



CITY OF WESTMINSTER

# MINUTES

## Planning Applications Committee (2)

### MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Planning Applications Committee (2)** Committee held on **Tuesday 6th October, 2015**, Rooms 5, 6 & 7 - 17th Floor, City Hall.

**Members Present:** Councillors Peter Freeman (Chairman), Angela Harvey, Paul Church and Jason Williams

#### 1 MEMBERSHIP

- 1.1 It was noted that Councillors Angela Harvey and Jason Williams had replaced Councillors Melvyn Caplan and Ruth Bush respectively.

#### 2 DECLARATIONS OF INTEREST

- 2.1 Councillor Peter Freeman 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 Freeman declared that in his capacity as Deputy Cabinet Member for the Built Environment he sometimes receives presentations from developers, however these always take place in the presence of Council officers. Councillor Freeman then made the following further declarations as they related to the specific applications on the agenda:

Item 2 – That the application site is in his Ward and that he had been present on the Committee that had previously considered the application.

Item 6 – That the application site is his Ward

- 2.3 Councillor Angela Harvey declared that any members or former members who had or would make representations were her friends. Councillor Harvey then made the following further declarations as they related to the specific applications on the agenda:

Tree Preservation Order No. 624 (2015), Westminster Synagogue, Rutland Gardens, SW7 - that she had been a guest of Westminster Synagogue who were objecting to the Tree Preservation Order, however she did not consider this to be a prejudicial interest

Item 2 – that she had been present on the Committee that had previously considered the application.

Item 5 – that she was a non-Executive Director on the Board of CityWest Homes, the applicant.

Item 6 – that she had been present on the Committee that had previously considered the application.

- 2.4 Councillor Paul Church declared that in his capacity as Ward Councillor for West End ward and as the Deputy Cabinet Member for Children and Young People, he meets and engages regularly with residents, residents associations, amenity societies, businesses, developers, officers, planners and other stakeholders. He considers members of both the Majority and Minority party as friends and meets with them regularly. He further declared in respect of item 1 that the application site was located in his Ward.
- 2.5 Councillor Jason Williams declared that in his capacity as a Ward Councillor he is approached regarding planning applications, however he does not comment or specify a view on them. Councillor Williams also declared that in his capacity as Ward Councillor that he discusses issues with CityWest Homes.

### **3 MINUTES**

#### **RESOLVED:**

That the minutes of the meeting held on 8 September 2015 be signed by the Chairman as a correct record of proceedings.

### **4 TREE PRESERVATION ORDER NO. 624 (2015) WESTMINSTER SYNAGOGUE, RUTLAND GARDENS, LONDON SW7 1BX**

The City Council has made a Tree Preservation Order (TPO) to protect four London Plane trees (T1, T2, T3 and T4) located in the courtyard area to the north of Westminster Synagogue. The TPO is provisionally effective for a period of six months from 22 April 2015 during which time it may be confirmed with or without modification. If not confirmed, the TPO will lapse after 21 October 2015.

The TPO was made because the trees are considered to make a valuable contribution to public amenity, nature conservation and to the character and appearance of the Knightsbridge Conservation Area. The City Council, having been made aware of the proposal to remove T2 considers it expedient in the interests of the amenity that a TPO is made in order to safeguard its preservation and future management and the future management of trees T1, T3 and T4.

Objection to the TPO has been made by the President of Westminster Synagogue.

The City Council's Arboricultural Officer has responded to the objection.

A late representation was received from Miles Laddie of Westminster Synagogue (undated).

**RESOLVED:**

That Tree Preservation Order No. 624 (2015) be confirmed with permanent effect.

**5 PLANNING APPLICATIONS**

**1 52-53 POLAND STREET, W1**

Use of part ground floor and the upper floors of the building for up to 19 residential units (Class C3), alterations including forward projection of front facade on first to fifth floors, extension to seventh floor front terrace and eighth floor roof addition; infill extension to southern lightwell on third to eighth floors; creation of residential terraces on all levels; installation of new and relocated plant at ground, first and roof levels, with associated plant enclosures.

**RESOLVED:**

1. That conditional permission be granted, subject to an amendment to Condition 22 to read that the back-lighting to the front facade shall be switched off between 24:00 and 07:00 on each of the days following, and a S106 planning obligation to secure:
  - i) A contribution of £715,000 towards the City Council's affordable housing fund (index linked and payable upon commencement of development).
  - ii) Lifetime car club membership (25 years) for the occupants of each new dwelling.
  - iii) S106 monitoring costs.
2. That if the S106 legal agreement has not been completed within six weeks of the application being reported to the Committee then:
  - a) The Director of Planning shall consider whether permission can be issued with additional conditions attached to secure the benefits listed above. If this is possible and appropriate, the Director of Planning is authorised to

determine and issue such a decision under Delegated Powers; however, if not

- b) The Director of Planning shall consider whether permission should be refused on the grounds that it has not proved possible to complete a S106 legal agreement within an appropriate timescale and that the proposals are unacceptable in the absence of the benefits that 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.

## **2 27 NORFOLK ROAD, NW8**

Alterations to boundary walls fronting Norfolk Road and Woronzow Road, including partial lowering of walls and installation trellis to the top of the whole of the boundary wall facing Norfolk Road and part of the boundary wall facing Woronzow Road. Retention of trellis to boundary wall with No.28 Norfolk Road. (Partially retrospective application.)

A late representation was received from Haneet Vaswani (04.10.2015).

### **RESOLVED:**

1. That it be agreed that the revised application for alterations to the listed boundary walls has overcome the reason for refusal for the previous listed building consent application.
2. That subject to 1 above, that conditional listed building consent be granted.
3. That the reasons for granting listed building consent as set out in Informative 1 of the draft decision letter be agreed.

## **3 9 AND 10 EATON MEWS NORTH, SW1**

Formation of a basement extension to Nos. 9 and 10 and use of the properties as two separate dwellings.

### **RESOLVED:**

That conditional permission be granted.

## **4 19-23 NORFOLK SQUARE, W2**

Use of Nos. 19-23 to provide convalescence accommodation for patients and their families/carers sent to London by HM Government of Gibraltar (HMGG) for medical treatment (sui generis), alterations including works to connect properties at ground and lower ground floor, creation of mansard roof extension and extension of rear closet wing to No. 23, installation of lift within each property, installation of rooflights and associated internal and external works.

Late representations were received from Paddington Now (05.10.2015), Montagu Evans (06.10.2015) and Her Majesty's Government of Gibraltar (06.10.2015).

**RESOLVED:**

1. That conditional permission and conditional 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.

**5 BARROW HILL ESTATE, ALLISTEN ROAD, NW8**

Part retrospective application for the removal of existing trunking and conduit from the facades of Mallard House, Bridgeman Street and Starling House, Charlbert Street and the installation of replacement trunking, conduits and light fittings.

**RESOLVED:**

That conditional permission under Regulation 3 of the Town and Country Planning General Regulations 1992 be granted.

**6 53B CLIFTON HILL, NW8**

Erection of dormer and rooflight to rear roof slope, installation of new rooflights to front roof slope and alterations to front elevation.

An additional representation was received from Petr Medvedev (01.10.2015).

The presenting officer tabled the following conditions and an informative in the draft decision letter:

- 1 The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 2 You must carry out any building work which can be heard at the boundary of the site only:

- \* between 08.00 and 18.00 Monday to Friday;
- \* between 08.00 and 13.00 on Saturday; and
- \* not at all on Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours. (C11AA)

Reason:

To protect the environment of neighbouring residents. This is as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 The windows must be timber-framed and painted white. They must then be maintained that colour.

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: Strategic Policies adopted November 2013 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)

- 4 The roof must be covered in natural slate with the exception of the lower rear roof slope which must be covered in zinc.

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: Strategic Policies adopted November 2013 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)

- 5 You must apply to us for approval of samples of the following parts of the development:

- (i) the natural slate for the pitched roof;
- (ii) zinc cladding for the rear roof.

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 samples. (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: Strategic Policies adopted November 2013 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)

- 6 The rooflights in the front and rear roof slope must be "Conservation style" rooflights.

**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: Strategic Policies adopted November 2013 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)

- 7 The windows in the rear dormer must be obscure glazed. A sample of the obscure glass shall be submitted to and approved by the City Council as local planning authority before works start on this part of the development. The dormer windows shall also be fitted with restrictors to limit the extent of opening. Details of the restrictors and size of the opening shall be submitted to and approved by the City Council as local planning authority before works start on this part of the development.

The development shall be carried out in accordance with the approved sample and restrictors. The obscure glass and the restrictors shall not be removed unless approved by the City Council.

**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: Strategic Policies adopted November 2013 and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

**Informative(s):**

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan: Strategic Policies adopted November 2013, Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

**RESOLVED:**

That the application be deferred to allow the applicant to remove the glazing on the rear elevation on amenity grounds and to inform the applicant that the rooflights already constructed are considered acceptable.

**7 47 WILLIAM MEWS, SW1**

Excavation to form a new basement under the existing property with the introduction of a skylight at ground floor level, alterations to the ground floor entrance arrangements and installation of one air conditioning unit at roof level.

**RESOLVED:**

That conditional permission be granted, subject to an additional condition that access to 48 William Mews be retained throughout the works.

**8 25 NEWTON ROAD, W2**

Rear lower ground and ground floor extension with associated changes to the garden level, alterations to fenestration, the rebuilding of the existing dormer comprising amendments to their form and design, the installation of a rooflight to the existing side flat roof, the installation of photovoltaic panels to the existing first floor flat roof, the re-paving of the front driveway and associated works.

**RESOLVED:**

That conditional permission be granted.

**9 12 RUTLAND GATE, SW7**

Removal of ground floor extension and construction of replacement extension and alterations and extensions at lower ground floor level including new lightwell (Flat 1).

**RESOLVED:**

1. That conditional permission and conditional 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.

**10 29 CHEPSTOW ROAD, LONDON, W2**

Removal of one golden false acacia.

**RESOLVED:**

That conditional consent be granted.

The Meeting ended at 8.18 pm.

**CHAIRMAN:** \_\_\_\_\_

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



