

## **PLANNING AND TRANSPORTATION COMMITTEE**

**Monday, 9 April 2018**

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

### **Present**

#### **Members:**

Christopher Hayward (Chairman)	Alderman Vincent Keaveny
Deputy Alastair Moss (Deputy Chairman)	Oliver Lodge
Randall Anderson	Alderman Nicholas Lyons
Sir Mark Boleat	Deputy Brian Mooney
Mark Bostock	Sylvia Moys
Deputy Keith Bottomley	Barbara Newman
Henry Colthurst	Susan Pearson
Peter Dunphy	Judith Pleasance
Emma Edhem	Deputy Henry Pollard
Marianne Fredericks	James de Sausmarez
Graeme Harrower	Oliver Sells QC
Deputy Jamie Ingham Clark	

#### **Officers:**

Amanda Thompson	- Town Clerk's Department
Jennifer Ogunleye	- Town Clerk's Department
Deborah Cluett	- Comptrollers & City Solicitor
Alison Hurley	- City Surveyor's Department
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

#### **1. APOLOGIES**

Apologies for absence were received from Rehana Ameer, Christopher Hill, Alderman Gregory Jones QC, Paul Martinelli, Andrew Mayer, Jason Pritchard, and Graeme Smith.

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

Mark Bostock declared a relevant disclosable pecuniary interest in agenda item 9 – 17/00909/FULL and stated that he had been granted a related dispensation to speak but not vote on the item.

3. **MINUTES**

RESOLVED – That the public minutes and summary of the meeting held on 26 March be agreed as a correct record subject to the following amendments:

Agenda item 7 – Former Richard Cloudesley School Site - there were 2 abstentions not 1 as reported; and

Agenda item 8 – 1 & 2 Garden Court - there was 1 abstention not 0 as reported.

4. **OUTSTANDING REFERENCES**

RESOLVED – That the Outstanding References be noted and updated as appropriate.

5. **MINUTES - STREETS AND WALKWAYS SUB-COMMITTEE - 27 FEBRUARY 2018**

The draft minutes of the Streets and Walkways Sub-Committee were received.

6. **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 advertising applications determined by the Chief Planning Officer and Development Director or those so authorised under their delegated powers since the last meeting.

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

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

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

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

8. **35 FURNIVAL STREET - 14/01173/FULL**

The application was introduced which was recommended as acceptable in terms of its massing and design and that it would not detract from the character of the building or the character and appearance of the Chancery Lane Conservation Area.

Mr Mathieu Fourny and Ms Chloe Nash spoke in objection on the basis of detrimental loss of natural light and sunlight to their properties, and the excessive noise and interruption which the building works would cause.

With the agreement of the Chairman, a mobile phone photograph was passed around the Committee, and the objectors recommended that Members undertake a site visit.

Although the applicant was unable to be at the meeting, a copy of her statement in support of the application had been circulated to the Committee.

Members asked a number of questions in relation to the proximity of the properties to one another and which rooms would be affected by loss of light.

Members sought clarification on the significance of the cumulative impact assessment, Local Plan Policy, and whether or not conditions restricting the noise and timing of the building works could be applied.

Several Members commented that a site visit might have been helpful.

Marianne Fredericks PROPOSED and Susan Pearson SECONDED that the application be DEFERRED to enable the Committee to undertake a site visit.

The proposal was put to the vote with 13 voting FOR, 1 AGAINST and 8 ABSTENTIONS.

RESOLVED – That the application be DEFERRED for the Committee to undertake a site visit.

9. **BEN JONSON HOUSE, BRETON HOUSE, THOMAS MORE HOUSE, BUNYAN HOUSE AND WILLOUGHBY HOUSE BARBICAN, RESIDENTIAL CAR PARK - 17/00909/FULL**

The application which was introduced sought planning permission for the installation of 316 self-contained, pre-fabricated galvanised steel storage units in 201 car parking spaces across three car parks within the Barbican Complex.

Mr Henry Irwig spoke in objection to the application in respect of the Bunyan Car Park, and asked that consideration be given to additional conditions requiring that the storage units not be placed where they created 'blind spots', obscured the entrances to flat blocks, and compromised security.

Mr Irwig also advised that he had sent in some slides to support his presentation, however these could not be located by officers and had not been received.

Members discussed a number of issues relating to the safety and security implications of the proposals, the use of storage units by non-Barbican residents, and the potential impact of parking provision and traffic congestion in the car parks and immediate area.

Some Members spoke in support of the application which they felt would enable underused parking spaces to fulfil a new purpose, meet the increased demand for additional storage space for both residents and non-.

Other Members expressed concerns regarding the lack of information regarding what the storage units might be used for, and suggested that the conditions relating to the management plan needed to be more explicit in relation to fire safety and security issues.

Arising from the discussion the application was put to the vote with 19 voting FOR and 2 AGAINST the proposal as follows:

RESOLVED – That planning permission be granted subject to:

- the imposition of an additional condition requiring amended plans to address (i) fire egress; and (ii) traffic blind spot concerns, approval of the amended plans to be delegated to the CPO in consultation with the Chairman and Deputy Chairman

**10. 46-47 CHANCERY LANE - 17/00878/FULL**

The Committee received a report of the Chief Planning Officer concerning planning permission for the installation of telecommunications equipment on the roof of 46-47 Chancery Lane comprising nine antennae, one transmission dish, three cabinets, and associated ancillary development.

The Committee noted that the proposals were considered to have a visually incongruous impact on the appearance of the building, would detract from the roofscape and would adversely affect the character and appearance of Chancery Lane Conservation Area and the setting and views of nearby listed buildings.

The Committee considered that the potential public benefits of the scheme did not outweigh the less than substantial harm caused to the designated heritage assets that would be affected and

RESOLVED – That the application be refused.

**11. ROAD DANGER REDUCTION AND ACTIVE TRAVEL PLAN 2018 -2023**

The Committee received the Road Danger Reduction and Active Travel Plan 2018-2023 which had previously be considered by the Streets and Walkways Sub-Committee at it's meeting on 27 February 2018.

The Sub-Committee noted that measures adopted over the last five years for road danger reduction had been successful in delivering an improvement in the casualty rate in the City. However absolute casualty numbers had remained constant due to the rise in the number vulnerable road users. More significant reductions in KSI numbers would require the adoption of new and more radical measures that prioritised active travel and supported Healthy Streets.

Members expressed concern at the statistics and suggested that plans to address this needed to be more ambitious to achieve absolute reductions.

Members recognised that behaviour change was the biggest challenge and stressed the need for active engagement with the community and stakeholders, enforcement, safer freight and trials of temporary closures at high pedestrian routes and times.

Members considered that the Corporation also needed to work more closely with TfL to bring about these changes as many of the danger spots were under its jurisdiction.

RESOLVED – To

- 1) Approve the Road Danger Reduction and Active Travel Plan 2018 - 2023 for public consultation.
- 2) Approve the 2018/19 Work Programme.

12. **FINAL DEPARTMENTAL BUSINESS PLAN 2018/19 - DEPARTMENT OF THE BUILT ENVIRONMENT**

The Committee received the final high-level business plan for the Department of the Built Environment for 2018/19.

RESOLVED – To approve the Department of the Built Environment's final high-level business plan for 2018/19.

At the end of this item, and in respect of Standing Order No. 40, the Chairman sought the Committee's consent to extend the meeting to allow for the remaining business to be considered. This was put to the meeting and **AGREED**.

13. **GATEWAY 6 PROGRESS REPORT - BANK ON SAFETY: CONSULTATION FINDINGS**

The Committee received a report of the Director of the Built Environment detailing the consultation results of the Bank on Safety consultations.

Members were advised that of the consultation survey, 45% of respondents supported the experiment as implemented, a further 29% generally supported the scheme but wanted to see changes, and a total 75% of respondents supported or generally supported the experiment.

Members noted that the majority of business and representative group respondents were supportive, including the City Property Association, which represented 150 businesses within the City.

Overall, the most frequent request of a variation in the consultation survey was to allow black cabs through the junction. This was suggested by 12% of the total respondents.

A Member referred to the section of the report summarising feedback from "groups and organisations that the City of London considered to be key stakeholders, or key local occupiers", and questioned on what basis the Alliance of British Drivers came into this category, and how much weight was given to its representations if it were not a significant body. The Member further

questioned what work was being done in relation to allowing taxis' through the junction.

Officers advised that the views of 'key stakeholders' were to inform debate and would be refuted if necessary. With regard to the further work on access by taxis' to Bank, officers advised that action under urgency had been signed off by Chairman & Deputy Chairman of S&W committee.

The Member replied that he couldn't recall having seen any record or minutes to that effect.

Several Members commented that while the consultation response had been very good, it was important to ensure that the final decision be evidence led and not anecdotal.

The Chairman reported that his commitment to the Bank on Safety scheme would continue unabated.

RESOLVED – That the outcomes of the Bank on Safety Consultation exercise be noted.

**14. GATEWAY 1/2 PROGRESS REPORT - THAMES COURT FOOTBRIDGE**

The Committee received a Gateway 1/2 Progress report updating on the Thames Court Footbridge Programme.

RESOLVED – That the report be noted.

**15. 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.

The City Surveyor advised that the Millennium Inclinator would be back in service on 16 April.

A Member expressed concern that the lift had been out of service for 3.5 months.

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

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

Questions from Mark Bostock

- 1) Back in February 2017 the Chief Planning Officer, under delegated powers, gave full planning and listed building consent to the refurbishment of the Golden Lane Estate Community Centre. The planning application included in the Planning Statement (item 1.5) the following statement:

'It should be noted that there are no current plans to relocate the Estate Office which is located in Great Arthur House and this does not form part of this application'

It has been brought to my attention that the City of London Housing department now plans to move the estate office into the building. As the Community Centre is class D1 and the Estate Office, attracting full business rates would be class B1 or Sui Generis could you please advise as to whether it is necessary for the City to seek planning and listed building approval for this change of use.

**The Chief Planning Officer advised that the Estate Office was not included in the 2017 permission and that she would need to clarify exactly what was proposed before, being able to advise what permissions were necessary and would then contact the member directly.**

Mr Harrower then mentioned that as the Golden Lane Estate Community Centre fell within use class D1, and the Estate Office located in Great Arthur House presumably fell within use class B1 or was sui generis, he was not aware of any basis on which the Estate Office could be relocated from Great Arthur House to the Community Centre without an application for planning permission being made to approve a change of use of the Community Centre. This was on basic planning principles, and even without regard being had to the more restrictive rules applying to listed buildings.

He added that in the planning statement made in relation to the application for planning permission for the refurbishment of the Community Centre in February 2017, the Planning Consultant stated that "It should be noted that there are no current plans to relocate the Estate Office which is located in Great Arthur House and this does not form part of this application."

If that relocation had been part of that application, local residents would have had the opportunity to object to it. If the relocation could now be achieved without the need to apply for permission, because an arguable case could be found in planning law that permission was not needed for this change of use, that outcome would have the effect of preventing local residents from having a say in circumstances in which they had previously received an assurance that no relocation was planned.

He asked that if the position as regards the relocation not needing permission was arguable in planning law, the matter be resolved by an application being made in order to respect the democratic process.

The Chairman added that, in this event, the legal position as regards the assurance quoted above should also be considered by the City Solicitor."

- 2) The Government has just published the draft revised National Planning Policy Framework along with the draft Planning Practice Guidance for Viability and I would be interested to know how Members might have some input?

**The Chairman advised that Paul Beckett, Policy and Development Director, already had this in hand and would contact him.**

Question from Henry Colthurst

- 3) Henry Colthurst referred to previous discussions at the Committee relating to wind measurement on tall buildings. He asked when the promised "before and after construction" wind measurements on 20 Fenchurch St would be made available. Also he drew the attention of the Committee to the impending completion of three tall buildings on Leadenhall Street and Bishopsgate, together with plans for a further four. Given the huge extra footfall that would be generated and possible wind impact for pedestrians from all such buildings he asked when a full update of relevant wind readings would be provided.

Officers advised that a number of extra trees had been planted outside 20 Fenchurch Street and agreed to produce a full report in due course of relevant and predicted readings.

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

There were no items of urgent business.

**18. 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.

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

There were no non-public questions.

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

None.

**The meeting closed at 12.30 pm**

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Chairman

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