



CITY OF WESTMINSTER

# MINUTES

## Planning Applications Sub-Committee (1)

### MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Planning Applications Sub-Committee (1)** held on **Tuesday 19th December, 2023**, Rooms 18.01 & 18.03, 18th Floor, 64 Victoria Street, London, SW1E 6QP.

**Members Present:** Councillors Jason Williams (Chair), Paul Fisher, Md Shamsed Chowdhury and Elizabeth Hitchcock

**Also Present:** Councillors Jessica Toale (Item 1), Councillor Jim Glen (Item 3)

#### 1 MEMBERSHIP

1.1 It was noted that Councillor Fisher substituted for Councillor Hassan.

#### 2 DECLARATIONS OF INTEREST

2.1 Councillor Jason Williams explained that a week before the meeting, all Members of the Sub-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 emails containing objections or giving support. Members of the Sub-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 Sub-Committee, it did not mean that the issue had been ignored. Members would have read about the issue and comments made by correspondents in the papers read prior to the meeting.

2.2 Councillor Paul Fisher declared a non-pecuniary interest in item 1 as the application site fell with the West End Ward. It was highlighted that he had publicly supported the listing of the building as an Asset of Community Value (ACV); however, he did not consider himself to have a conflict of interest and would determine the application based on its merits.

#### 3 MINUTES

3.1 **RESOLVED:** That the minutes of the meeting held on 31 October 2023 be signed by the Chair as a correct record of proceedings.

## **4 PLANNING APPLICATIONS**

- 4.1 The applications were taken in the following order: 1, 3, 2.
- 4.2 At the start of the meeting, the presiding officer explained that the Government had, on the day of the meeting, published the new National Planning Policy Framework (NPPF) and therefore all the committee reports referred to the previous version of the NPPF. Where changes in the new NPPF affected the consideration of the items on the agenda, this was covered in the officer presentations and discussions.

### **1 BASEMENT AND GROUND FLOOR, 38 CURZON STREET, LONDON, W1J 7TU**

Amalgamation of the existing cinema and restaurant, retaining the 2 existing cinema screens, to create a cinema-led, mixed-use premises; replacement plant equipment; and other associated external works.

Additional representations were received from Cratus Group on behalf of 38 Curzon Lease Ltd (08.12.23) and one interested party (undated).

Late representations were received on behalf of 38 Curzon Lease Ltd and two interested parties (undated).

The Presenting Officer tabled the following additional condition.

Condition 16:

*The applicant must provide:*

- (i) The replacement shopfront;*
- (ii) The lift between the basement and first floors;*
- (iii) The access route between the ground floor restaurant area and the cinema foyer; and*
- (iv) The reinstated feature lighting in the cinema foyer*

*Prior to the commencement of the cinema-led, mixed-use premises hereby approved.”*

*Reason:*

*To make sure that there was reasonable access for people with disabilities and to make sure that the public benefits required to outweigh the less than substantial harm to the special interest of this listed building were delivered, as set out in Policies 38 and 40 of the City Plan 2019 – 2040 (April 2021).”*

Damian Drabble addressed the Sub-Committee in support of the application.

Edward Fletcher addressed the Sub-Committee in objection to the application.

Mike Washbourne addressed the Sub-Committee in objection to the application.

Belinda Harley representing the Resident's Society of Mayfair and St James's addressed the Sub-Committee in objection to the application.

Councillor Jessica Toale, in their capacity as Ward Councillor for the West End Ward, addressed the Sub-Committee in objection to the application.

**RESOLVED UNANIMOUSLY:**

1. That conditional permission, as amended, be granted subject to:
  - a) condition 10 on the planning permission being amended to ensure that the use of the cinema is also limited to the area shown in pink on the approved drawings.
  - b) the wording of condition 11 on the planning permission being amended to require the submission of a further Operational Management Plan for the City Council's approval, to include details regarding the Community Liaison Group; and,
  - c) That the additional condition 16, tabled by officers, be imposed on the planning permission.
  
2. That conditional Listed Building Consent be granted subject to:
  - a. condition 5 of the listed building consent be amended to require the acoustic screen to be installed prior to the operation of the air source heat pumps and retained so long as the plant is in situ.
  
3. That the reasons for granting conditional listed building consent as set out in Informative 1 on the draft decision letter be agreed.

**2 11 STANHOPE GATE, LONDON, W1K 1AN**

Excavation of new basement level; extension of the existing fourth floor rearwards and to create a mansard roof form; replacement of existing fifth floor with small extension to the rear (to match the fourth floor below); creation of new sixth floor and new roof level, to facilitate the provision of 6 residential units (use class C3), set back roof plant room and shroud to contain life safety kit, alterations and changes to rear fenestration at all levels, residential balcony at front fifth floor level and new terrace at ground floor rear with basement ventilation.

An additional representation was received from Savills (15.12.23).

Simon Wallis addressed the Sub-Committee in support of the application.

**RESOLVED UNANIMOUSLY:**

1. That conditional permission be granted subject to completion of a S106 legal agreement to secure the following:

- i). A late-stage viability review mechanism,
- ii). Car club membership for the occupiers of all residential units for a period of 25 years, and
- iii). Payment of S106 monitoring costs.

2. That if the legal agreement had not been completed within six weeks of the date of the Committee resolution, then:

a) The Director of Town Planning and Building Control should consider whether the permission can be issued with additional conditions attached to secure the benefits listed above. If this was possible and appropriate, the Director of Town Planning and Building Control was authorised to determine and issue such a decision under Delegated Powers; however, if not

b) The Director of Town Planning and Building Control should consider whether permission should be refused on the grounds that it had not proved possible to complete an agreement within the appropriate timescale, and that the proposals were unacceptable in the absence of the benefits that would have been secured; if so, the Director of Town Planning and Building Control was authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

Following the Committee's decision to grant planning permission, it was also agreed to accept the applicant's ex-gratia payment of £150,000 towards the Council's Affordable Housing Fund to be paid on completion of the legal agreement.

### **3 71-73 BELGRAVE ROAD, LONDON, SW1V 2BG**

Erection of a single storey mansard extension to No. 73; extensions to the closet wings at rear second floor level of both Nos. 71 and 73; rebuilding of the existing rear lower ground floor extension to No. 73; alterations to the lower ground floor fenestration; landscaping of the rear courtyard and associated internal alterations.

The Presenting Officer tabled the following additional proposed condition.

Condition 14:

*On implementation of this planning permission, the main entrance to the hostel shall be via No. 71 as shown on drawing number 2219 P100 S2 P4 and the entrance door to No. 73 shall cease to be used as the main entrance and shall only be used as a means of escape in case of emergency."*

*Reason:*

*To protect the environment of people in neighbouring properties as set out in Policies 7, 16 and 33 of the City Plan 2019 – 2040 (April 2021).*

Officers also proposed the following amendment to condition 4(i).

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

**Omit:**

*(i) New glass screen and doors at ground floor level (elevation and section details showing framing details (1:10))*

**Replace with:**

*(i) New double doors to ground floor main reception which shall be traditional timber panelled doors (elevation and section details at 1:10).*

David Symonds addressed the Sub-Committee in support of the application.

Janet Clark addressed the Sub-Committee in objection to the application.

Councillor Jim Glen, in his capacity as Ward Councillor, addressed the Sub-Committee in objection to the application.

**RESOLVED UNANIMOUSLY:**

1. That conditional permission, as amended, be granted subject to:
  - a. the additional condition tabled by officers be added to ensure the main entrance to the hostel would be from No.71 Belgrave Road;
  - b. the tabled amendment to condition 4 (i) on the draft listed building consent be agreed to ensure traditional timber panelled double doors to the ground floor main reception;
  - c. the Operation Management Plan condition be strengthened to include details of staffing, a 24 hour a day point of contact for local residents and details of how the hostel would handle guests congregating outside of the premises;
  - d. condition 8 be amended to restrict the use of the rear courtyard between the hours of 7 pm to 8 am daily, and to ensure that the dining room doors are closed after 7pm to 8 am daily; and
  - e. an informative be added regarding the landscaping to the rear courtyard which is secured under condition 13 to be designed to ensure that the planters cannot be used for seating.
2. That conditional listed building consent be granted.
3. That the reasons for granting conditional listed building consent as set out in informative on the draft listed building consent decision letter be agreed.

The Meeting ended at 8.36 pm

**CHAIR:** \_\_\_\_\_

**DATE** \_\_\_\_\_

