

PLANNING APPLICATIONS SUB-COMMITTEE
Tuesday, 9 April 2024

Minutes of the meeting of the Planning Applications Sub-Committee held at Livery
Hall - Guildhall on Tuesday, 9 April 2024 at 10.30 am

Present

Members:

Graham Packham (Deputy Chairman)
Deputy Randall Anderson
Brendan Barns
Ian Bishop-Laggett
Mary Durcan
Deputy John Edwards
Deputy John Fletcher
Dawn Frampton
Deputy Marianne Fredericks
Alderman Robert Hughes-Penney
Antony Manchester
Deputy Alastair Moss
Deborah Oliver
Alderswoman Susan Pearson
Deputy Henry Pollard
Hugh Selka

Officers:

Bob Roberts	- Interim Executive Director of Environment
Gwyn Richards	- Chief Planning Officer and Development Director
Pearl Figueira	- Environment Department
David Horkan	- Environment Department
Kerstin Kane	- Environment Department
Tom Nancollas	- Environment Department
Baljit Bhandal	- Comptroller & City Solicitor's Department
Peter Wilson	- Environment Department
Joseph Anstee	- Town Clerk's Department

The Deputy Chairman, in the Chair, opened the meeting and welcomed those in attendance, before welcoming Natasha Lloyd-Owen back to the Sub-Committee following a period of leave.

1. APOLOGIES

Apologies for absence were received from Deputy Shravan Joshi (Chairman), Deputy Michael Cassidy, Jaspreet Hodgson, Deputy Brian Mooney, Alderman Simon Pryke, Ian Seaton, and William Upton.

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

Deputy John Fletcher declared an interest in Item 5 by virtue of being a School Governor at The Aldgate School, which neighboured the site, and advised that he would not speak or vote on this item.

3. **MINUTES**

RESOLVED – That the public minutes of the meeting held on 13 February 2024 be agreed as a correct record.

4. **HILL HOUSE, 1 LITTLE NEW STREET, LONDON EC4A 3JR**

The Sub-Committee considered a report of the Chief Planning Officer and Development Director regarding Hill House, 1 Little New Street, London EC4A 3JR, specifically the demolition of existing building above ground with retention of existing basement and piles/ foundations and erection of a mixed use office building comprising two basement levels, lower ground, upper ground and upper ground mezzanine plus 18 upper storeys for the provision of office space (Use Class E), gym/auditorium (Use Class E), flexible office, café/retail (Use Class E), reprovision of existing library (Use Class F1), flexible library/office (Use Class F1/E) and restaurant (Use Class E), discontinuance of the City Walkway (Little New Street To Wine Office Court), enhanced and enlarged public realm, hard and soft landscaping, highway works, and associated enabling works.

The Town Clerk advised the officer's presentation, as well as two addenda containing late representations and advising of corrections to errors within the planning officer's report, amended conditions and planning obligations had been circulated to Members in advance. The Chief Planning Officer and Development Director then introduced the application to Members and presented the officer's report, informing the Committee about the details of the scheme and its wider implications. The officer's recommendation was that planning permission be granted, subject to all the relevant conditions being applied and Section 106 obligations being entered into.

There were no speakers registered to address the Sub-Committee in objection to the recommendations.

Oliver Hunt, on behalf of Landsec, then addressed the Sub-Committee in support of the recommendations. The Sub-Committee heard that Landsec had a successful track record of development in the City of London, which supported strategic ambitions such as Destination City and the Climate Action Strategy. Landsec sought to realise place potential, support the driving of footfall and future-proof City of London office stock. The Hill House proposals followed wide consultation and engagement and would provide a rich multi-use destination including a sustainable workplace, outdoor terrace, modernised library and restaurant. The site would be revitalised at ground level with green space, contributing to generational change in the area alongside the Fleet Street Quarter. The scheme would seek to safeguard the environment and meet the needs of the community, and provide an important local resource in

the Shoe Lane Library, which would be secured as a key community hub for the long-term.

Ross Pirie, on behalf of Apt, also addressed the Sub-Committee in support of the recommendations, advising that the scheme's shape and form had been sculpted to enhance views and contribute to the immediate environment. The proposals were cognisant and respectful of the Conservation Area and sought to connect with local heritage. This was a significant opportunity to create a sustainable building, with existing material to be reused wherever possible, innovative ventilation and air conditioning, reduced concrete usage and ambitious environmental and urban greening targets, plus high-quality public realm.

The Chairman then invited questions from Members to those speaking in support of the application. In response to questions from Members, it was clarified that there would be two public lifts within the library, with a separate goods lift, and that it was intended for the incidental play features referenced to be part of the renewed Gunpowder Square. The Sub-Committee was also advised that the scheme had been designed considering views from Cannon Street, Southbank and Westminster, in conjunction with consultants, with it concluded that the proposals were of an appropriate scale. The Sub-Committee was further advised that an area had been designated for visitor cycles, and storage space for e-cycles could be considered as part of this. It was also confirmed that the changing places toilet would be located on the ground floor of the library and would be fully accessible during opening hours. The bleachers area would be multi-functional and usable as a work area, with power sockets available for use in that space.

In response to a question regarding the design carbon options, the Sub-Committee heard that option B2+ would have resulted in lower quality provisions on the ground floor and reduced floor to ceiling height, as well as restricted daylight into the office space. The Sub-Committee was also advised that CFD and wind tunnel testing had been undertaken across all spaces, with the results indicating some positive impact at ground level.

The Chairman then invited the Sub-Committee to ask questions of officers. In response to questions, the Chief Planning Officer and Development Director advised that alterations or amendments to the public benefits referenced within the proposals would result in the application being returned to the Sub-Committee. The Deputy Chairman, in the Chair, commented that the provision of the library and related facilities, as well as conditions to mitigate against overlooking from the terraces, should be considered as red lines, with any relaxation not acceptable and amendments expected to be brought back to Members.

The Chief Planning Officer and Development Director further advised that condition 28 required the incorporation of Hostile Vehicle Mitigation (HVM) measures to resist structural damage, with details of these measures to be submitted and approved by officers, and the Section 278 agreement to include the removal of redundant bollards. The Sub-Committee heard that a number of

targets for the scheme set within conditions could only be confirmed following the detailed design phase, but that detailed justification was sought where these targets were not met. There were also appropriate triggers that needed to be met throughout the development pipeline, with a number of them pre-commencement.

The Chief Planning Officer and Development Director confirmed that the height of the scheme exceeded the threshold advocated within the Local Plan, but had been subject to qualitative assessment and was considered to be within the margin of error. The Chief Planning Officer and Development Director clarified that the applicant was targeting a BREEAM rating of Outstanding, exceeding the policy target of Excellent. In response to a question on operational carbon, the Chief Planning Officer and Development Director advised that the calculated 13% carbon emission saving for the scheme was around the average for commercial schemes approved by the Sub-Committee since last year, with significantly higher targets difficult to achieve and requiring extensive focus on energy efficiency.

The Sub-Committee was advised that the library would have access to the outdoor terrace on Friday mornings and fortnightly for the Dragon Café, with a further 4 uses per year Friday to Sunday and availability for 22 weekends each year for use by community groups.

The Sub-Committee noted that the height of the scheme had been revised over time in response to objections and concern, particularly from Historic England, regarding the harm to views of St Mary-le-Strand. The Sub-Committee was advised that as per usual practice, representations from residents had been appended to the report, with representations from statutory bodies summarised and responded to within the main body of the report. The Chief Planning Officer and Development Director further advised that officers were conscious of the emerging issue of duplicate representations that may have been mass-produced. Noting feedback from Members that these representations should be made more readily available to the Sub-Committee, the Deputy Chairman, in the Chair, asked that officers take this on board for future meetings. The Comptroller & City Solicitor advised that the summary reporting of representations and references to the full representations within the background papers was sufficient with regards to the requirement for Members to consider all representations in respect of an application.

In response to a question from a Member regarding the cumulative effect of daylight/sunlight levels and impact on residences, the Chief Planning Officer and Development Director acknowledged the potential impact of relative change and that small absolute reductions in light levels could have a more significant impact, but added that a third-party review of this aspect of the proposals had been undertaken, which had found the impact of the proposals was not unacceptable.

The Chief Planning Officer and Development Director further advised that the servicing management strategy for the scheme would be refined during the design process and submitted to officers for approval. The loading bay would

be located at the south-eastern part of the site and away from residences. The Deputy Chairman, in the Chair, suggested that officers explore freight consolidation for the whole area with Landsec, noting the large buildings which Landsec owned nearby. The Sub-Committee also heard that landscaping would provide cover for residential windows, and that mitigations against noise would be considered further through the detailed design phase.

The Chairman then invited Members to debate the application. A Member, opening the debate, commented that they felt the application could have been excellent and that option B2+ represented an ideal proposal for the site and a welcome opportunity to update and increase use of the site without the issues of excess height and breaches of NPPF requirements. The Member added that the proposals were overoptimised and did not make sufficient compromises in favour of lower carbon, and in their view should not be approved, on the basis of environmental impact, excessive height and impact on sightlines. Noting the strong objection submitted by Historic England, the Member stressed the importance of thinking about localities, especially Conservation Areas, and that aspects of Historic England's representation had not been reflected in the summary provided.

A Member commented that they agreed with concerns regarding the height and bulk of the scheme and its impact on local heritage assets. However, having seen the potential for the Shoe Lane Library, the Member felt this would be transformational for the community and advised that on balance, they supported the scheme.

Another Member said that the scheme could have been fantastic, but for the excessive height and encroachment on historic views, which could have been mitigated without detriment to the developer. The Member added that they would not be supporting the recommendations, as the developer could improve significantly improve the scheme and increase its policy compliance and performance against targets. The Member added their agreement that the Sub-Committee should be readily provided with all representations in full, without reducing some to summaries.

The Deputy Chairman, in the Chair, commented that having considered the view from The Strand, their personal view was that the impact of the scheme on the views was minimal and was outweighed by the public benefits of the scheme, and on this basis they would support the recommendations.

Another Member commented that they struggled to see the issues reported with regards to the views. Whilst they did not approve of the height exceeding the limit advocated in the Local Plan, the Member added that they did not feel the building would be out of place, particularly with the site's proximity to nearby developments such as 120 Fleet Street. The Member noted that the existing library needed improvement, adding that the new library proposed within the scheme looked excellent.

A Member argued that the new library alone was enough to make the scheme attractive, adding that there was a lack of awareness of the current library. The

Member commented that they also did not find the objections regarding the impact on views compelling and advised that they supported the scheme.

At this point, the Deputy Chairman, in the Chair, adjourned the meeting for a period of fifteen minutes between 12:02 and 12:17 to facilitate a comfort break for Members.

Arising from the discussion, the Deputy Chairman, in the Chair, moved the Sub-Committee to a vote. The Sub-Committee then proceeded to vote on the recommendations as amended, with 9 Members voting in favour and 6 Members voting against. The recommendations were therefore agreed. Anthony Manchester and Deputy Henry Pollard were not eligible to vote, having not been present for the entirety of the item.

RESOLVED – That the Planning Applications Sub-Committee agree:

1. That, subject to the execution of a planning obligation or obligations in respect of the matters set out under the heading 'Planning Obligations' the Planning and Development Director be authorised to issue a decision notice **granting** planning permission for the above proposal in accordance with the details set out in the attached schedule;
 2. That Officers be instructed to negotiate and execute obligations in respect of those matters set out in "Planning Obligations" under Section 106 of the Town and Country Planning Act 1990 and any necessary agreements under Sections 278 and 38 of the Highway Act 1980 in respect of those matters set out in the report; and
 3. That Officers be authorised to provide the information required by regulations 29 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, and to inform the public and the Secretary of State as required by regulation 30 of those regulations.
5. **PORTSOKEN PAVILION, 1 ALDGATE SQUARE – REASONS FOR REFUSAL**

The Sub-Committee considered a report of the Chief Planning Officer and Development Director and the Comptroller and City Solicitor recommending reasons for refusal to reflect the views of the Sub-Committee in resolving, at the meeting of 13 February 2024, that it would refuse the application for planning permission under application ref: 23/00255/FULL for Portsoken Pavilion, 1 Aldgate Square London EC3N 1AF. The Sub-Committee was advised that only Members that were present at the Sub-Committee meeting on 13 February, at which the application was considered, could consider and agree the recommendation proposed (reasons for refusal). The Deputy Chairman, in the Chair, introduced the item and invited comment from Members.

In response to questions from Members, the Chief Planning Officer and Development Director, highlighted references within the reasons for refusal to the change of use for the proposed drinking establishment, which diverged from the original application, and the site's proximity to The Aldgate School and

other local impact. The Deputy Chairman, in the Chair, then drew the Sub-Committee's attention to the recommendations, which were agreed.

RESOLVED – That the Planning Applications Sub-Committee agree that the Decision Letter includes the reasons for refusal as follows:

1. By reason of its location within the public open space of Aldgate Square, adjacent to the east entrance of the Aldgate School and west side of St. Botolph's Church Aldgate, the operation of the proposed drinking establishment (Sui generis) use, and the associated spilling out of customers, has a detrimental impact on the amenity and character of the public open space, contrary to Local Plan Policy DM3.5 (Night-time entertainment) and Draft Local Plan Policy CV4 (Evening and Night-Time Economy).

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

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

In response to a question from a Member, the Chief Planning Officer and Development Director confirmed that the applications in respect of Cromwell Tower would be consulted upon with residents in accordance with usual procedure, with notification by post and all objections properly accounted. Noting that the application was validated on 7 March 2024, the Chief Planning Officer and Development Director advised that there may have been an administrative delay in progressing the consultation.

RESOLVED – That the report be noted.

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

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

At this point, the Deputy Chairman, in the Chair, sought approval from the Sub-Committee to continue the meeting beyond two hours from the appointed time for the start of the meeting, in accordance with Standing Order 40, and this was agreed.

In response to questions from Members, the Chief Planning Officer and Development Director advised that the application in respect of 81 Newgate Street was originally approved by the Planning & Transportation Committee in June 2020 and outlined amendments and approvals for the scheme, which had been permissible under delegated authority.

RESOLVED – That the report be noted.

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

A Member noted the application in respect of 65 Gresham Street, and, referencing an online article on the subject, sought confirmation as to why this had been determined under delegated authority rather than being brought to committee, given the suggestions that the scheme failed to accord with planning policy and the application was of public interest. Before a response was provided by the Chief Planning Officer and Development Director, the Interim Executive Director of Environment and a Member condemned abusive language used in the online article referenced.

The Chief Planning Officer and Development Director advised that the delegated officer's report had not identified policy non-compliance issues with the scheme, and that the number of objections received was below the threshold at which applications are referred to Members. With regards to the level of public interest, the Chief Planning Officer and Development Director added that this had been a matter of judgement which he had exercised having considered the application. The Chief Planning Officer and Development Director further advised that he took full ownership for the decision to determine the application under delegated authority, and had not referred the matter to the Chairman and Deputy Chairman. In response to a question from another Member, the Chief Planning Officer and Development Director advised that the road closure included in the application was likely to be a managed and timed closure secured as part of the Section 278 agreement.

The Deputy Chairman, in the Chair, responded that delegated authority was an important part of the planning process and was required to keep the system moving, adding that where proposals had little or no objections and had been appropriately scrutinised by officers, they should be agreeable under delegation without management by the Sub-Committee.

A Member, referencing earlier discussion in respect of representations, asked that clarity on the approach taken in presenting applications, as well as a proposed approach for taking forward be provided by officers. The Chief Planning Officer and Development Director advised that officers could commit to including all representations in full if it were the will of Members. The Deputy Chairman, in the Chair, noting varying opinions on the appropriate approach, suggested that the issue be raised as a matter of policy at a meeting of the Grand Committee.

The Member further queried whether the scope of items that could be discussed under Questions and AOB needed clarification, as Members ought to be able to raise items causing concern with a degree of urgency, even if they related to consultations or the Local Plan rather than exclusively to planning applications. The Deputy Chairman, in the Chair, responded that he understood this view and asked that it be noted for following up.

9. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

There was no other business.

The Deputy Chairman, in the Chair, then thanked all those in attendance for their contributions before closing the meeting.

The meeting ended at 12.47 pm

Chairman

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