



CITY OF WESTMINSTER

MINUTES

Planning Applications Sub-Committee (4)

MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Planning Applications Sub-Committee (4)** Committee held on **Tuesday 17th October, 2017**, Room 3.1, 3rd Floor, 5 Strand, London, WC2 5HR.

Members Present: Councillors Peter Cuthbertson, Jonathan Glanz, Angela Harvey (Chairman) and Jason Williams

1 MEMBERSHIP

It was noted that Councillor Peter Cuthbertson had replaced Councillor Iain Bott.

2 DECLARATIONS OF INTEREST

- 2.1 Councillor Angela Harvey 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 Angela Harvey declared that in respect of Items 1, 2 and 7 she had received letters from the applicants regarding the applications.
- 2.3 Councillor Jonathan Glanz declared that in respect of Items 1 and 2 he had previously met the applicants but not in relation to the application before the Sub-Committee.
- 2.4 Councillor Jason Williams declared that in respect of Item 9 the application was situated within his ward.

3 MINUTES

RESOLVED:

That the minutes of the meeting held on 26 September 2017 be signed by the Chairman as a correct record of proceedings.

4 PLANNING APPLICATIONS

1 FLAT 11.01, THE KNIGHTSBRIDGE APARTMENTS, 199 KNIGHTSBRIDGE, LONDON, SW7 1RH

The amalgamation of two residential Units, Flats 11.01 and 11.02.

RESOLVED:

That the certificate be refused on the grounds that the amalgamation of two residential units into one constituted a material change of use for the purposes of s.55(1) of the Town and Country Planning Act 1990 which was not permitted by any Statutory Order or Act and therefore planning permission was required.

2 FLAT 11.01 AND 11.02, THE KNIGHTSBRIDGE APARTMENTS, 199 KNIGHTSBRIDGE, LONDON, SW7 1RH

Amalgamation of 2no. residential units and associated external alterations.

RESOLVED:

That permission be refused on the grounds the development would lead to the loss of a housing unit which would not meet S14 of Westminster's City Plan (adopted 2016) and Policy 3.4 of the London Plan (adopted March 2016).

3 ARCADE HOUSE, 13 ALBEMARLE STREET, LONDON, W1S 4HJ

Use of the basement as a mixed showroom/event/retail space (sui generis use); use of third floor as office (Class B1) and infilling of the atrium at third, fourth and fifth floor level to provide additional B1 office floor space.

The presenting officer advised the Sub-Committee of a proposed amendment to the draft decision letter to delete condition 7.

RESOLVED:

That conditional permission, as amended, be granted.

4 IVOR COURT, GLOUCESTER PLACE, LONDON, NW1 6BJ

The application was withdrawn from the agenda by the applicant.

5 16 BROADLEY STREET, LONDON, NW8 8AE

Installation of metal balustrades and sliding rooflight to facilitate the use of the roof as a terrace.

A late representation was received from one local resident (17/10/17).

RESOLVED:

That conditional permission be granted.

6 PITCH 1633, REGENT STREET, LONDON, W1B 5BQ

The application was withdrawn from the agenda by the applicant.

7 PITCH 1701, NEW BOND STREET, LONDON, W1S 3SU

Installation of a free standing retail kiosk (Class A1).

The presenting officer tabled the following amendments to the draft decision letter:

Amended condition 2:

You must advise us in writing of the date of installation of the kiosk, which can remain in situ five years from the date of installation. After that you must remove it and return the land to its previous condition.

Additional informative 2:

With regard to condition 2, the Council is prepared to make an exception in this case and grant permission for five years rather than the usual period of one year for a kiosk. This is to take account of the special circumstances of the case and acknowledges the significant investment required to implement and deliver this high quality design. In particular, it is noted that this enhanced design has been developed in conjunction with the important public realm improvements to New Bond Street, reflected in the use of substantially better quality materials.

If you wish to retain the kiosk in situ after the approved five year period, you are reminded of the need to re-apply for planning permission at least eight weeks before the expiry of the temporary approval period.

RESOLVED:

That the application be deferred to a future Planning Sub-Committee meeting in order for the applicant to produce a more appropriate design which would contribute positively to the Bond Street improvements scheme and also enhance the character and appearance of the Mayfair Conservation Area.

8 PITCH 1726, DUKE STREET, LONDON, W1U 3EG

The application was withdrawn from the agenda by the applicant.

9 43 SUSSEX STREET, LONDON, CITY OF WESTMINSTER, SW1V 4RJ

Alterations to balcony and staircase at rear ground floor level to create enlarged terrace.

An additional representation was received from Edge Planning & Development LLP (12/10/17).

RESOLVED:

That the application be refused on the grounds that the enlarged balcony would result in overlooking and increased levels of noise and disturbance to surrounding residential properties.

10 22 MONTPELIER PLACE, LONDON, SW7 1HL

Excavation of a new basement (including under existing vaults) and lowering of existing lower ground floor level. Construction of a single storey rear extension at lower ground floor, external lift shaft to the rear running from new basement level to upper ground and a rear mansard room.

Additional representations were received from one local resident (02/10/17) and Firstplan (02/10/17).

Late representations were received from one local resident (16/05/17) and Alan Baxter Partnership LLP (17/10/17).

The presenting officer tabled the following additional conditions:

Condition 16

- (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.
- (2) Where noise emitted from the proposed plant and machinery will not contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The

background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

- (3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:
- (a) A schedule of all plant and equipment that formed part of this application;
 - (b) Locations of the plant and machinery and associated ducting; attenuation and damping equipment;
 - (c) Manufacturer specifications of sound emissions in octave or third octave detail;
 - (d) The location of most affected noise sensitive receptor location and the most affected window of it;
 - (e) Distances between plant and equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
 - (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when the background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
 - (g) The lowest existing L A90, 15 mins measurement recorded under (f) above;
 - (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
 - (i) The proposed maximum noise level to be emitted by the plant and equipment.

Condition 17

No vibration shall be transmitted to adjoining or other premises and structures through the building structure and fabric of this development as to cause a vibration dose value of greater than 0.4m/s (1.75) 16 hour day-time nor 0.26 m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.

RESOLVED:

That conditional permission, as amended, be granted.

The Meeting ended at 7.49 pm

CHAIRMAN: _____

DATE _____