

PLANNING APPLICATIONS SUB-COMMITTEE
Tuesday, 21 February 2023

Minutes of the meeting of the Planning Applications Sub-Committee held at Livery
Hall - Guildhall on Tuesday, 21 February 2023 at 10.30 am

Present

Members:

Deputy Shravan Joshi (Chairman)
Deputy Randall Anderson
Brendan Barns
Emily Benn
Ian Bishop-Laggett
Deputy Michael Cassidy
Mary Durcan
John Edwards
Deputy John Fletcher
Deputy Marianne Fredericks
Jaspreet Hodgson
Amy Horscroft
Deputy Natasha Maria Cabrera Lloyd-Owen
Deputy Edward Lord
Alderman Ian David Luder
Antony Manchester
Alderman Bronek Masojada
Andrew Mayer
Deputy Brian Mooney
Deborah Oliver
Deputy Graham Packham
Alderswoman Susan Pearson
Deputy Henry Pollard
Ian Seaton
Shailendra Kumar Kantilal Umradia
Alderman Sir David Wootton

Officers:

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| Zoe Lewis | – Town Clerk's Department |
| Gemma Stokley | – Town Clerk's Department |
| Fleur Francis | – Comptroller and City Solicitor's Department |
| David Horkan | – Environment Department |
| Kerstin Kane | – Environment Department |
| Juliemma McLoughlin | – Environment Department |
| Joanna Parker | – Environment Department |
| Rachel Pye | – Environment Department |
| Gwyn Richards | – Environment Department |
| Jessica Robinson | – Environment Department |
| Peter Shadbolt | – Environment Department |
| Ian Steele | – Environment Department |
| Peter Wilson | – Environment Department |

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1. **APOLOGIES**

Apologies for absence were received from Deputy Keith Bottomley, Anthony Fitzpatrick, Alderman and Sheriff Alastair King, Deputy Alastair Moss (Deputy Chairman), Judith Pleasance, Deputy James Thomson and William Upton.

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

Ms Hodgson declared a non-pecuniary interest relative to Agenda Item 4 in relation to being a member at 10 Trinity Private Members Club as it was adjacent to the site in question.

Also in relation to Agenda Item 4, Deputy Packham declared that he was Chairman of the Board of Governors of the Guildhall School of Music and Drama. Deputy Anderson declared that he was Deputy Chairman of the Board of Governors of the Guildhall School of Music and Drama. Ms Benn declared that she sat on the Board of Governors of the Guildhall School of Music and Drama. They advised that the Guildhall School of Music and Drama were currently in discussions with Dominus about the possibility of their students being housed in the Holborn Viaduct development that was recently passed by the Sub-Committee.

Deputy Fredericks declared that she was a Tower Ward Member and also lived in the Ward but did not live near the site concerned at the application under Agenda Item 4.

3. **MINUTES**

The Sub-Committee considered the public minutes of the last meeting held on 31 January 2023 and approved them as a correct record.

4. **FRIARY COURT, 65 CRUTCHED FRIARS**

The Sub-Committee considered a report of the Planning and Development Director concerning Friary Court 65 Crutched Friars London EC3N 2AE – specifically demolition of existing building and redevelopment of the site for a new building comprising basement, ground plus 20 upper floors (+74.9m AOD) for purpose built student accommodation (770 rooms) and associated amenity space (Sui Generis); Museum use at part ground, first and second floor levels (Use Class F1(c))(+3101sq.m GIA); hard and soft landscaping; ancillary plant and servicing; and associated works.

The Town Clerk referred to those papers set out within the main agenda pack as well as the Officer presentation slides and three addenda that had been separately circulated and published.

Officers presented the application, highlighting that the application site was located in the south-east of the City and was bounded by Carlisle Avenue to the west, Northumberland Alley to the south and Crutched Friars to the east. The

site was adjacent to but not within the Lloyds Avenue Conservation Area. There were no listed buildings immediately adjacent to the site but there were some within the surrounding streets, Fenchurch Street Station and its associated conservation areas to the south of the site.

Officers shared a visual of the existing floor plan. The existing office building was arranged in a c-shape around a private sunken courtyard. The main entrance to the building was from Crutched Friars and the buildings were arranged around a central core with office accommodation in each wing. The current servicing bay was accessed from Rangoon Street. An entrance to a basement wine bar was also located along Crutched Friars. Officers reported that due to the nature of the building and the setback of the office entrance, there was little active frontage at the ground floor level of the building.

Next, Members were shown photographs from Rangoon Street looking down Crutched Friars, from Crutched Friars looking east along Northumberland Alley, from Northumberland Alley towards the sunken courtyard and from Carlisle Avenue and Northumberland Alley at the corner of that junction.

Officers reported that the proposal was for the demolition of the existing building and a replacement 20-storey building to be constructed which would provide 769 purpose-built student bedrooms and flats. Members were shown visuals of the floor plans and were advised that the student accommodation would be accessed from Crutched Friars with cycle store access from Rangoon Street. The museum would have a primary entrance from the corner of Crutched Friars and Northumberland Alley. Level One would be primarily occupied by museum space. Level Two would be occupied by mostly museum space with an area of student amenity space to the north and an amenity terrace to the west. The terrace to the east would not be accessible. Student accommodation would be provided at Levels 3-20. There would be a central corridor with rooms off of each side. Level 20 provided some student rooms, an accessible amenity terrace and a plant room.

Members were shown visuals of the provision of both accessible and non-accessible roof terraces throughout the scheme. Officers stated that the terraces would have substantial landscaping with trees, shrubs and low-level planting. On Level 19 there would be photovoltaic panels. Members were advised that officers had attached conditions to the use of the roof terraces to control the hours of access and to restrict hours, events and amplified music.

The Sub-Committee were shown a number of elevations. Members were shown a visual to illustrate the stepping down of the building from west to east. Officers reported that the highest part of the building would be 74.9 above Ordnance Datum (AOD) and this would be adjacent to 80 Fenchurch Street which sat slightly higher at 77.7 AOD. The building then stepped down to 59.65 AOD adjacent to the recently approved scheme at Boundary House which sat between 64 AOD and 61 AOD. Officers considered that the proposal would sit comfortably in terms of height and massing. Officers also considered that the overall architectural approach including the stepping down of the building related well to the character and surrounding area and nearby buildings.

Members were shown proposed images of the view from Crutched Friars facing west towards Rangoon Street, the proposed courtyard adjacent to Northumberland Alley facing North, a view from Queen's Walk towards the site from the south of the River Thames. Members were also shown images of existing and proposed views taken from the Heritage Town and Visual Impact Assessment. These views were from Tower Hill Underground Station, Cooper's Row looking towards the site, the view from Crutched Friars, the view from India Street and Jewry Street. Officers reported that the approved scheme at boundary House would screen the development proposal from some views.

Members were shown images of the four different options that had been tested in relation to the refurbishment and demolition. Option four had been taken forward due to it maximising the potential of the site and providing more opportunities for urban greening and biodiversity and resulting in longevity and flexibility of the building in the long term.

The Sub-Committee were informed that the proposed development was targeting a BREEAM Outstanding rating and there would be a 70% improvement on operational carbon emissions.

Members were shown an image of the façade which had been broken up into a ground floor where the museum's base would be and two stacked blocks where the accommodation would be. Officers considered this approach to massing to be well considered and appropriate in this location. The façade had been designed to provide shading and natural ventilation through the perforated still sections and the scallop approach was welcomed by officers and was considered to give the building an architecturally coherent approach.

Members were informed that the two statues would be removed, stored and reinstated as an art piece in a similar location to keep its connection to the street and this was covered by a condition. The servicing bays and fire escape doors located along Carlisle Avenue would be included within the art strategy for the site which was to be secured through a Section 106 agreement and this was considered to contribute to the creative animation and vibrancy of this part of the site. Members were advised the servicing bays would service both the student accommodation and the museum. The site was currently serviced on the street and this arrangement would be retained. Unlike currently, under the proposal there would be strict time limits on when the site could be serviced. Members were shown visuals of the servicing bays, proposed cycle storage and associated facilities for both the students and the museum. The development provided policy compliant long and short stay cycle parking for both the student accommodation and the museum. The short stay cycle parking would be well integrated into the site and easily identifiable and accessible to visitors.

Members were shown images of the student amenity spaces. There would be a total of 1,120 square meters of internal amenity space over three floors, offering different types of spaces for students ranging from quiet study spaces to

socialising spaces such as a games area and lounge. Students would also have access to two outside amenity terraces.

Officers informed the Sub-Committee that the proposal sought to provide improvements to the public realm both through on-site provisions and through Section 278 Works through two main public spaces.

Members were shown an image of the proposed courtyard. The existing sunken courtyard would be raised up to ground level and made publicly accessible. There was also a pocket park which would be delivered through a 278 agreement in conjunction with the scheme adjacent at Boundary House. There would also be the provision of three new street trees to Crutched Friars and two new street trees within the courtyard area. Seating would be introduced as would planting to windows at street level. The proposal would create a publicly accessible courtyard along Northumberland Avenue. The courtyard would provide space for seating, new trees and also provide informal entrances into the museum space.

Officers reported that the pocket park would provide welcome outdoor space in this area. The public realm enhancements would be supported by a lighting strategy with the details subject to a condition to help improve safety and the appearance of the surrounding streets at night whilst being sensitive to the context of the area.

The Sub-Committee were informed that part of this application was the provision of a museum space at ground floor level and part first and second floor levels. This was to be occupied and run by the Migration Museum. The Migration Museum had co-designed the space to fit their requirements. The developer would provide the Migration Museum with 60 years rent and service charge free and the museum would be free for the public to access seven days a week. The ground floor would provide exhibition spaces and social areas including a café. On the first floor there would be further exhibition space and on the third floor there would be different types of spaces centred around education, meeting spaces and artist studios. A detailed museum management plan would be secured through the Section 106 agreement. Members were shown an image of the proposed museum entrance.

Officers concluded that the development would provide high quality purpose-built student accommodation within an appropriate location. Officers considered that the proposal would not result in any undue harm to residential amenity including from overlooking, loss of privacy or noise. A robust management plan would be secured through a Section 106 agreement. The applicant had provided an economic viability assessment supported by a market commentary which demonstrated that the use of the site as an office would be unviable in the long term. Officers had had this assessment independently verified which had confirmed that the assessment was adequate, and the findings were accurate. The development would deliver a substantial new museum with an identified operator which would contribute to the culture and vibrancy of this part of the City. The development would deliver enhancements to the surrounding public realm, introduce active frontages and provide an increase in

the urban greening of the site. The daylight and sunlight impact of the development had been carefully considered and officers considered that in balance there would not be an unacceptable impact on daylight or sunlight. The wind microclimate and thermal comfort conditions had been assessed. No safety exceedances had been shown and all spaces were considered appropriate for their intended uses. The proposed servicing arrangements would see an improvement to the current arrangements and result in fewer deliveries to the site. The development would promote active travel, biodiversity, urban greening, target a BREEAM Outstanding rating and reduce carbon emissions and waste. The application for planning permission was therefore recommended for approval.

The Chairman explained that there were two registered objectors to address the meeting and he invited the objectors to speak.

Mr Paul Pavlou, stated that he had been a Tower Ward resident for six years and had worked in the City for 16 years as a solicitor and co-director of Number One Peak Street RTM Company London, the largest residential building in London Tower comprising 150 residents. He stated that he was supportive of the Migration Museum moving from Lewisham to the City and as the son of immigrants he had witnessed the immigrant struggle. He commented that he was supportive of the letters of support for the Migration Museum in the City including those from high profile figures. He stated that the recent wave of support was almost entirely based on the Migration Museum being a positive addition to the City. However, he raised concern about whether the move was possible as £15million was required to move the Migration Museum and where this money would come from as there was no plan in place. He advised that the applicants had stated that they would pay £500,00 towards hiring a consultant to devise a plan. Mr Pavlou stated that the move was likely to go over budget and suggested that an alternative would be to move the Migration Museum closer to the Museum of London and pool funding to create a One-Stop Museum destination. Mr Pavlou asked that, if the funding could not be found for the museum move, whether the student accommodation part of the scheme would proceed. He raised concerns about the density of student accommodation proposed and the quality of the accommodation. He stated that he wanted the City to be more inclusive enabling those who would not otherwise have the opportunity to work in the City to do so and expressed concern at the loss of office space in the City.

Ms Camilla Blower, stated that she was a resident of Tower Ward. She reiterated that local residents were not opposed to the relocation of the Migration Museum to the Square Mile and it would expand the City's cultural offer. She stated that the planning application was also to have 20 storeys of the building as student accommodation. She considered that if the application was for the Migration Museum with office space or a hotel this would be more consistent with the character of the area and that 60 people would not have objected. Ms Blower stated that Tower Ward was densely populated with narrow streets. She raised concern about existing congestion problems being exacerbated by the extra 25 plus large deliveries required by the student accommodation each day. In addition, she was concerned that when this was

considered alongside the Migration Museum's delivery requirements and student's individual deliveries, traffic would become dangerous with emergency services unable to get to the area if there was a large-scale emergency.

Ms Blower showed Members images of congestion in the area. She stated that almost 400 students were expected to move in and out of the student accommodation by car each term. Although there was a proposed plan with designated arrival times, she was concerned that realistically most people would turn up on the same day just before the start of term and this would create congestion problems. Ms Blower also stated that there were already problems with late night anti-social behaviour at weekends and this would be exacerbated by the introduction of a large number of students. In addition, the proposed design with multiple rooftop spaces for socialising would increase noise pollution and Tower Ward already exceeded the noise levels recommended by the World Health Organisation. She raised concerns about the wellbeing of residents and how one community liaison officer could control the number of intended students Ms Blower also raised concerns about the pressure on local infrastructure including on NHS Services, small shops and supermarkets. She stated that Thames Water had said the water pressure would not be adequate. Concern was also raised that the applicant had not engaged with residents as part of the decision-making process. Further concern was raised that this would create a precedent in the City to repurpose buildings away from office use.

The Chairman invited Members to question the objectors. A Member stated that he had sympathy for points raised in the resident objections but asked the objectors to explain on which specific grounds of planning regulation and law they were opposing the development. The objectors stated that they did not have the funding to appoint advisors with knowledge of the technical aspects of the law and were representing themselves.

The Chairman advised Members that there were two Tower Ward Members who also wished to speak in objection to the proposal. Mr De Souza and Mr Groves were invited to speak.

Mr De Souza presented slides and stated that he would welcome having the Migration Museum in the City. He stated that very few of the letters of support for the museum indicated support for, or acknowledged, the student accommodation for around 1,200 students whose number was four times the size of the existing residential population in Tower Ward. Mr De Souza questioned whether the museum could fundraise the remaining £15million having never undertaken a capital appeal of this scale. Concern was raised that the Migration Museum's annual income was around £820,000 and that they would be competing with the Museum of London's capital appeal in a difficult economic climate. Mr De Souza questioned the future of the Museum if they could not reach the £15m required for the move and if they would lose their current home in Lewisham. Mr De Souza also queried why the applicant had not already provided the museum with a home in the already approved student housing next to the Museum of London site. Mr De Souza raised concern about the museum part of the application being a distraction from the demolition of

office space and the building of 770 student accommodation rooms. He stated that the change of use from office space went against City policy. Mr De Souza suggested that the developer had misreported the whole life embodied carbon cycle, the demand for hotels in Tower was high and there would be an upcoming peak in major lease events between 2023-2027 particularly in the legal sector. Mr De Souza referenced positive comments from Members when new office developments had been approved at recent meetings and he stated of the importance of office space being retained in Tower Ward. Concern was raised about having more student accommodation in the ward when Tower Ward was already home to approximately 1,000 students. Mr De Souza requested that the Committee refuse the application.

Mr Groves stated that he was in favour of the Migration Museum moving to the City and that he had been a migrant himself. He stated the importance of attracting migrants who could work in financial and professional services and having the Migration Museum in the City would be an advantage as the case was made to Government. Mr Groves stated that if the application was refused, he and Mr De Souza would work with officers to try and find an alternative site for the museum. Mr Groves stated that although the Business Improvement Districts (BIDS) were supportive of the development, they had not consulted businesses that Mr Groves had spoken to. Small businesses in the ward had advised him that existing students did not frequent their businesses and if they were eating or socialising, they tended to do this outside of the area or order takeaways from other parts of London. He stated that there was an increasing number of workers returning to offices in the City and for local small businesses, office workers were their main customers and without them their businesses were at risk. Mr Groves stated that currently there were turbulent market conditions and high levels of global catastrophes. Many of the insurance claims were paid out of the London market. The Financial Services and Markets Bill was strongly supported by the Corporation. It sought to make the UK a more attractive destination for insurance companies. Mr Groves stated that it was therefore unfortunate that a significant business landmark was being changed from office space into student accommodation. He informed the Sub-Committee that there were a number of leading insurance brokers in the area. Mr Groves stated that the delivery of increased office floorspace was fully supported in adopted and emerging planning policies and would ensure that the City continued to appeal to business occupiers and help maintain the City's role as a leading Financial and Professional Services centre.

The Chairman invited Members of the Committee to ask questions of the Ward Members who had spoken in objection. A Member asked if the suggestion that students did not use local infrastructure did not undermine the local resident objections. The Ward Member responded that he recognised the pressure on local GPs, water and other infrastructure and was just referring to small businesses such as those selling sandwiches, repairing shoes and optometrists which were used mostly by office workers.

A Member queried the suggestion that Crutched Friars was not a suitable location for a museum when it was very close to the Tower of London. The Ward Member stated that he did not consider Crutched Friars to be unsuitable

for a museum but there were other sites that could be more appropriate. He stated that the museum featured heavily in the presentations and there was less about the student accommodation. The Ward Member advised that he would welcome the Migration Museum in Tower Ward if there was office space, rather than student accommodation above it.

A Member of the Committee asked the Ward Members to clarify the planning grounds on which they were objecting. The Ward Member stated that the slides shown were evidence-based and based on views expressed by constituents. The Ward Member referred to current policies to protect office space, the draft City Plan 2000-2034 and London Plan Policy E1. A Member of the Sub-Committee asked if the Ward Members wished to draw the Committee's attention to the list of planning considerations in the report. The Ward Member stated that proposal was for the change of use from office floor space at a time when the ward's primary business was the insurance business which would be looking for more floor space in the next few years. In addition, having spoken to local businesses, they had said there were buildings where tenants were not being replaced and it was suggested that this could be due to developers hoping to turn office space into student accommodation or residential accommodation in this part of the City. Concern was raised that approving this application would set a precedent. The Ward Member stated that he did not want the business focused character of Tower Ward to be changed.

The Chairman invited the applicant to speak.

Barnaby Collins, DP9, spoke on behalf of the applicant. He stated that providing a new home for the Migration Museum was at the heart of the proposal. He reported that the museum had the support of Historical Palaces and the scheme would reinvigorate a part of the City that lacked identity. Mr Collins stated that the proposed student accommodation would co-locate learners with earners creating a pathway for the City's next generation of talent. He advised that according to the London Recharge Vision, this could enable pipeline partnerships where students could more effectively network with potential employers. It also aligned with planning policy and acknowledged the City as a centre of learning. In addition, Mr Collins stated that the proposal aligned with the vision to have a vibrant mix of land use that included students, to contribute to the diversification of land use that the City had identified as a critical component of improving resilience to current and future challenges. It would contribute to the Destination City plan to improve the City's cultural offer. Mr Collins stated that following the City's Planning Advice Note on Developer Engagement, meetings had been set up and there had been presentations to local residents and stakeholders. Concerns had been addressed. The proposed student management plan would address operational matters.

Jay Ahluwalia (Dominus) stated that he was one of three brothers in a family business with a track record of delivering projects with social value at their core. They had recently opened the Lost Property Hotel by St Paul's Cathedral. It was one of four hotels operated by Dominus. They had also begun construction work at 65 Holborn Viaduct and last year started work preparing a mixed-development proposal for 65 Crutched Friars. The scheme being considered

was tailored to the requirements of university partners, would provide over 260 affordable bedrooms, target BREEAM Outstanding, create two new public spaces and would have industry-leading levels of amenity. Mr Ahluwalia stated that his family had a migrant story that had shaped their lives and they had supported the Migration Museum for a number of years. He stated that the scheme could have a transformational impact and aligned well with the Destination City initiative.

Mr Ahluwalia informed Members that the proposed 30,000 square feet, free to enter museum would be across three floors, with active frontage and communities at its heart. There was a guarantee from Dominus of 60 years rent and service charge free in addition to a philanthropic contribution that would kick-start the fundraising campaign. Support would be provided from Dominus' design team and operating costs would be underwritten for a period of three years.

Mr Ahluwalia stated that Dominus would draw on experience in hospitality to build this scheme. They would operate the building under a living platform called Communa with teams that were highly experienced. The accommodation would be managed securely 24 hours a day and there would be high quality shared amenity space for study, wellbeing and meeting day-to-day needs including the provision of pastoral care. Operational commitments had been outlined under a best practice student management plan. Mr Ahluwalia advised that Dominus would be the Migration Museum's long-term partner and landlord working together to deliver and maintain the long-term benefits and it would provide for future generations of tourists, workers and residents. He stated that the scheme had support from Aldgate Connect and Easter Cluster Partnership Business Improvement Districts who recognised the potential of the proposal.

Sophie Henderson, Chief Executive of the Migration Museum encouraged Members to approve the scheme to deliver a centre-stage permanent home to the Migration Museum. The three floors of museum space would present permanent and temporary exhibitions, animated by events and performances. There would be more of an art feel than that of a traditional museum. The museum was curating the exterior space and it was important to have a porous boundary to engage more audiences. The museum already engaged audiences much younger and more socioeconomically diverse than the average London museum and the café and shop would be destinations in their own right. The café would be a platform for chefs in the way that the museum was a platform for creators and storytellers. The museum would attract 140,000 visitors each year. 15,000 of these would be tourists. The museum would contribute £8m of direct and indirect economic impact and the social impact would be providing space for conversations about migration and contextualising contemporary debates against a historical backdrop. It was anticipated that approximately 12,000 school children would visit the museum each year. Teachers required support with teaching about migration and there were increasingly diverse classrooms with young people needing to learn about a history relevant to them. The museum would be a place for connections and was at the heart of national and global networks of museums. Communities could use the museum's spaces for their own purposes e.g. local history sessions or

language classes. A variety of activities, events, performances, dance sessions and creative workshops would take place. There was a strong offer for businesses and residents and a backdrop for diversity, equality and inclusion training and building the skills of people, especially young people. The museum was looking to create pathways and opportunities within the creative sector.

Charles Gurassa, Chair of Oxfam, Chair of Guardian Media Group and Migration Museum Trustee stated that this proposal was a unique opportunity for the Migration Museum. Since the museum's formation there had not been such an attractive proposal of this scale in a city location. The City was ideal for the museum given that it had been the centre of migration to and from the country since Roman times. The proposal would enable the museum to be built from scratch in an ideal space which would be vibrant and contemporary. It would also be an addition to the British cultural landscape. 60 years free rent and service charge and the willingness to underwrite any operating losses that might occur in early years as well as the contribution towards the raising of capital would provide a good platform for the museum. Mr Gurassa stated that Mr Ahluwalia and his family had their own migration story and had supported the museum since its early days. The museum would provide a new national cultural landmark.

The Chairman invited questions from Members of the Sub-Committee to the applicants team.

A Member asked a question in relation to the benchmark land value for the student accommodation and asked whether this showed a surplus or deficit. The applicant confirmed that it was a viable scheme.

A Member asked the applicants if they would accept a condition that the student accommodation could not be occupied until such time as the museum had moved. The applicants confirmed that they were not opposed to questions that would secure the future of the museum on this site. The commitment to 60 years rent and service charge free and a usage class of F1 Museum use would limit the use of the space in the scenario that the museum was unable to raise the relevant amount of capital and in this case the family would consider whether to plug the funding gap. The applicants confirmed they would welcome conditions that the Sub-Committee might impose about the occupation of the museum.

A Member asked if the applicants had considered providing incubator offices for Small and Medium Enterprise (SME) start up offices. The applicants stated that they had considered whether affordable workspace would be the right option on this site. They had provided it at their development at 65 Viaduct and were familiar with providing affordable workspace. However, the priority on this site was to maximise the amount of space that the museum would have. The museum initially aimed to have 45,000 square feet of space so the applicants had prioritised getting as close to this as possible.

A Member asked what would happen if the museum did not get the support it needed. Officers confirmed that conditions had been drafted as part of the

Officer's report and would govern the space. It had to be a space with 60 years rent and service charge free and had to be a museum.

A Member asked for clarification in relation to the affordable accommodation. The applicant advised that there were over 265 affordable bedrooms. The affordable student rent had been set by the Mayor of London at approximately £180. This would be one of the largest provisions of affordable student accommodation in the capital.

Ms Henderson stated that the museum was confident that the £15m for the museum move would be raised. The museum had expert support, there would be three years to raise the money while the existing building was demolished and the new building built. In addition, the museum had trustees and friends with good connections with businesses and livery companies. A member of the Board had been a founder of a cultural consultancy that had supported capital projects totalling £400million in the UK, half of which were supported by National Heritage Lottery. Ms Henderson stated that she considered that raising £15m was realisable and achievable.

A Member asked how many developments with office use the applicants had. The applicant stated that there were two developments with office use. Office use was not a primary focus but was increasingly being considered in terms of flexible office provisions.

A Member asked if the museum would prefer office space or the proposed student accommodation above it and was advised that the museum was agnostic on this point. The proposal presented a unique opportunity in terms of scale, location and financial support.

A Member commented on the existing building being 39 years old and asked if the applicants had included refurbishments within the 60-year life it was claimed the new building would have. She also asked if the costs, including the costs to the carbon footprint, of repurposing the student accommodation into housing had been calculated as within the life of the building, student accommodation might not be required. The applicants stated that student accommodation would have to be refurbished more often than office accommodation. A lifespan of five to years had been assumed. In relation to the other parts of the proposal there would be a longer lifespan and wherever possible materials with longer lifespans would be used. The Member asked for a description of materials to be used and was advised by the applicant that concrete and steel would be used and there would be photovoltaic panels.

A Member stated that all servicing vehicles would arrive at the site using Carlisle Avenue and Northumberland Avenue which were narrow streets and went past the entrance to the museum. The Member asked why the current servicing arrangements could not be used. The applicant advised that altering the servicing arrangements would enable a public, traffic free pocket park to be created. Consolidated deliveries would be used to minimise deliveries.

A Member asked for clarification on the number of students that would be housed in the student accommodation. The applicants advised that there would be 769 bedrooms and 769 students.

A Member asked which Universities had been engaged. The applicant stated that there was strong support from UCL and the accommodation had been designed with their specifications in mind. There was also strong support from Queen Mary's University.

A Member raised concerns about the lack of sufficient daylight to some of the student rooms and asked for clarification on the percentage of rooms affected. The applicants advised that 80% of rooms would receive adequate daylight levels with the other 20% of rooms being more constrained. In relation to sunlight, 52% received adequate sunlight, however, many of the units were single aspect north facing rooms and this was normal for north facing windows. The shared spaces would have adequate levels of sunlight and there was also an external communal amenity space with adequate sunlight so all students would have access to sunlit spaces.

A Member asked about whether there had been discussions with businesses or charities about how to create pathways for migrants who wanted jobs and internships but found there were barriers to this. The applicants stated that the transition of learners to earners and opening up the City to an underrepresented group of people was a priority. Work had taken place with a charity called Youth Unity who worked with young people who were considered at risk between the ages of 13 and 16. 10 opportunities had been created for these young people over the course of a week including creating their own film project of their experience and a podcast series had been filmed with them. Some of the mentoring would be ongoing. This was just one example of a number of social projects that had been undertaken.

The Chairman stated that Members of the Sub-Committee could ask questions of Officers.

The Chairman asked Officers to clarify the situation if the Migration Museum was unable to raise the funds for the move to the proposed site and if this would mean that the planning application would be invalid. Officers stated that the application was for the use of the space as a museum so although the Migration Museum would not be tied into this, a museum occupier would need to occupy the space under the terms of the Section 106 agreement. To change the space to another use would require the applicants to apply for planning permission.

A Member stated the addition of students would add to the vitality of the City and there were many office accommodation proposals coming forward so the loss of office space in this particular development would not impact the possible increase in insurance company demand for office space in the City. Officers were asked to confirm that without the museum the project would still stand. An Officer confirmed that this was the case.

In relation to a question about the wording of Proposed Condition 21 on page 142 of the Officer report, Officers advised that this had been corrected in the addendum.

In response to a Member's question about viability, Officers stated that the guidance in the local plan was that where there was a proposal for the loss of office accommodation, a viability assessment was required to determine whether the building could continue to be used for offices in the long term. There was no requirement in policy to test the viability of any proposed use once a developer had satisfied officers that the loss of office was acceptable.

A Member referred to one of the resident's objections which stated that Thames Water maintained that there was insufficient water pressure to service the building. The Member also referred to the Officer report which stated that Thames Water had not objected to the proposal and asked Officers to clarify the position. Officers confirmed that Thames Water had not objected to the proposal. It was standard for them to ask for the developer to continue to engage with them on matters such as water pressure post-decision and a condition had been added to require them to engage with Thames Water on this matter.

A Member asked if it could be conditioned that the museum would have to be open to the public prior to the student accommodation being occupied. Officers stated that the application stood in policy terms without the museum so there would not be reasonable grounds to include a pre-occupation condition on the student housing unless Members considered that the proposal did not stand in the absence of the museum. Officers considered that it was unreasonable and inadvisable to put a condition on to tie the museum and student accommodation together.

A Member stated that climate change was triggering displacement and leading to global migration. It was therefore important therefore that the climate impacts of the development were clear. Officers stated that under the proposal there would be the potential to improve climate resilience figures as there would be more space for green roofs and blue roofs and larger area in the basement for tanks. There would also be more opportunities to address urban heat island effects in the new parts of the façade by reducing the thermal heat extract of the building.

The Member stated that the whole life carbon assessment figures in the Officer report had been amended in an addendum. However, it was not stated whether this changed the sustainability calculation and Officers were asked to clarify this. Officers advised that the figures did not have an impact on the overall results.

A Member asked about how with the 244 square meters of new public realm and the proposed pocket park, there was a loss of 13 mature trees. Officers stated that the net calculation included biodiversity that had been lost but overall there was a net gain. Additional street trees were proposed, there were additional green roofs and trees and shrubs on roofs.

A Member queried whether the pocket park would provide sufficient open space for 1,200 students in the student accommodation considering the lack of natural light to some rooms and the importance of daylight and sunlight in relation to body clocks and mental health. Officers confirmed that the student accommodation was for 769 students. The Member asked for further clarification as the Officer reports stated there were rooms with one bed, two beds, three beds and four beds. Officers stated that although some rooms had more than one bed, in total across the development there was provision for 769 students. To increase this figure would require the submission of a further planning application. Officers stated that in addition to the ground floor street level spaces there were two additional community terraces solely for student use. There were no base standards set for amenity space for students but officers were content that the proposed amenity space would be acceptable in this instance.

A Member commented on the condition that the terraces could be used until 11pm and suggested that this could be brought forward to an earlier time. The Chairman advised the Member that she could propose a condition in the debate section of the meeting.

A Member asked how the proposed student accommodation related to the Aldgate, Tower and Portsoken key area of change. Officers stated that the site was on the fringe of the area of change and did, in local policy, relate to increasing vibrancy of education offers. Officers were content that the application would feed into the change ambition as it was more diverse than the current use.

A Member asked whether servicing vehicles would have to back up during servicing or whether they could enter and leave without reversing. Officers advised that a reversing manoeuvre would be required from Carlisle Avenue into the servicing area. However, this had to be balanced against the context of the existing servicing arrangements which meant larger vehicles were unable to turn within the site and had to reverse out onto Crutched Friars. This had also been balanced against the ability to provide the Migration Museum and the frontages on the ground floor. Officers had worked closely with the Migration Museum to identify their servicing needs. All movements in and out of the servicing yard would be managed by facilities management and a robust delivery and servicing plan. Carlisle Avenue was a one-way street which served only local traffic and had lower levels of traffic so reversing, while not ideal, was considered acceptable.

A Member asked Officers to address the objectors' concerns that there would be reduced office space in the City. Officers advised that although the existing building looked to be in a good condition, it dated from 1983 and required much refurbishment. The viability assessments had demonstrated that a viable office scheme could not be delivered in this building. The Officers advised that there had been many schemes containing office space coming to Sub-Committee.

A Member asked Officers is there was any data from other student accommodation in the City to back up residents' concerns that there would be an increase in anti-social behaviour. Officers stated that there were two sites of student accommodation in the City. There had been no complaints attributable to students from 52 Minories. There had been four historic complaints attributable to the student accommodation on Vine Street. However, the 24-hour security had been quick to respond and policies were enhanced. There had not been any recurrence in recent months.

A Member asked a question on whether diesel generators were included in the scheme. Officers advised that there was a standard condition on air quality and Condition 40 required a report that would consider alternatives to the generators.

A Member stated that there had been no specific details outlining how the development had been designed to be resilient to future climate change and asked Officers for more information. Officers stated that Condition 22 was a standard condition asking applicants to submit a climate change resilience statement. The applicants had submitted information about the urban heat island, overheating, flooding and biodiversity. There were also conditions relating to flooding.

A Member raised concern about the level of daylight that the bedrooms would receive and stated that while conditions meant that issues relating to solar gain would be resolved before construction, the lighting levels to the lower bedrooms could not be resolved. Officers stated that the façade was designed to address overheating and there was shading to these student rooms. There were also ventilation panels as part of the façade systems. There were noise issues with ventilation panels so the student rooms would also have some active cooling if required but in principle the ventilation panels could be opened and provide sufficient ventilation. Officers reported that they had thoroughly assessed the daylight and sunlight impacts of the development and balanced these against other aspects of provision. There were communal amenity spaces for study and socialising and these spaces were well lit. In relation to the student rooms, there was a condition to ensure that the developer had to optimise the layout of the rooms so that desk spaces were placed by windows. Each student bedroom was served by a window so there were no rooms without natural daylight. Although not all rooms were compliant, on balance Officers considered that that this was satisfactory in this instance. A Member raised concern that low daylight levels were being accepted.

Members agreed to extend the meeting in line with Standing Order 40.

A Member asked for clarification from Officers on whether the Sub-Committee should consider the application as an application for student accommodation. Officers advised that the student accommodation was policy compliant and was not dependent on the delivery of the museum be it the Migration Museum or any other museum. Therefore, it would be unreasonable to apply a pre-occupation condition as it was not dependent on the museum to make the scheme policy compliant.

Seeing no further questions of Officers, the Chairman asked that Members now move to debate the application.

A Member stated that she was of the view that a pre-occupation condition should be added in view of the concerns expressed in relation to daylight and sunlight and that the proposal being majority demolition and minority refurbishment.

MOTION: - A motion was put and seconded that the building and student accommodation should not be occupied until a museum was open.

The Chairman asked for legal input before this motion was taken forward. The City Solicitor referred to national planning policy and the tests for conditions. She referred to paragraph 55 which provided that local planning authorities should consider whether an otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Paragraph 56 stated that planning conditions should be kept to a minimum and only imposed where they were necessary, relevant to planning and to the development permitted, enforceable, precise and reasonable in all other respects. She advised that for the Sub-Committee to impose this as a condition, it would need to be necessary and reasonable and the Sub-Committee would essentially be saying that the student accommodation would not be acceptable to be occupied unless the museum was there. She further advised that the Sub-Committee would need to consider whether there was policy support or whether concerns about the student accommodation were outweighed because of the benefit of the museum. This condition would not be unlawful as a condition but the Sub-Committee had to be able to justify it in these terms.

A Member stated that the issue was whether the £15m required for the move would materialise and if the applicant was willing to close the funding gap if necessary, an additional condition was not required.

A Member asked if the condition was agreed, whether this would transfer the funding risk for the museum onto the developer because their revenue stream would be delayed and suggested that Members vote on the motion conscious of this effect. He stated that, while not necessarily against it, he was concerned that a precedent would be set for similar dual-use buildings in future where developers could feel they had to compensate for this potential future condition being imposed again and that could affect the cost of funding going forwards.

A Member stated that the proposed condition was to ensure that the Migration Museum's future was secured on this site in the future. She stated that similar conditions had been placed on schemes in the past.

A Member raised concern about the impact on the scheme of this condition and whether it would be on a purely commercial matter that would then render the entire scheme unviable. The Chairman stated that this was a commercial consideration for the developer.

A Member raised concern that the motion was being proposed in order to stop student accommodation being provided in Tower Ward. He stated that he had lived alongside students of the Guildhall School of Music and Drama and there had never been any grounds for complaint about student behaviour. For this reason, he asked Members not to accept the condition which he considered to be unnecessary and unreasonable and could make the scheme unviable.

A Member stated that he had seconded the motion, was in favour of student accommodation and wanted to ensure that the museum would be delivered on this site.

A Member stated that he would support the motion for the reasons outlined by the seconder and concerns of the applicant. The museum was required in order to overcome some of the disadvantages of the scheme. He stated that without the museum he would vote against the scheme on the loss of material trees and the deficiencies in natural light to student rooms and suggested that some of the disadvantages might have been overcome by having incubator office space in the lower areas.

A Member stated that the proposed condition called into question the integrity and sincerity of the museum when it was clear that those who were backing it were focused on making sure the move happened. He considered it to be an unfair condition and referred to assurances from Officers that the student accommodation did not contravene planning law.

The Chairman stated that there had been no indication that the Migration Museum would not be delivered and the applicants had made commitments in relation to funding and providing museum space for free for a lengthy period of time. The Chairman therefore urged Members to vote against the motion.

The Member who had proposed the motion stated that this was an on-balance consideration as outlined in the Officer report. The museum was a key part of that balance and this was a mechanism by which the Sub-Committee could demonstrate that this was considered to be an integral part of the scheme. Members were urged to vote in support of the motion to secure the Migration Museum.

Having fully debated the application, the Sub-Committee proceeded to vote on the motion to add the following condition:

That the building and student accommodation should not be occupied until a museum is open.

The Motion was put and fell with 10 votes in favour, 13 votes against and 1 abstention.

A Member referred to student accommodation for 920 students that had opened in September 2022 on Middlesex Street, just over the border in Tower Hamlets. He reported that there had been no detrimental impact on the local area. Local businesses were now offering student discounts which indicated that students were using local stores. He stated that within the vicinity of the proposed development, there were a number of supermarkets and these stores would be able to cater for the additional students. He could not see a reason under planning regulations for the proposal to be refused and although he might prefer for the development to be used as an office or hotel, this was not a reason to reject the application.

A Member stated that planning reasons to vote against the application were substandard accommodation being built and the loss of trees.

A Member commented that although there were a number of local supermarkets in the vicinity, a recent report stated that people who shopped in them spent on average an extra £800 per year on food. In addition, many students shopped online and that could create more traffic and noise for residents. She stated that she would not be voting for the scheme as it would result in the loss of office floor space when policy said office stock should be being increased. This was particularly important in the City which was a key transport hub. The Member expressed concerns about student rooms with inadequate space and daylight and sunlight levels, the loss of biodiversity and trees, the pocket park not being enough space for the number of students in the student accommodation and the significant increase to the residential population in just one building. The pressure on GP services and amenities were another concern. She stated that she voted for designs that fitted policies, enhanced the city, provided good quality spaces in which to live and amenities for residents and businesses.

MOTION – A Motion was put and seconded to move to a formal vote on the application. The motion was passed.

The Sub-Committee therefore proceeded to vote on the recommendations before them.

Votes were cast as follows: IN FAVOUR – 16 votes
OPPOSED – 7 votes
There were two abstentions.

The recommendations were therefore carried.

Deputy Fredericks and Alderwoman Pearson requested that their votes against the recommendations be recorded.

Deputy Pollard had not been in attendance for the whole discussion on this item and therefore was not present for the vote.

RESOLVED – That the Committee grant planning permission for the above proposal in accordance with the details set out in the attached schedule subject to:

(a) 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, the decision notice not to be issued until the Section 106 obligations have been executed;

(b) that Officers be 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.

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

The Sub-Committee received a report of the Chief Planning Officer and Development Director detailing development and advertisement applications determined by the Chief Planning Officer and Development Director or those so authorised under their delegated powers since the report to the last meeting.

RESOLVED – That the report be noted.

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

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

RESOLVED – That the report be noted.

7. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE SUB-COMMITTEE**

No questions were raised.

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

There were no additional urgent items of business for consideration.

The meeting ended at 1.05 pm

Chairman

Contact Officer: Zoe Lewis
zoe.lewis@cityoflondon.gov.uk