



CITY OF WESTMINSTER

# MINUTES

## Planning Applications Committee (4)

### MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Planning Applications Committee (4)** Committee held on **Tuesday 29th September, 2015**, Rooms 5, 6 & 7 - 17th Floor, City Hall.

**Members Present:** Councillors Tony Devenish (Chairman), Angela Harvey, Jonathan Glanz and Ruth Bush.

**Also Present:** Councillor Louise Hyams (for item 2 only), Godfrey Woods (Presiding Officer), Amanda Coulson (Presenting Officer – North Area), Sara Spurner (Presenting Officer – Central Area), Vincent Nally (Presenting Officer – South Area), David Clegg (Design Officer), Barbara Milne (Arboricultural Officer), Julian Tanton (Building Control Officer) and Toby Howes (Committee Officer).

#### 1 MEMBERSHIP

- 1.1 It was noted that Councillor Barbara Bush was replacing Councillor Jason Williams.

#### 2 DECLARATIONS OF INTEREST

- 2.1 Councillor Tony Devenish 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 Jonathan Glanz declared in respect of item 1 an interest that it was in his Ward and that he had been approached by residents concerning the application. He would therefore withdraw as a Member of the Committee for this item to address the Committee as a Ward Member.

2.3 Councillor Angela Harvey declared that any members or former members of the Majority party 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:

Item 1 – that she had met one of the objectors, however they had not contacted her in respect of this application.

Item 4 – that she had been present on the Committee that had previously considered the application.

Item 6 – that she knew one of the objectors, however they had not contacted her in respect of this application.

Item 8 - that she knew one of the objectors, however they had not contacted her in respect of this application.

2.4 Councillor Ruth Bush made the following declarations as they related to the specific applications on the agenda:

Item 4 - that she had been present on the Committee that had previously considered the application.

Item 6 - that she knew one of the objectors.

Item 9 – that she is a trustee of Westminster Tree Trust.

### **3 MINUTES**

#### **3.1 RESOLVED:**

That the minutes of the meeting held on 1 September 2015 be signed by the Chairman as a correct record of proceedings.

### **4 PLANNING APPLICATIONS**

#### **1 10 DUCHESS STREET, W1**

Use for a temporary period of 16 years for educational purposes (school, Class D1), installation of 2 No. louvres for air inlet and air discharge within existing window openings in east elevation and internal alterations.

An additional representation was received from Kerry Turner (24.09.2015).

Late representations were received from Howard de Walden Estate (25.09.2015), Dr Madeleine Korn (28.09.2015) and Dennis Kent (28.09.2015).

Councillor Glanz declared an interest and withdrew as a Member of the Committee as the item was in his Ward and he had been approached by residents concerning the application.

Councillor Glanz then addressed the Committee in his capacity as a Ward Councillor and spoke on behalf of residents in objecting to the application.

**RESOLVED:**

1. That conditional permission and conditional listed building consent be granted, subject to the following additional conditions being agreed with the Chairman and Councillor Glanz as a Ward Councillor:
  - (a) Details of a residents liaison group to be approved and adhered to.
  - (b) The Travel Plan as detailed in Condition 10 to include a regular review mechanism, especially in relation to cycle parking with further measures implemented if demand exceeds spaces available.
  - (c) The Student Management Plan as detailed in Condition 12 to prescribe that students walking to Regents Park for recreational purposes shall do so as far as practicable via Portland Place.
  - (d) An acoustic report as detailed in Condition 20 to be subject to regular review.
2. That the reasons for granting listed building consent as set out in Informative 1 of the draft decision letter be agreed.

**2 40-41 PALL MALL, SW1**

Demolition of 40 and 41 Pall Mall behind retained facades and redevelopment to provide a five storey building comprising retail (Class A1) at part basement and part ground floor levels with the remainder of the building in use as four self-contained residential flats (Class C3).

Councillor Hyams addressed the Committee in her capacity as a Ward Councillor in objecting to the application.

**RESOLVED:**

That the application be deferred for the applicant to consider the following:

- (a) Improving the window design at the rear 3<sup>rd</sup> and 4<sup>th</sup> floors to minimise overlooking.
- (b) Making provision for retaining the cafe.
- (c) Reducing bulk at the rear of the proposed building to minimise the impact on the Army and Navy Club.

**3 VENABLES STREET, NW8**

Demolition of existing garages adjacent to Darent House and Windrush House in connection with the temporary use of this land as market storage for the Church

Street market traders, erection of storage containers and new gates, fencing and security lighting.(Council's Own Development).

A late representation was received from Councillor Barbara Grahame (29.09.2015).

The presenting officer tabled the following amendment to Condition 5:

Given that a revised Operational Management Plan was not available to be reported to Committee, it was presented that Condition 5 would need to be updated:

**Revised wording to Condition 5:**

The market traders storage use hereby approved shall only take place within the following times:

06.00 to 22.00 hours Monday to Saturdays, and no use on Sundays.

With the exception of the 9 containers fronting on Venables Street which can be accessed from 04.00 to 22.00 Monday to Saturdays, and no use on Sundays.

The use shall not commence until an Operational Management Plan has been submitted to and approved by the City Council as local planning authority. The use shall take place in accordance with the approved Operational Management Plan. The Operational Management Plan shall include setting of a residents' liaison group.

The approved Operational Management Plan shall be reviewed by the local planning authority within 6 months of the date of the use commencing , and the applicant as part of this review submit a report outlining how the market storage has been operating , and provide a list of any complaints received and the actions taken .This review of the approved Operational Management Plan will also re-assess the permitted hours of opening as set out in Condition 5 and make any necessary changes in the light of its operation.

Minor changes to the wording of Conditions 3 and 7.

**RESOLVED:**

That conditional permission under Regulation 3 of the Town and Country Planning General Regulations 1992 be granted, subject to amendments to Condition 5 as set out above and also to include provision for maintenance of the containers and minor changes to the wording of Conditions 3 and 7.

**4 21 ANDOVER PLACE, NW6**

Installation of roof extension to school building to create additional play space and ancillary accommodation with mechanical plant.

A late representation was received from Councillor Jan Prendergast (29.09.2015).

**RESOLVED:**

That conditional permission be granted, subject to a proposed amendment to Condition 6 to prevent use of enclosed play space on the second floor after 22:00 following clarification with the applicant whether this would be acceptable and for officers to determine in consultation with the Chairman.

**5 OPEN SPACE, LEINSTER SQUARE, W2**

Demolition and erection of new garden shed in the south west corner and erection of a new pavilion in the north west corner.

Additional representations were received from South East Bayswater Residents Association (18.09.2015), the Arboricultural Manager (11.09.2015), Michaela von Britzke (16.09.2015), Harvey Langston-Jones (16.09.2015), Mary Lindsay-White (15.09.2015), Simon Tallis (14.09.2015) and Turley, the Applicant's Agent (14.09.2015, 15.09.2015 and 18.09.2015).

The presenting officer tabled the following amendment:

Given that the applicant has amended the design of the gazebo and confirmed the colour of the stain, the Plan numbers on the draft decision letter have been updated to reflect this.

Given that the rear facades of the gazebo are now shown to be solid, Condition 5 on the draft decision letter is no longer required and this can be deleted.

**RESOLVED:**

That conditional permission be granted, subject to deletion of Condition 5.

**6 93 & 95 CHARLWOOD STREET, SW1**

Use of the lower ground floor of Nos. 93 and 95 as two flats, creation of lightwells and associated railings on the Charlwood Street frontage, replacement pavement light on the Winchester Street frontage and associated works to the pavement vaults.

An additional representation was made by Mrs L Wilder (14.09.2015).

**RESOLVED:**

That conditional permission be granted.

**7 15 CUNNINGHAM PLACE, NW8**

Use of the building as a single family dwelling. Excavation of basement in rear garden area with external alterations comprising the erection of single storey infill extension at lower ground floor rear to creating raised terrace with rooflight, and creation of new lightwell to rear elevation of building. Alterations to front boundary wall and lightwell. Replacement windows and door to rear, and internal alterations, including reinstatement of staircase. Removal of trees in rear garden.

A late representation was received from the Senior Building Control Surveyor (23.09.2015).

The presenting officer tabled the following revisions to the the recommendations, an amendment to Condition 10, additional Pre Commencement Condition, deletion of Informative 3 and re-numbering remaining informatives, additional Informatives 8 and 9 and an additional condition to the Listed Building Consent:

The consultations sent to neighbours in respect of the revised scheme specified a 21 day period for comments, which expires on 30<sup>th</sup> September, therefore it is recommended to change to the recommendation.

### **Revised Recommendation**

1. Grant conditional permission and conditional listed building consent subject to no new issues being raised before the expiry of the consultation period on 30 September 2015.
2. Agree reasons for granting conditional listed building consent as set out in Informative 1 of the draft decision notice.

In the light of the latest comments received from Building Control, it is recommended that a further condition be imposed to the listed building consent.

### **Amending Conditions**

#### **Planning Permission**

Amend the wording of Condition 10 (Construction Management Plan) to require the submission of a more detailed CMP.

Pre Commencement Condition. No development shall take place, including any works of demolition, until a construction management plan for the proposed development has been submitted to and approved in writing by the City Council as local planning authority. The plan shall provide the following details:

- (i) a construction programme including a 24 hour emergency contact number;
- (ii) parking of vehicles of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- (iii) locations for loading/unloading and storage of plant and materials used in constructing the development;
- (iv) erection and maintenance of security hoardings (including decorative displays and facilities for public viewing, where appropriate);
- (v) wheel washing facilities and measures to control the emission of dust and dirt during construction; and
- (vi) a scheme for recycling/disposing of waste resulting from demolition and construction works.

You must not start work until we have approved what you have sent us. You must then carry out the development in accordance with the approved details.

### **Delete Informative 3 and renumber remaining informatives**

**Informative 8:** You are advised that in respect of Condition 7, to submit a revised plan with the method statement to show the outline of the revised basement footprint, as the submitted Arboricultural Report refers to the originally submitted scheme.

**Informative 9:** It is considered that the revised CMP is not detailed enough and you are advised of the need to submit an updated CMP once the lead contractor has been chosen, which includes the emergency contact numbers, and shows the position of skips/loading /stores on the highway.

### **Additional Condition to the Listed Building Consent**

9. Before any works start on the basement excavation , a revised structural method Statement shall be submitted to and approved by the City Council as local planning authority .This revised structural method statement shall describe the way in which the basement will be excavated , the details of sequencing of the underpinning and when temporary supports will be used.

The development shall be carried out in accordance with the approved structural method statement.

Reason for condition

To protect the special architectural and historic interest of this listed building and its neighbours as set out in S25 and S28 of Westminster's City Plan and DES1 of our Unitary Development Plan that we adopted in January 2007 and the advice set out in the Basement Development in Westminster SPD 2014.

### **RESOLVED:**

1. That conditional permission and conditional listed building consent be granted, subject to an amendment to Condition 10, additional Pre Commencement Condition, deletion of Informtive 3 and re-numbering remaining informatives, additional Informatives 8 and 9 and an additional condition to the Listed Building Consent as set out above and subject to no new issues being raised before the expiry of the consultation period on 30 September 2015.
2. That the reasons for granting conditional listed building consent as set out in Informative 1 attached to the draft decision letter be agreed.

### **8 6 & 7 BOLNEY GATE, ENNISMORE GARDENS, SW7**

Extension to single family dwelling including excavation at lower ground floor level including beneath terrace area to rear and erection of single storey extension at rear ground floor level with roof terraces above.

**RESOLVED:**

That conditional permission be granted.

**9 MATLOCK COURT, 45 ABBEY ROAD, NW8**

Removal of 1x Holm oak on Carlton Hill frontage.

**RESOLVED:**

That conditonal consent be granted.

The Meeting ended at 8.55 pm.

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

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