



CITY OF WESTMINSTER

MINUTES

Planning Applications Committee (1)

MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Planning Applications Committee (1)** held on **Tuesday 2nd December, 2014**, Rooms 5, 6 & 7 - 17th Floor, City Hall, 64 Victoria Street, London, SW1E 6QP.

Members Present: Councillors Robert Davis (Chairman), Susie Burbridge, Tim Mitchell and David Boothroyd

1 MEMBERSHIP

There were no changes to the membership.

2 DECLARATIONS OF INTEREST

- 2.1 (a) Councillor Davis declared that any members of the Majority Party who had or would make representations on the applications on the agenda were his friends. He also advised that in his capacity as Deputy Leader and Cabinet Member for Planning it was inevitable and part of his role that he gets to know, meet and talk to leading members of the planning and property industry including landowners and developers and their professional teams such as architects, surveyors, planning consultants, lawyers and public affairs advisers as well as residents, residents associations and amenity groups. It was his practice to make such declarations. He stated that it did not mean that they were his personal friends or that he had a pecuniary interest but that he had worked with them in his capacity as Cabinet Member for Planning.
- (b) He also explained that all four members of the committee are provided a week before the meeting 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 - often taking a whole day over the weekend to do so.
- (c) Accordingly, if an issue or comment made by a correspondent is not specifically mentioned at the meeting in the officers presentation or by members of the committee, because of the need to get through a long

agenda, it does not mean that members have ignored the issue as they will have read about it and comments made by correspondents in the papers read prior to the meeting.

- (d) Councillor Davis stated that in his capacity as Cabinet Member he knows a number of Planning Consultants in Westminster, some of whom were representing the applicants on a number of items of the agenda, including Four Communications, DP9, Savills, DTZ, Turleys and Gerald Eve.
- (e) Councillor Davis also declared that in his capacity as the Cabinet Member for the Built Environment with specific responsibility for planning he regularly met with developers as part of the City Council's pre-application engagement with applicants. This was wholly in accordance with normal protocols and the terms set out in the Localism Act 2011 and as amplified in the Communities and Local Government Guidance document "A Plain English Guide to the Localism Act".
- (f) The meetings held with applicants and in some case objectors too are without prejudice and all parties are advised that a final formal decision is only taken when all the facts are before him and his Committee through the normal planning application process.
- (g) Councillor Davis made the following further declarations as they related to the specific applications on the agenda:
 - (h) With regard to Item 1 Temple Station Garden Bridge, he had had meetings with the applicants. He also had meetings with some of the objectors. He knew Thomas Heatherwick the Designer and Architect, Joanna Lumley and senior members of TfL.
 - (i) Regarding Item 2, he made the same declaration as Item 1.
 - (j) Item 3, Park Crescent, he knew Sir Stuart Lipton and his family who are involved with the applicants. He had had a meeting with the applicants, the applicant's representatives DP9 and I know the Architects.
 - (k) Item 4, Savile Row, he knows the Directors of Derwent Valley Central Ltd. He had had meetings with the applicants. He knows the applicant's agents Gerald Eve and the applicant's architects Stanton Williams.
 - (l) Item 5, Queen Annes Gate: This has been to the committee on a previous occasion. He had had meetings with the applicants and he knows their representatives Four Communications.
 - (m) Item 6, 33 Horseferry Road: He knows the applicants from other applications that have been before the Council on previous occasions. He had had meetings with applicants in respect of this site and other sites. He knows the applicant's agents Gerald Eve and he knows the applicant's Architects.

- (n) Item 7, Egginton House, Buckingham Gate: He knows the applicants Dukelease who have made other applications on other properties in Westminster. He had had meetings with the applicants about this site. He also confirmed that he knows the applicant's consultants, Savills and the Architect.
- (o) Item 8, Ingram House: he has had meetings with the applicants. He knows the applicant's agents, Savills and knows the Architect.
- (p) Item 9, 85 Piccadilly: The matter has been to Committee on previous occasions. He knows the applicant's representatives Turleys and Four Communications.
- (q) Item 10, Inverness Terrace: This is in his ward.
- (r) Item 11, 3 Orme Square: This is in his ward. This has been to the Committee on previous occasions. He had meetings with the applicants, not on this application but on the Principal application and he knew the applicant and knows the main objectors and the Architect.

2.2 Councillor Tim Mitchell declared that any members of the Majority Party who had or would make representations on the applications on the agenda were his friends. He also advised that in his capacity as a Ward Councillor for St James's he had regular contact with landowners, developers and their agents on proposals which included some of the developers who had applications on the committee's agenda including Gerald Eve, Four Communications and DP9 and Savills.

He added that Items 1, 2, 5, 7 and 8 were in his ward. On Item 7 he had received a presentation about this application and also received representations from local residents. Items 9 and 11 had been to the Committee before.

2.3 Councillor Susie Burbridge declared that any members of the Majority Party who had or would make representations on the applications on the agenda were her friends. She also declared that she had received hospitality from developers, planners, consultants, architects, landowners and persons with planning interests as well as residents and amenity groups. She had visited the site for Item 9 and Items 10 and 11 were in her ward.

2.4 (a) 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; if there were he would be precluded from working on them under the company's code of conduct. He do not deal directly with clients or other members of project teams.

- (b) He is aware that some clients have hired planning consultants who are also representing applicants tonight: DP9 on item 3, Gerald Eve on items 4 and 6, Savills on items 7 and 8, Turley on item 9, and Montagu Evans on item 10. There is no financial link between the planning consultants and his employers.
- (c) In relation to item 4, he declared that the building was used as a principle location for the TV series 'The Sandbaggers' in 1978-80; as he especially liked that series. He am duty bound to record that as a personal interest.
- (d) In relation to item 5, he is a friend of Graeme Cottam who is one of the objectors and owns a building adjoining the site. He was a member of previous committees deciding applications relevant to items 6, 9 and 11.

3 MINUTES

3.1 The minutes of the meeting held on 11 November 2014 were approved and signed by the Chairman as a true and correct record.

4 PLANNING APPLICATIONS

1 TEMPLE STATION BUILDINGS, VICTORIA EMBANKMENT, WC2

Erection of a pedestrian bridge with incorporated garden, extending for a length of 366m over the River Thames from land adjacent to The Queen's Walk on the South Bank to land above and in the vicinity of Temple London Underground Station on the North Bank (in the City of Westminster), the structure of the bridge having a maximum height of 14.3m above Mean High Water and a maximum width of 30m; the development also comprising the erection of two new piers in the River Thames; works to the highway in Temple Place, erection of stairs and ramp connecting Temple Place and the roof of Temple London Underground Station; works to trees (including the removal of trees); relocation of the Cabmen's shelter from Temple Place to Surrey Street; demolition and reconstruction works to Temple Station building including the replacement of its roof; associated construction works (including highway works at the Strand) and work sites; and works within the River Thames (including temporary and permanent scour protection, works to moorings and erection of temporary structures).

Additional representations from Caroe Architecture, Councillor Jen Mosley (LBL), Mr G Hindmarsh, Mr Marianne Harris, James Bell, Mrs Fiona Trosh, Alison Powell, Peter Van Der Zaran, Chris Medland, Jonathan Spratt, Rennie Clarke, Philippa Goffe, Sam Thomson, Fiona Curtin, Luke Lowrigs, Nick Wright, Sharon Lin Tay, Jonathan Peterson, Helen Cronin, David Lane, Oliver Kean, Phil Abel, Courtney Amaryllin.

The presenting officer tabled late representations from Gerald Eve (1.12.14), the Waterloo Community Development Group (1.12.14), Garden Bridge Trust, OXO

Tower Wharf, Thames Tideway Tunnel, Jan Biggs, the Royal Horticultural Society and Delia Wu.

During the course of the presentation the presenting officer tabled the following amended conditions:

No development shall take place until a planning obligation under s.106 of the Town and Country Planning Act 1990 (as amended) has been submitted to and approved in writing by the Local Planning Authority to secure the following Heads of Terms:

- i) Setting up of a Garden Bridge Trust (GBT) Operations Reference Group to provide a forum to input into the drafting and review thereafter of the Operation and Management Plan. The forum shall have adequate cross-river mechanisms for cross-river issues, including meeting as necessary involving Lambeth and Westminster Councils, SBEG and Northbank BID, and any other stakeholders directly affected by matters under consideration. Such meetings as are necessary to address north bank issues to involve Westminster, Northbank BID, The Middle and Inner Temple, the owners of the development site at Arundel Great Court and any other stakeholders directly affected by matters under consideration.
- ii) The setting up of a Specialist forum to consult on mobility and accessibility issues as the detailed design of the bridge and the Operation and Management Plan progresses.
- iii) Prior to the commencement of development, the submission of a final Operation and Management Plan.
- iv) Prior to the commencement of development, the submission of an Operational and Maintenance Business Plan update report for the written approval of the City Council. The development shall thereafter be carried out and subsequently operated and maintained in accordance with the approved Plans.
- v) Prior to the commencement of development (and unless otherwise agreed in writing by the Local Planning Authority) there shall be provided to the Local Planning Authority a surety and/or guarantee and/or other legal instrument (the form and terms of which shall be approved by the Local Planning Authority in advance) to secure the on-going maintenance of the proposed bridge.
- vi) Review of the Operation and Management Plan on the first year of opening and subsequently on the second, third and fifth years and every five years thereafter. The approved Operation and Management Plan will also be reviewed at any time at the request of either the Trust or the local planning authorities. It may not be necessary to review the entire plan on every occasion. The scope of the review will be agreed in advance by the Trust and the LPAs, in consultation with the Operations Reference Group. The review process will include consultation with the Operations Reference Group.
- vii) Prior to the commencement of development an Employment and Skills Plan.

- viii) During the operational phase the Trust will work with WCC to develop a programme that offers local residents, including a proportion from priority groups opportunities in the on- going maintenance of the bridge and garden.
- ix) A contribution (tbc) to enable the map content of all local Legible London signs to be refreshed to show the new bridge.
- x) The submission (for Written Approval by WCC) of details of the intended school outreach programme, including the establishment of a Youth Board prior to construction to provide local young people with an opportunity to input into the construction and operation of the bridge.
- xi) Appointment of a Construction liaison manager who would have a detailed understanding of the construction programme and both north and south banks issues. Joint sub-meetings from the main construction forums would be arranged where necessary.
- xii) Public access to the bridge will be maintained, except outside of the agreed opening hours, at times of routine maintenance or when the bridge is closed for events of which there shall be no more than twelve event days (measured as 12 x 24 hour periods) per year (excluding any enforced closures such as the Thames Festival and New Year's Eve firework display and excluding routine maintenance). Westminster/ Lambeth will be notified no less than 4 weeks in advance of a closure with details of the closure notified to the public in advance. Public access to the bridge shall be free of charge except during events.
- xiii) The bridge will be known as The Garden Bridge, without the endorsement or addition of a sponsor's name.
- xv) A Travel Plan together with a reasonable contribution towards the Council's costs of monitoring the implementation and success of the Plan.
- xvi) Highway works to Temple Place, Arundel Street, Surrey Street, Victoria Embankment and Strand.
- xvii) A Signage and Wayfinding Strategy.
- xviii) The submission of a Code of Construction Practice Part B (to reflect the principles submitted under Part A) and Environmental Inspectorate and Environmental Sciences monitoring contribution.
- xix) S106 Monitoring fee.

The submitted details of proposed arrangements in the case of each of the above benefits shall include details of timing of the provision of the benefits, and details of how this timing is to be guaranteed. The development shall only then be carried out in accordance with the approved arrangements.

Condition 3 – delete this condition entirely

Revised wording for condition 17

No trees or any other plants on the bridge shall exceed 15 m in height when measures from the soil level of the bridge.

Additional Conditions

- You must not place any structures on the bridge other than what is shown on the approved drawings.
- You must maintain public access to the bridge between the hours of 6am to midnight seven days a week except at times of routine maintenance or when the bridge is closed for permitted events.

RESOLVED:

1. That the substantial benefits of the new bridge, the iconic architecture, new connectivity and additional views created from the bridge, outweigh the harm to views from Waterloo Bridge and the South Bank were in the Committee's view acceptable.
2. Subject to 1. Above that conditional permission be granted subject to appropriate measures to secure the long term funding and maintenance of the bridge and subject to the views of the Mayor and the amended conditions set out above as tabled at the meeting.
3. That the making of a draft order pursuant to s247 of the Town and Country Planning Act 1990 for the stopping up of parts of the public highway to enable this development to take place.
4. That the City Commissioner of Transportation be authorised to take all necessary procedural steps in conjunction with the making of the order and to make the order as proposed if there are no unresolved objections to the draft order. The applicant will be required to cover all costs of the Council in progressing the stopping up order.

2 TAXI CAB SHELTER, TEMPLE PLACE, WC2

Relocation of the existing Cabmen's shelter from its current location on the southern side of Temple Place to the eastern side of Surrey Street.

RESOLVED:

1. That listed building consent be granted.
2. That the reasons for granting listed building consent as set out in Informative 1 of the draft decision letter be agreed.

3 18 - 25 PARK CRESCENT, W1

DEVELOPMENT SITE AT 16, 18-25 & 26 PARK CRESCENT & 77-81 PORTLAND PLACE: Demolition and redevelopment of 16 - 26 Park Crescent and partial demolition of 77 - 81 Portland Place to provide residential accommodation (Class C3) comprising of two basement levels, lower ground, ground and first to fourth floor levels (71 flats); the development of nine mews properties comprising of lower ground, ground, first and second floors within the rear courtyard of Park Crescent Mews; creation of terraces at rear ground, third and fourth floor levels and car-parking and plant in the basement of the Park Crescent property; use of part, ground, lower ground and basement level as a community use (Class D1). Associated landscaping within the rear courtyard area.

Additional representations from the Ward Councillors, William Hotopf, the Princes Trust, DP9, Park Crescent West and Jacob Kut were circulated.

RESOLVED:

1. That the Committee agree that:

The principle of the redevelopment of the site is acceptable in land use and amenity terms subject to the following:

- i) The provision of the full affordable housing payment in lieu of provision on site (approximately 18 units) should be sought of £18.65m in the light of advice from independent valuation consultants appointed by the City Council.
 - ii) More information is needed regarding the detailed design (construction) of the proposed rebuilt stuccoed façades to permit their demolition.
 - iii) The addition of another storey at roof level is acceptable in design and heritage asset terms.
 - iv) Whilst there is a risk to the London Plane tree at the rear of Devonshire Street, sufficient measures have been put in place to reasonably protect it. Should these measures fail, the benefits of the scheme outweigh the limited public views of the tree.
 - v) The Prince's Charity use is acceptable and sufficient to offset the loss of the social and community use.
2. That subject to the above and officers being able to secure unallocated parking provision, a 35 year lease and satisfactory provision for the Ice House conditional condition be granted authority for the determination of the outstanding issues and conditions being delegated to officers in consultation with the Chairman.

4 25 SAVILE ROW, W1

Demolition of existing building and construction of a replacement building comprising two basement levels, ground floor and six upper floors. Use of part of the ground

floor as two retail units (Class A1); use of the two basements, part ground floor and the upper floors as residential accommodation (Class C3) providing 29 residential flats (Class C3) with associated car parking at basement level; provision of a green roof and the installation of photovoltaic cells at main roof level.

RESOLVED:

1. That the full contribution of £10.7m towards the Council's affordable housing fund in lieu of a on site affordable housing provision be secured, as advised by the Council's independent consultants.
2. Subject to 1. above, that conditional permission be granted subject to a S106 legal agreement to secure:
 - i) a payment of £10.7m towards the City Council's affordable housing fund (index linked and payable on commencement of development).
 - ii) an operational management plan for the retail units.
 - iii) S106 monitoring contribution.
 - iv) the stopping up of the adopted highway on Boyle Street.
 - v) provision for unallocated parking.
 - vi) a retail management plan, to include provision for galleries.
 - vii) the retail floorspace should be restricted to bespoke tailoring or art gallery use.
3. That the S106 legal agreement has not been completed within six weeks of the date of the Committee's resolution then:
 - (a) The Operational Director 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 Operational Director is authorised to determine and issue such a decision under Delegated Powers; however, if not
 - (b) The Operational Director shall consider whether 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 Operational Director is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.
4. The Committee authorises the making of a draft order pursuant to Section 247 of the Town and Country Planning Act 1990 for the stopping up of that area of highway required to enable the development to take place.
5. That the City Commissioner for Transportation be authorised to take all necessary procedural steps in conjunction with the making of the order and to

make the order as proposed if there are no unresolved objections to the draft order.

5 1 - 3 QUEEN ANNE'S GATE, SW1

Demolition behind retained facade of 1-3 Queen Anne's Gate including rebuilding of mansard; facade retention of No. 9 Dartmouth Street up to second floor level; demolition and reconstruction of Dartmouth Street corner of 1-3 Queen Anne's Gate, former No. 8 and No. 11 Dartmouth Street and demolition and redevelopment of 12-15 Dartmouth Street and 12-14 Carteret Street to provide a building of two basements, lower ground, ground and five upper floors comprising 36 residential units (including 12 intermediate rented units) (7 x 1-bed, 17 x 2-bed, 10 x 3-bed, 1 x 4-bed and 1 x 5-bed units) with car parking for 33 cars in an automated car stacker system at basement level accessed from Carteret Street and plant enclosure at roof level. (Site includes 1-3 Queen Anne's Gate; 8, 9, 11 and 12-15 Dartmouth Street; and 12 - 14 Carteret Street).

Additional representations from Housing (1.12.14), William Reeves and Na Hakani Eha were tabled at the meeting.

RESOLVED:

1. That the level of on-site affordable housing of 12 flats is acceptable in the light of advice from independent valuation consultants appointed by the City Council together with a sum of £6m towards the Council's Affordable Housing Fund.
2. Subject to 1 above, that permission listed building consent be granted.

6 33 HORSEFERRY ROAD, SW1

Demolition of Great Minster North and redevelopment to provide up to 160 residential units in three buildings; two at first to eighth floor level and one at first to seventh floor level with private balconies and terraces. Retail at ground floor level to include four retail units (Class A1) and two flexible retail/restaurant units (Class A1/A3). Associated parking at basement level and landscaped communal area above retained service road. Installation of mechanical plant at basement, ground and eighth floor levels and solar panels at roof level.

Additional representations from Christine Beddoe and Councillor Chalkley were circulated.

During the course of the presentation the presenting officer tabled the following amended recommendation and conditions:

1. That conditional permission subject to a S106 legal agreement to secure the following and subject to a better design of the flank wall windows being submitted for approval:

- i) Provision of 23 affordable rent units and 15 intermediate rent units in Building C.
- ii) Financial contribution of £3,979,000 towards the Council's affordable housing fund (index linked and payable on commencement of development).
- iii) A payment for the review of parking of £63,000 (index linked and payable on commencement of development).
- iv) Car club membership for all eligible occupiers of each residential unit for a period of 25 years.
- v) A public realm payment of £200,000 (index linked and payable on commencement of development).
- vi) Education payment of £298,440 (index linked and payable on commencement of development).
- vii) The applicant to sign up to the Council's Code of Construction Practice and to pay up to £19,000 per annum for the cost of monitoring by Environmental Inspectorate and up to £11,356 per annum for cost of monitoring by Environmental Sciences (index linked).
- viii) Unallocated car parking.
- ix) Carbon off-setting payment of £87,840 (index linked and payable on commencement of development).
- x) The provision of open space and playspace as detailed in the application documents.
- xi) A 24 hour valet parking service.
- xii) The cost of monitoring each planning obligation.

2. That the S106 legal agreement has not been completed within six weeks of the date of the Committee's resolution then:

- (a) The Operational Director 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 Operational Director is authorised to determine and issue such a decision under Delegated Powers; however, if not
- (b) The Operational Director shall consider whether 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 Operational Director is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

Additional conditions

- You must apply to us for approval of shopfront and advertisement design guidelines for the development. The building must not be occupied until we have approved what you have sent us. Notwithstanding the deemed consent provisions in the Town and Country Planning (Control of Advertisements) Regulations 2007 no advertisements are to be displayed on the premises that do not comply with the approved guidelines unless we have agreed otherwise in writing.

- Prior to the first occupation of any of the residential units a maintenance plan for the two car lifts shall be submitted to and approved in writing by the City Council as local planning authority. The car parking shall only be operated in accordance with the maintenance plan.

Remove Condition 34 in its entirety.

RESOLVED:

1. That conditional permission be granted subject to a S106 legal agreement to secure the following and the revised conditions tabled at the meeting:
 - i) Provision of 23 affordable rent units and 15 intermediate rent units in Building C.
 - ii) Financial contribution of £3,979,000 towards the Council's affordable housing fund (index linked and payable on commencement of development).
 - iii) A payment for the review of parking of £63,000 (index linked and payable on commencement of development).
 - iv) Car club membership for all eligible occupiers of each residential unit for a period of 25 years.
 - v) A public realm payment of £200,000 (index linked and payable on commencement of development).
 - vi) Education payment of £298,440 (index linked and payable on commencement of development).
 - vii) The applicant to sign up to the Council's Code of Construction Practice and to pay up to £19,000 per annum for the cost of monitoring by Environmental Inspectorate and up to £10,020 per annum for cost of monitoring by Environmental Sciences (index linked).
 - viii) Unallocated car parking.
 - ix) Carbon off-setting payment of £131,760 (index linked and payable on commencement of development).
 - x) The provision of open space and playspace as detailed in the application documents.
 - xi) The cost of monitoring each planning obligation.
2. That if the S106 legal agreement has not been completed within six weeks of the date of the Committee's resolution then:

- (a) The Operational Director 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 Operational Director is authorised to determine and issue such a decision under Delegated Powers; however, if not
- (b) The Operational Director shall consider whether 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 Operational Director is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

7 EGGINGTON HOUSE, 25-28 BUCKINGHAM GATE, SW1

Demolition of existing office building and redevelopment to provide a replacement building over two basement levels, lower ground, ground and eight upper levels comprising 24 residential dwellings including 14 car parking spaces at basement level, accessed from Buckingham Gate.

RESOLVED:

1. That subject to there being no substantive responses being received by 21 December 2014, grant conditional permission subject to a S106 legal agreement to secure:
 - i) A financial contribution towards affordable housing of £2.46m (index linked and payable on commencement of development);
 - ii) A financial contribution towards carbon off-setting of £11,500;
 - iii) Compliance with the City Council's Code of Construction Practice, and an annual contribution of up to £20,000 during construction towards the Environmental Inspectorate;
 - iv) A financial contribution towards parking surveys of £10,000;
 - v) Any necessary highway works around the site brought about as a result of the development;
 - vi) Monitoring costs.
 - vii) Provision of unallocated parking spaces.
2. That if the legal agreement has not been completed within six weeks of the date of the Committee resolution then:
 - a) The Operational Director shall consider whether the permission can be issued with additional conditions attached to secure the benefits listed above. If this is possible and appropriate, the Operational Director is authorised to determine and issue such a decision under Delegated Powers; however, if not

- b) The Operational Director shall consider whether permission should be refused on the grounds that it has not proved possible to complete an agreement within the appropriate timescale, and that the proposals are unacceptable in the absence of the benefits that would have been secured; if so, the Operational Director is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

8 INGRAM HOUSE, 13-15 JOHN ADAM STREET, WC2

Partial demolition and redevelopment of the existing building including erection of an additional (sixth) floor with roof terraces and balconies at fifth and sixth floor levels in connection with the use as offices (Class B1) at lower ground and ground floor levels and 12 residential flats (2x1-bed, 7x2-bed and 3x3-bed) on the upper floors.

RESOLVED:

That conditional permission be granted.

9 85 PICCADILLY, W1

Installation of replacement double height shopfront on Piccadilly and Clarges Street frontages (including enclosing lobby area at corner of Clarges Street and Piccadilly), alterations to residential access to upper floors and waste and recycling store, and installation of replacement pavement lights on Clarges Street and Piccadilly; all in association with the use of the basement, ground floor and mezzanine level as a restaurant (Class A3) and the upper floors as flats (Class C3).

Additional representations from Councillors Glenys Roberts and Jonathan Glanz, Linklaters and Hedonism Drinks Ltd were circulated.

RESOLVED:

That conditional permission be granted subject to the following additional condition:

Condition 14 amended to read:

Restaurant staff and customers shall not access/egress the premises using the Clarges Street entrance/exit.

Additional Condition 19:

The replacement shopfront (including the use of the entrance door on the Piccadilly elevation for customer access/egress) hereby approved shall only be installed in connection with the use of the basement, ground and mezzanine floors as a single restaurant (Class A3).

Reason:

To protect the environment of people in neighbouring properties, as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV6 and ENV13 of our Unitary Development Plan that we adopted in January 2007.

10 2, 4 AND 6 INVERNESS TERRACE, W2

Application 1 - No. 2 Inverness Terrace - Use from hostel (sui generis) to five residential units (3x2 bedroom, 1x3 bedroom, 1x4 bedroom) (Class C3) at No. 2 including alteration to dormer windows, first floor rear extension and installation of plant within a roof well and installation of lift to rear.

Application 2 - No. 4 Inverness Terrace - Use from hostel (sui generis) to five residential units (3x2 bedroom, 1x3 bedroom, 1x4 bedroom) (Class C3) at No. 4 including alteration to dormer windows, first floor rear extension and installation of plant within a roof well and installation of lift to rear.

Application 3 - No. 6 Inverness Terrace - Use from hostel (sui generis) to five residential units (3x2 bed, 2x3 bed) (Class C3), at No.6 and associated internal and external alterations including the erection of a roof top plant enclosure and a full height service riser within the lightwell and installation of lift to rear.

Additional representations from Montagu Evans were circulated.

RESOLVED:

Application 1 – No. 2 Inverness Terrace

1. That conditional permission be granted subject to a Unilateral Undertaking to secure the following:
 - i) A financial contribution of £676,459 towards the affordable housing fund (index linked and payable upon commencement of development).
 - ii) a financial contribution of £5,000 towards the payment for review of parking (PROP) (index linked and payable upon commencement of development).
 - iii) Lifetime car club membership (25 years) for each residential unit;
 - iv) A financial contribution of £10,010.40 towards carbon off-setting (index-linked and payable on commencement of development).
2. If the Unilateral Undertaking has not been completed within six weeks of the date of the Committee's resolution then:
 - (a) The Operational Director 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 Operational Director is authorised to determine and issue such a decision under Delegated Powers; however, if not

- (b) The Operational Director shall consider whether 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 Operational Director is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.
3. That conditional listed building consent be granted.
 4. That the reasons for granting listed building consent as set out in Informative 1 of the draft decision letter be agreed.

Application 2 – No.4 Inverness Terrace

1. That conditional permission be granted subject to a Unilateral Undertaking to secure the following:
 - i) A financial contribution of £674,760 towards the affordable housing fund (index linked and payable upon commencement of development).
 - ii) a financial contribution of £5,000 towards the payment for review of parking (PROP) (index linked and payable upon commencement of development).
 - iii) Lifetime car club membership (25 years) for each residential unit;
 - iv) A financial contribution of £10,010.40 towards carbon off-setting (index-linked and payable on commencement of development).
2. If the Unilateral Undertaking has not been completed within six weeks of the date of the Committee's resolution then:
 - (a) The Operational Director 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 Operational Director is authorised to determine and issue such a decision under Delegated Powers; however, if not
 - (b) The Operational Director shall consider whether 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 Operational Director is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.
3. That conditional listed building consent be granted.
4. That the reasons for granting listed building consent as set out in Informative 1 of the draft decision letter be agreed.

Application 3 – No.6 Inverness Terrace

1. That conditional permission be granted subject to a Unilateral Undertaking to secure the following:
 - i) A financial contribution of £542,946 towards the affordable housing fund (index linked and payable upon commencement of development).
 - ii) a financial contribution of £5,000 towards the payment for review of parking (PROP) (index linked and payable upon commencement of development).
 - iii) Lifetime car club membership (25 years) for each residential unit;
 - iv) A financial contribution of £10,010.40 towards carbon off-setting (index-linked and payable on commencement of development).

2. If the Unilateral Undertaking has not been completed within six weeks of the date of the Committee's resolution then:
 - (a) The Operational Director 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 Operational Director is authorised to determine and issue such a decision under Delegated Powers; however, if not
 - (b) The Operational Director shall consider whether 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 Operational Director is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

3. That conditional listed building consent be granted.

4. That the reasons for granting listed building consent as set out in Informative 1 of the draft decision letter be agreed.

That in respect of applications 1, 2 and 3 an additional condition requiring an amendment to the detailed design of the proposed roof extension to match more closely the rest of the terrace or for justification of why that would not be possible and for details of the amendment be submitted for approval.

11 3 ORME SQUARE, W2

Details of including amendments to/deletion of the first floor level pergola and associated revisions to first floor terrace; details of railings and metalwork, revised design to vehicular access gate, revised mansard roof design, all pursuant to Condition 16 of planning permission and Condition 1 of listed building consent dated 24 October 2013 (RN: 13/05734/FULL and RN: 13/05740/LBC).

RESOLVED:

That the details be approved subject to a unilateral undertaking requiring the metalwork at ground floor level to be retained in black and planters on the first floor terrace to be installed and thereafter retained and maintained to the City Council's satisfaction in perpetuity.

The Meeting ended at 10.20 pm

CHAIRMAN: _____

DATE _____