Environment

1. APOLOGIES

Apologies for absence were received from Rehana Ameer, Emma Edhem, Christopher Hill, Alderman Robert Howard, Graeme Smith and Deputy James Thomson.

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

There were no declarations of interest.

3. **MINUTES**

RESOLVED – That the minutes of the meeting held on 4 July be approved as a correct record subject to the following amendments:

2. Minutes - 'Wind Modelling' – Eastern Cluster

The Committee requested a post construction wind modelling audit be looked into and a report brought to a future meeting.

10. Question from Sir Mark Boleat

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

6 votes in favour of a review of the existing process

11 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 as and when.

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.

In response to a question the CPO advised that the permission (17/00086) to relocate the Liffe Trader Statue on Dowgate Hill was granted planning permission subject to a condition that it be implemented within 3 years. It was understood that it would be installed within the next 3 months.

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.

In response to a question the CPO advised that the application in respect of 191 Fleet St(17/00571) was for a new shopfront to replace the unauthorised one, following the unsuccessful appeal to retain the existing.

RESOLVED – That the report be noted

6. **PUBLIC LIFT UPDATE**

The Committee received a report of the City Surveyor providing an update in respect of the status of public lifts and escalators in the City.

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

7. **REPORTS RELATIVE TO PLANNING APPLICATIONS**

a) **Emperor House 35 Vine Street London EC3N 2PX**

The Committee received a report of the CPO in relation to the demolition of the existing building and redevelopment to provide a mixed use building at Emperor House 35 Vine Street London.

The CPO advised that the proposed development would regenerate the site, removing the existing building and delivering a mixed use development which would enliven the eastern part of the City and contribute to the City's offer of student accommodation, heritage assets/cultural facilities and employment floorspace.

Brian Noone, Chris Murphy and one another spoke in objection to the application on the grounds of overshadowing and loss of light, the need for additional office space as opposed to student accommodation, the impact of students living in the area and the lack of infrastructure to support them.

Johnny Manns on behalf of Urbanist, and Susan Davis from an adjacent building, were heard in support of the application which would provide high quality student facilities, add to the vitality of the area and assist the growth of education and business.

Members asked a number of questions in relation to the to the operation of the incubation accommodation and how it would be used out of term time, the population of students and a student management plans, servicing and deliveries, fire precautions, the impact on the residential amenity of neighbouring properties and why the site was deemed not viable for new office space.

Debate ensued and several Members spoke in support of the application as they felt the applicant had made a credible case regarding the need for student accommodation, as well as the need to provide accommodation suitable for SME's. The report concluded that the loss of office space was acceptable and an appropriate use for the area which was in need of regeneration.

Other Members spoke against the proposal and expressed concern about the lack of infrastructure to support a new student population, the impact on traffic management and servicing, and the loss of a prime location for office space that also had excellent transport links.

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

16 votes in favour of the application
5 votes against

RESOLVED – That planning permission be granted for the above proposal in accordance with the details set out in the attached schedule subject to planning obligations and other agreements being entered into 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, and the decision notice not being issued until the Section 106 obligations have been Executed.

b) **Wood Street Police Station 37 Wood Street London EC2P 2NQ**

The Committee received a report of the CPO seeking planning permission and listed building consent for the erection of a nine storey tower extension, infill of existing courtyard, internal refurbishment, conversion of basements, provision of car and cycle parking, refuse and recycling storage and associated works for police station (sui generis) use. The report dealt with the relevant considerations for both applications.

The CPO advised that the proposed development would provide additional accommodation for the City Police and facilitate the rationalisation of the three existing Police stations within the City of London. The services provided by the Police Station were strategically located at this site, in close proximity to the Guildhall and other City administrative provisions.

Members noted that both Historic England and the Twentieth Century Society were concerned that the extension would cause serious harm to the aesthetic value of the building and were not convinced that it had been demonstrated that the consolidation of the Police's use on this particular site had a public benefit that could outweigh this harm.

Several Members expressed the view that the harm was outweighed by the public benefits of the proposal that allowed local and national policing and security duties to be carried out in modern accommodation that met current day requirements.

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

16 votes in favour of the application
4 votes against

RESOLVED – That planning permission be granted for the development referred to above in accordance with the details set out on the attached schedule

c) **Wood Street Police Station - Listed Building Consent**

RESOLVED – That the Secretary of State be advised that the Local Planning Authority would have been minded to grant the Listed building consent for the works referred to above in accordance with the details set out on the attached schedule if the application had fallen to them for determination.

d) **Public Comments in Planning Reports**

The Committee received a report outlining the current approach to the inclusion of public comments in planning reports, which was to summarise the comments in the body of the report and to attach the emails/letters received, and reporting on the practice undertaken by other London authorities.

The Committee noted that 9 out of 11 authorities adopted the same practice as the City, except for one which used a separate bundle of comments and two who summarised the comments only.

RESOLVED – that the current report format is maintained so that if there is a judicial review of the Committee's decision it is clear that Members have had the relevant information available to them. It is for Members to advise whether they require printed or electronic papers.

e) **Imposition of planning conditions on planning permissions**

In response to a request from the Committee to provide further information in relation to the use of planning conditions, the Committee received a report identifying how conditions were used, the way conditions were processed and whether or not they were becoming more onerous.

The CPO advised that these conditions were relevant to planning and were imposed to ensure the quality of design in the City of London and to safeguard residential amenity. Whilst some of these touched on matters that were regulated through other control regimes such as licensing, the imposition of the conditions could support these other controls.

The Committee noted that some matters were not appropriate for control under planning conditions and in these circumstances it was necessary in addition to enter a S106 planning obligation to secure those matters as local procurement and affordable housing. Where a developer was unwilling or unable to comply with a condition it could apply to the local authority to remove that condition. If that was refused it could appeal to the Secretary of State.

The CPO advised that the conditions would be kept under review together with a review of procedures to ensure that conditions were discharged in a timely manner. Improvements were likely to include surgery sessions with relevant consultees to expedite the signing off of conditions.

RESOLVED – That the report be noted.

8. **REPORTS OF THE DIRECTOR OF THE BUILT ENVIRONMENT**

a) **Cultural Hub North/South Programme: St Paul's Area Strategy**

The Committee received a report setting out a proposal to develop an enhancement strategy for the St Paul's area located in the south west of the City. This plan was an identified activity within the Cultural Hub Public Realm Programme.

RESOLVED - that the initiation and development of the St Paul's Area Enhancement Strategy for up to £120,000, utilising funds from the Cultural Hub North-South Route Programme be approved.

b) **Eastern Cluster Area Enhancement Strategy - Update**

The Sub-Committee received a report of the Director of the Built Environment which provided an update on the work carried out to date on the preparation of an area enhancement strategy for the public realm in the Eastern City Cluster (ECC).

Members noted that additional funding had been secured from Transport for London 2017-2018 LIP contribution (£100,000), and it was proposed to utilise a further £158,000 from the Section 106 Contribution from the Pinnacle development to complete the Strategy.

RESOLVED - That

1. The content of the update report and associated supporting information attached in appendix 1 and 2 be noted; and
2. Additional funding of £158,000 from the Section 106 contribution connected to the Pinnacle development to finalise the area strategy be approved.

c) **Strategic Transportation - Freight Strategy Update**

The Committee received a report updating on progress with work on actions to manage freight movement in the City.

RESOLVED – That the report be noted.

d) **Freight and Servicing Supplementary Planning Document - Draft for Consultation**

The Committee received a report of the Director of the Built Environment presenting the draft Freight and Servicing Supplementary Planning Document (SPD), and the associated Strategic Environmental Assessment (SEA) and Equality Analysis.

The SPD had been produced to provide additional guidance on the interpretation of policies in the City of London Local Plan in relation to freight and servicing movements. The SPD sets out potential measures for managing freight through minimising trips, matching freight demand to network capacity, and mitigating the impact of essential freight trips.

RESOLVED – That the draft SPD and SEA be approved for public consultation.

e) **Thames Court Footbridge**

The Committee received a report in relation to the Thames Court Footbridge following the decision taken by the Committee on 23 May 2017 that should Transport for London not be willing to accept the vesting of the Thames Court as a highway structure, then the CoL Corporation should take over responsibility for its retention and maintenance.

Officers had now discussed the matter with CBRE Ltd, the agents for the footbridge's owners, and had reached agreement in principle that the footbridge could be transferred to Transport for London (TfL) or to the CoL Corporation.

Members were advised that TfL officers had subsequently advised that they did not see any great utility in the footbridge given the location of other pedestrian crossing places over Upper Thames Street in the vicinity and that they did not wish to have it vested in Transport for London. As a result, if the footbridge was to be retained it would need to be vested in the City.

Officers advised that the structure would need to be comprehensively assessed before it could be determined what works needed to be undertaken before it could be safely reopened. Fees for an inspection for condition and assessment were estimated at £20 000 and they were estimated as taking approximately three months to complete.

A Member expressed concern at the timescales involved and length of time the footbridge had been closed, and suggested that a more proactive approach should be taken to reopen it as soon as possible.

Other Members stated that significant funds should not be committed to until a full assessment had been undertaken.

RESOLVED – That an inspection for condition and assessment of the Thames Court footbridge be undertaken, and a project be initiated through the City's project management procedure to retain, resurface and (if required) strengthen the footbridge.

f) **City Corporation response to consultation on the Mayoral Community Infrastructure Levy 2 Preliminary Draft Charging Schedule**

The Committee received a report advising of the CoL Corporation response to the preliminary draft charging schedule.

RESOLVED – That the City Corporation:

Supports the delivery of the Crossrail 2 railway and supports in principle the introduction of a new Mayoral CIL charge to contribute towards the cost of delivering this strategic transport infrastructure.

Expresses concern that the cumulative impact of the proposed Mayoral CIL charge, alongside City Corporation's City CIL and City s106 charges could have an adverse impact on the viability of development in the City.

Requests that the Mayor's viability assessment be refined to address the specific effect on City office development viability and looks forward to close liaison during this process.

Agrees that the detailed comments set out in paragraphs 11 – 17 of this report will be forwarded to the Mayor as the City Corporation's response to the Mayor's consultation on the Mayoral CIL2 Preliminary Draft Charging Schedule, and that Paragraph 16 first sentence be amended to state that "the City Corporation supports the principle of delivering Crossrail2 part-funded by Mayoral CIL2 contributions but objects to the proposed MCIL2 rates for the City until it is reassured that they are supported by robust evidence that takes account of City-specific viability issues."

g) **Viability Appraisals**

At Planning & Transportation Committee on 13 June, Members raised concerns about the approach taken to the assessment of development viability appraisals and asked that a report be brought back to a future meeting addressing:

Officers had now reviewed the approach taken to confidentiality and arrangements had been updated including on the planning applications website to reinforce the presumption of transparency. The report also clarified that confidential information was available to Committee members subject to the necessary protocols.

Officers were also reviewing the process for selecting and appointing consultants to undertake reviews of viability appraisals and were examining the potential to use the District Valuation Service or seek support from the Mayor of London. A report will be brought back to a future Committee for consideration.

Members commented that the Col should employ the best in the field.

RESOLVED that the report be noted.

h) **Microclimate Advice Notes 2017**

The Committee received 4 planning advice notes in relation to Sunlight, Solar Glare, Solar Convergence and Wind effects and Tall Buildings that had been prepared to provide clarity of advice on potential microclimatic impacts arising from development in the City of London, and how these issues should be considered as part of the planning process.

RESOLVED to receive the four Advice Notes for information and note that they will now be available on the CoL website, and be used in relation to all relevant development proposals.

9. **PUBLICATION OF THE CITY OF LONDON CORPORATION'S AIR QUALITY SUPPLEMENTARY PLANNING DOCUMENT**

The Committee considered a report of the Director of Markets and Consumer Protection which set out the statutory annual status report demonstrating progress in relation to air quality, the full report had been placed in the Members' Room.

RESOLVED that the report be noted.

10. **REVENUE OUTTURN 2016/17**

The Committee received a report comparing the revenue outturn for the services overseen by the Committee in 2016/17 with the final budget for the year.

RESOLVED that the revenue outturn report for 2016/17 and the proposed carry forward of local risk underspending to 2017/18 be noted.

11. **REVIEW OF DESIGNATION OF THE STILL & STAR PUBLIC HOUSE AS AN ASSET OF COMMUNITY VALUE**

The Committee received a report advising of the outcome of a request for a Review of the decision of Policy and Resources Committee to include the Still and Star public house ("the public house") on the City's List of Assets of Community Value, and of the conclusion of the review that the public house should remain on the List.

RESOLVED to note the outcome of the review of the decision regarding the inclusion of the Still and Star on the City's List of Assets of Community Value.

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

Bernard Morgan House

In response to a question concerning what the latest position was, the CPO officer advised that the Secretary of State had decided not to call in the decision and therefore subject to the s106 agreement being entered into the decision could be issued. The affordable housing contribution which the Committee had given delegated authority for the Chairman and Alderman Sir Michael Bear to be consulted on was being undertaken.

*The Deputy Chairman declared an interest when this question was asked.

Meeting Agenda

Several members expressed concern at the length of the meeting and the number of agenda items which had been included to accommodate recess, and also the amount of time taken by officers to introduce items.

The Chairman undertook to address these matters with the Town Clerk and the Director of the Built Environment.

Mayor's Transport Consultation

In response to a question concerning when this would be coming to Committee officers advised that this would be 3 October meeting. It was suggested that TfL be invited to the meeting to present this.

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

The Chairman reported that the September meeting of the Committee would be cancelled and the first meeting after recess would be 3 October 2017.

14. **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.

15. **NON-PUBLIC MINUTES**

RESOLVED – That the minutes of the meeting held on 25 July be approved as a correct record.

16. **DEBT ARREARS - BUILT ENVIRONMENT**

The Committee received and noted a report in relation to debt arrears.

17. **LONDON BRIDGE STAIRCASE**

The Committee considered an issue report of the Director of Built Environment concerning the London Bridge Staircase project.

18. **EASTERN CITY CLUSTER SECURITY PROJECT**
The Committee received a report regarding the Eastern City Cluster Security Project.
19. **RISK REGISTER FOR BRIDGE HOUSE ESTATES**
The Committee received a report concerning the risk register for Bridge House Estates.
20. **NON-PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
There were no questions.
21. **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 of urgent business.

The meeting closed at 1.00 pm

Chairman

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