



CITY OF WESTMINSTER

# MINUTES

## Planning Applications Committee (2)

### MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Planning Applications Committee (2)** held on **Tuesday 16th February, 2016**, Rooms 5, 6 & 7 - 17th Floor, Westminster City Hall, 64 Victoria Street, London, SW1E 6 QP.

**Members Present:** Councillors Peter Freeman (Chairman), Paul Church, Jonthan Glanz and Barbara Grahame

#### 1 MEMBERSHIP

- 1.1 It was noted that Councillors Jonathan Glanz and Barbara Grahame had replaced Councillors Melvyn Caplan and Ruth Bush.

#### 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 requests from developers to provide him with a presentation on a pending planning application or to discuss future projects. These always take place in the presence of council officers. At such meetings views or guidance from the Council are requested. No guarantees or commitments are given during such meetings on behalf of the City Council.
- 2.3 Councillor Paul Church declared that in his capacity as Ward Councillor for West End ward which included Fitzrovia, Marylebone, Mayfair and Soho, he

met and engaged regularly with residents, residents associations, amenity societies, businesses, developers, officers, planners and other stakeholders. He considered members of both the Majority and Minority party as friends and met with them regularly. He added that he was the Deputy Cabinet Member for Children and Young People.

- 2.4 Councillor Church also declared in respect of item 1 that the site is located in his Ward.
- 2.5 Councillor Jonathan Glanz declared that he knows both members and representatives of amenity societies that had made representations on the applications on the agenda. He also declared in respect of item 1 that the site is located in his Ward and that he is a friend of the Soho Theatre which had made representations on the application. In respect of item 4 he declared that his house and offices were ultimately owned by the Howard De Walden Estate, which had submitted the application.

### **3 MINUTES**

- 3.1 **RESOLVED:** That the minutes of the meeting held on 19 January 2016 be signed by the chairman as a correct record of proceedings.

### **4 PLANNING APPLICATIONS**

#### **1 65-66 FRITH STREET, LONDON W1**

Erection of extensions at rear second and third floor levels and at main roof level to create a new sixth floor in connection with the use of part basement and ground and the first to new sixth floor levels as eleven residential units (Class C3). Use of part lower ground and ground floors as restaurant accommodation (Class A3) and installation of a full height extract duct. Creation of terraces and balconies at second, third, fourth, fifth and sixth floor levels. Installation of plant at rear third floor level with associated screening and at main roof level, photovoltaic cells and alterations to the shopfront, including a bridge over the existing lightwell.

An additional representation was received from the Head of Affordable & Private Sector Housing (8/2/16).

The presenting officer tabled the following changes required to the recommendation on the application (changes in **bold**) :

#### Amended recommendation:

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

- i) the provision of two on-site affordable housing units.

**ii) S106 monitoring costs**

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

a) The Director of Planning 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 Director of Planning is authorised to determine and issue such a decision under Delegated Powers.

b) The Director of Planning 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; the Director of Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

**RESOLVED:**

1. That conditional permission be granted subject to:

A) the completion of a S106 legal agreement to secure the following:

- i) the provision of two on-site affordable housing units
- ii) S106 monitoring costs;

B) amending condition 29 to require the submission and agreement of a management plan to further include i) measures to prevent customers congregating outside/smoking, ii) hours of delivery, iii) the use of bottle crusher to mitigate the impact on residents living above the restaurant.

C) An informative that the committee would not look favourably on an application for tables and chairs outside on the pavement on amenity grounds.

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

a) The Director of Planning 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 Director of Planning is authorised to determine and issue such a decision under Delegated Powers; if not, then

The Director of Planning 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; the Director of Planning is authorised to

determine the application and agree appropriate reasons for refusal under Delegated Powers.

## **2 35 CRANBOURN STREET, LONDON WC2**

Erection of mansard roof extension with rear terrace at main (fourth floor) roof level and mansard extension at rear third floor level in connection with the use of the basement, ground and first floors as a restaurant (Class A3) and use of the second, third and fourth floor levels as two residential units (Class C3). Installation of replacement windows, kitchen extract duct, replacement rooftop plant and alterations to shopfront to St Martin's Court elevation.

An additional representation was received from Shaftesbury (10/2/16).

A late representation was received from Councillor Tim Mitchell (15/2/16).

### **RESOLVED**

That conditional permission be granted subject to an additional informative advising the applicant to contact the object at number 34 regarding his concerns.

## **3 10-11 GREAT NEWPORT STREET, LONDON WC2**

Erection of a timber slatted screen to the east side of the existing lightwell at first to fifth floor levels.

An additional representation was received from Councillor Tim Mitchell (12/2/16).

The presenting officer tabled an amendment to condition 4 on the planning permission draft decision letter as follows:

Revised Condition 4

The timber screen must be constructed in Iroko hardwood in accordance with the sample approved by this permission.

### **RESOLVED:**

That conditional permission be granted subject to the amendment to condition 4 as tabled and set out above.

**4 97-98 MARYLEBONE HIGH STREET, LONDON W1**

Erection of a single storey roof extension at 97-104 Marylebone High Street to provide a 1x2 bedroom flat and a 1x3 bedroom flat (Class C3).

**RESOLVED:**

That conditional permission be granted.

The Meeting ended at 7.41 pm

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

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