



CITY OF WESTMINSTER

MINUTES

Planning Applications Committee (1)

MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Planning Applications Committee (1)** held on **Tuesday 7th March, 2017**, Rooms 5, 6 & 7 - 17th Floor, Westminster City Hall, 64 Victoria Street, London, SW1E 6QP.

Members Present: Councillors Melvyn Caplan (Chairman), Tim Mitchell, Louise Hyams and David Boothroyd.

Also Present: Councillors Peter Freeman and Ruth Bush (for item 8 only).

1 MEMBERSHIP

- 1.1 It was noted that Councillors Melvyn Caplan and Louise Hyams were replacing Councillors Richard Beddoe and Susie Burbridge respectively.

2 DECLARATIONS OF INTEREST

- 2.1 Councillor Melvyn Caplan explained that a week before the meeting, all four Members of the Committee were provided with a full set of papers including a detailed officer's report on each application; together with bundles of every single letter or e-mail received in respect of every application, including all letters and e-mails containing objections or giving support. Members of the Committee read through everything in detail prior to the meeting. Accordingly, if an issue or comment made by a correspondent was not specifically mentioned at this meeting in the officers' presentation or by Members of the Committee, it did not mean that the issue had been ignored. Members will have read about the issue and comments made by correspondents in the papers read prior to the meeting.
- 2.2 Councillor Caplan then made the following further declarations as they related to the specific applications on the agenda:
- Item 1: That he had attended the site visit on 1 March 2017.
- Item 9: That he had sat on the Committee that had considered a previous application on 7 June 2016.
- 2.3 Councillor Tim Mitchell declared that any Members of the Majority Party who had or would make representations in respect of the applications on the

agenda were his friends. He also advised that in his capacity as a Councillor for St James's Ward, and as Cabinet Member for Finance, Property and Corporate Services responsible for the City Council's property portfolio, he regularly met with members of the planning and property industry as well as residents' associations and amenity groups.

- 2.4 Councillor Mitchell then made the following further declarations as they related to the specific applications on the agenda:

Item 1: That he had attended the site visit on 1 March 2017.

Items 4, 6 and 7: That he had sat on the Committee that had considered previous applications.

- 2.5 Councillor Louise Hyams made the following declarations as they related to the specific applications on the agenda:

Item 1: That she had attended the site visit on 1 March 2017.

Item 6: That she was a part time consultant for a planning consultancy involved in the application, however she had no involvement in this application.

- 2.5 Councillor David Boothroyd declared that he is Head of Research and Psephology for Thorncliffe, whose clients are companies applying for planning permission from various local authorities. No current clients are in Westminster, and if there were, he would be precluded from working on them under the company's code of conduct.

- 2.6 Councillor Boothroyd further declared that some Thorncliffe clients have engaged planning consultants who are also representing the applicants at the meeting: Bidwells on item 1, DP9 on items 2, 3, 4 and 6, and Rolfe Judd on item 7. However, he advised that he does not deal directly with clients or other members of project teams, and there is no financial link between the planning consultants and his employers.

- 2.7 Councillor Boothroyd then made the following further declarations as they related to the specific applications on the agenda:

Item 1: That he had attended the site visit on 1 March 2017; that he knows some of the objectors who had written in about this application, including Karen Buck MP and Councillor Adam Hug, who have forwarded objections, and; that he has also sat on various committees deciding the application to redevelop garages at Grove Hall Court.

Item 4: That he was a member of the committees deciding the application for the refurbishment of the building.

Item 6: That he has watched films at the cinema.

Item 7: That he was a member of some of the previous committees deciding applications on this site.

Item 8: That Councillors Ruth Bush and Paul Dimoldenberg are friends; that as he has helped the resident of 4 Marylands Road over this case, he considers it best to withdraw from consideration of this item and he left the room whilst this application was being considered.

3 MINUTES

3.1 RESOLVED:

That the minutes of the meeting held on 14 February 2017 be signed by the Chairman as a correct record of proceedings.

4 PLANNING APPLICATIONS

1 WILLIAM COURT, 6 HALL ROAD, LONDON, NW8 9PA

Construction of 3 dwelling houses with associated amenity space in the grounds of William Court, 6 Hall Road to the rear, associated landscaping improvements, creation of additional cycle parking.

Additional representations were received from Matt Richards (28.02.2017, 02.03.2017), Andreas Konomis (01.03.2017), Priya Khanna, Maya Melta, Alexia Konomis, Brenda Cox and Phil Cox (01.03.2017) and Jennifer Carroll (02.03.2017).

Late representations were received from Councillor Lindsey Hall (02.03.2017), Alexia Konomis and Priya Khanna (03.02.2017), Anthony Middleton (05.03.2017), Alexia Konomis (27.02.2017), Anthony Middleton on behalf of William Court Residents' Association (05.03.2017), Maya Mehta (06.03.2017), Nicola Gee (06.03.2017), Yasmin Gee (06.03.2017) and Simon Gee (06.03.2017).

Councillor Peter Freeman addressed the Committee in his capacity as Ward Councillor in support of the residents objecting to the application.

The presenting officer tabled the following amendments to conditions 19 and 30:

Condition 19

You must not use the roof of the building of House 3 or the podium deck (as outlined in red shown on plan P02 B) for sitting out or for any other purpose. You can however use the roof of House 3 to escape in an emergency; the podium deck to provide disabled access to Houses 1 and 3; to escape in an emergency or for access/ maintenance of flats within William Court.

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007.

Condition 30

You must apply to us for approval of details as to how the amenity space above House 2 is to be operated including its hours, and for sound proofing measures to House 2 below. You must then provide the communal roof terrace above House 2 prior to the occupation of House 2. The communal terrace must remain accessible to everyone within William Court and retained as such thereafter.

Reason:

To protect the environment of people in neighbouring properties and House 2, as set out in S29 of Westminster's City Plan (November 2016) and ENV 13 of our Unitary Development Plan that we adopted in January 2007 and to re-provide the existing communal terrace.

RESOLVED:

That permission be refused on the grounds of bulk, height and design of House 1 and its poor architectural relationship with the adjoining Conservation Area and Hamilton Gardens and the footprint and design of House 3; the proposal is un-neighbourly, resulting in an increased sense of enclosure to existing residents in William Court and 20 Hamilton Gardens, and; the lack of car parking for new houses. The draft reasons for refusal to be cleared through the Chairman and agreed under delegated powers.

2 MANOR APARTMENTS, 40 - 42 ABBEY ROAD, LONDON

Demolition of existing roof level structures and part of front chimney stack and erection of a single storey roof extension with roof terraces with associated balustrade and screening to provide one residential flat (Class C3) and installation of mechanical plant to rear at roof level.

Additional representations were received from Elizabeth Cohen (all dated 28.02.2017).

The presenting officer tabled the following additional condition 15:

Condition 15

You must apply to us for approval of details of the following parts of the development – location, size, design and material for the relocated gas flue/s. You must not start any work on these parts of the development until we have approved what you have sent us.

You must then carry out the work according to these approved details (C26DB).

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the St John's Wood Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

RESOLVED:

That conditional permission be granted, subject to an additional condition 15 as set out above.

3 16 DEVONSHIRE PLACE, LONDON, W1G 6HY

Use as six self-contained flats (Class C3) including the demolition and replacement of rear extensions at lower ground and ground floor levels, excavation of rear garden and vault at lower ground floor level. Installation of four condensers at roof level within acoustic enclosure and a condenser unit within an acoustic enclosure within the rear patio at lower ground floor level and condenser in front lightwell. Replacement windows and internal alterations.

The presenting officer tabled the following amendments to planning permission conditions 11 and 15 and listed building consent condition 3:

Revised condition 11 of the planning permission:

Delete Pre Commencement requirement.

Revised Condition 15 of the planning permission:

You must apply to us for approval of detailed drawings of the following parts of the development:

- a) Cast iron air bricks
- b) New timber single-glazed sash windows and multi paned timber doors
- c) New external powder coated steel frame multi-pane windows and doors

You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these drawings. (C26DB)

Revised Condition 3 of the Listed Building Consent:

You must apply to us for approval of detailed drawings of the following parts of the development:

- a) Cast iron air bricks;
- b) New fireplaces / fireplace surrounds;
- c) Lift doors;
- d) New timber single-glazed sash windows and multi paned timber doors
- e) New internal [lower ground floor master bedroom] and external powder coated steel frame multi-pane windows and doors;
- f) Pipe and cable routes for the second floor sprinkler system;
- g) The bathroom pods (plans and elevations).

You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these drawings. (C26DB)

[Reasons unchanged]

RESOLVED:

1. That conditional permission, including a condition to secure car club membership for each of the units for 25 years, be granted, subject to amendments to planning permission conditions 11 and 15 as set out above.
2. That conditional listed building consent be granted, subject to an amended listed building consent condition 3 as set out above.
3. That the reasons for granting listed building consent as set out in Informative 1 of the draft decision letter be agreed.

4 THE PLAZA, 120 OXFORD STREET, LONDON, W1D 1LT

Use of the ground and first floor unit on corner of Wells Street and Eastcastle Street as a restaurant (Class A3), alterations to shopfronts on Eastcastle Street and Berners Street elevations, installation of ventilation louvres at first floor level on Wells Street and installation of an extract duct and air-conditioning units at roof level.

The presenting officer tabled the following revised reason for condition 6:

Revised reason for condition 6:

To make sure that the use will not cause nuisance for people in the area. This is as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and TACE 10 and ENV 6 of our Unitary Development Plan that we adopted in January 2007.

RESOLVED:

1. That conditional permission be granted, subject to a revised reason for condition 6 as set out above and a Section 106 legal agreement to secure the completion of the reconfigured retail units at ground, first and basement floors prior to the occupation of the new restaurant.
2. That if the Section 106 legal agreement has not been completed within six weeks of the date of this resolution then:
 - a) The Director of Planning shall consider whether it will be possible or appropriate to issue the permission with additional conditions attached to secure the benefits listed above. If so, the Director of Planning is authorised to determine and issue the decision under Delegated Powers; however, if not;
 - b) The Director of Planning shall consider whether the permission should be refused on the grounds that the proposals are unacceptable in the absence of benefits which would have been secured; if so, the Director of Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

5 134 BAKER STREET, LONDON, W1U 6UB

Use of ground floor and basement as restaurant (Class A3) and erection of a full height extract duct to rear elevation.

The presenting officer tabled the following revised reason for condition 13:

Revised reason for condition 13:

To make sure that the use will not cause nuisance for people in the area. This is as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and TACE 9 and ENV 6 of our Unitary Development Plan that we adopted in January 2007.

RESOLVED:

That conditional permission be granted, subject to a revised reason for condition 13 as set out above.

6 37 CURZON STREET, LONDON, CITY OF WESTMINSTER, W1J 7TX

Variation of Condition 5 of planning permission dated 17 July 2013 (RN: 13/03289/FULL) for use of the first floor and second floors as 4 x 3 bedroom flats (Class C3), namely, to allow changes to sound proofing and to allow the submission of a revised acoustic report.

RESOLVED:

That conditional permission be granted.

7 18 WELLS STREET, LONDON, W1T 3PG

Demolition of the existing building and erection of a building comprising lower ground, ground and first to sixth floor levels. Use of the part basement and ground floor levels as retail accommodation (Class A1), first to fourth floors as office (Class B1) and two residential units (Class C3) over fifth and sixth floors. Installation of plant at rear ground floor levels and at main roof level with associated screening. Creation of terraces/balconies at first to sixth floor levels.

RESOLVED:

1. That conditional permission be granted, subject to the deletion of condition 9 and a Section 106 legal agreement to secure the following:
 - a) Provision of £941,000 towards public realm improvements in the vicinity of the site;
 - b) The costs of monitoring the Section 106 agreement.
2. That if the Section 106 legal agreement has not been completed within six weeks of the date of the Committee resolution, then:

- (a) The Director of Planning shall consider whether it would be possible and appropriate to issue the permission with additional conditions attached to secure the benefits listed above. If so, the Director of Planning is authorised to determine and issue the decision under Delegated Powers; however, if not;
- (b) The Director of Planning shall consider whether the permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits which would have been secured; if so, the Director of Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

8 2C CHIPPENHAM MEWS, LONDON, W9 2AW

Installation of replacement windows to rear elevation at first floor level.
(Retrospective Application)

Councillor Ruth Bush addressed the Committee in her capacity as Ward Councillor in support of the resident objecting to the application.

RESOLVED:

That conditional permission be granted.

9 MARYLEBONE FLYOVER, LONDON

Display of internally illuminated digital advertising unit (portrait unit) 7.5m high x 5m wide.

RESOLVED:

That conditional advertisement consent be granted.

The Meeting ended at 8.33 pm.

CHAIRMAN: _____

DATE _____