



CITY OF WESTMINSTER

# MINUTES

## Planning Applications Committee (3)

### MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Planning Applications Committee (3)** held on **Tuesday 19th April, 2016**, Rooms 5, 6 & 7 - 17th Floor, Westminster City Hall, 64 Victoria Street, London, SW1E 6 QP.

**Members Present:** Councillors Andrew Smith (Chairman), Louise Hyams, Barbara Grahame and Robert Rigby

#### 1 MEMBERSHIP

1.1 There were no changes to the membership

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#### 2 DECLARATIONS OF INTEREST

2.1 Councillor Andrew Smith 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 Smith also declared that in respect of item 1, he had sat on the Committee on 28 April 2015 that had considered a previous application.

2.3 Councillor Robert Rigby declared that in respect of item 1, he knew the Parish Priest at St Patrick's Church who had made a representation on the application, however he had not been approached by him on the matter.

2.4 Councillor Louise Hyams declared that in respect of item 2, she knew an objector to the application, however she had not been approached by her on the matter. Councillor Hyams also declared that in respect of item 3, the

application was in her ward and that she had previously lived at 36 Buckingham Gate.

### **3 MINUTES**

#### **3.1 RESOLVED:**

That the Minutes of the meeting held on 22 March 2016 be signed by the Chairman as a correct record of proceedings.

### **4 PLANNING APPLICATIONS**

#### **1 27 SOHO SQUARE, LONDON, W1D 3QR**

Demolition of existing facades and existing fourth, fifth and sixth floor levels, erection of new facades on Greek Street, Soho Square and Bateman Buildings and replacement of fourth, fifth, sixth floors, and new seventh floor level, in connection with the use of part basement, part ground and first to seventh floor levels as 21 residential units. Triple alternative use of part basement and part ground floor level as retail (Class A1) and/or financial and professional service (Class A2) and/or restaurant/cafe (Class A3) with associated shopfront alterations to all facades at ground floor level. Creation of terraces at fifth and sixth floor level, Juliette balconies to all facades and a plant area at roof level.

#### **RESOLVED:**

That conditional permission be granted, subject to conditions in respect of change of brick colour and brick type to be discharged to the Committee.

Councillor Grahame requested that her dissent against approving the application be recorded, as she did not consider that the application was policy compliant with regard to the provision of affordable housing or the sum offered in lieu.

#### **2 REGENCY HOUSE, 1-4 WARWICK STREET, LONDON, W1B 5LT**

Alterations including demolition of existing roof plant and lift overrun, erection of a mansard roof extension and use of part basement, part ground, first to fifth and new sixth floors as nine residential units (Class C3) with terraces on fourth, fifth and sixth floor levels; replacement windows on first to fifth floors; erection of a roof level plant enclosure, installation of photovoltaic panels and green roof.

The presenting officer tabled the following revised condition 8:

#### Revised Condition 8:

The acoustic mitigation measures including:

- acoustic glazing,
- mechanical ventilation,

- new timber floating floor (with rubber cradles, softwood battens, acoustic insulation, foam perimeter strips, plywood and floor coverings)

as detailed in the addendum acoustic report dated 19 February 2016 (Hann Tucker Associates) must be implemented before the flats are occupied for residential use so that future occupants are not exposed to noise levels indoors of more than 35 dB LAeq 16 hours daytime and of more than 30 dB LAeq 8 hours in bedrooms at night. These acoustic mitigation measures must thereafter be retained in situ.

#### **RESOLVED:**

1. That conditional permission be granted, subject to a revised condition 8 as set out above and to a S106 legal agreement to secure:
  - i) a contribution of £650,000 towards the City Council's affordable housing fund (index linked and payable upon commencement of development);
  - ii) lifetime car club membership for each of the residential units (25 years)
  - iii) 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.

Councillor Grahame requested that her dissent against approving the application be recorded, as she did not consider that the application was policy compliant with regard to the provision of affordable housing or the sum offered in lieu.

### **3 PENTHOUSE 41, 35 BUCKINGHAM GATE, LONDON, SW1E 6PA**

External alterations to the form, glazing and cladding of the penthouse flat at fifth floor level with the formation of balcony to Wilfred Street frontage.

The presenting officer tabled the following additional condition:

You must apply to us for approval of detailed drawings showing the following alteration to the scheme.

The projecting balcony omitted and the glass balustrade set back behind the line of the facade.

You must not start on these parts of the work until we have approved what you have sent us. You must then carry out the work according to the approved drawings. (C26UB)

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 Birdcage Walk 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)

**RESOLVED:**

That conditional permission be granted, subject to an additional condition as set out above.

The Meeting ended at 7.15 pm.

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

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