



CITY OF WESTMINSTER

# MINUTES

## Planning Applications Committee (3)

### MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Planning Applications Committee (3)** held on **Tuesday 12th July, 2016**, Rooms 5, 6 & 7 - 17th Floor, Westminster City Hall, 64 Victoria Street, London, SW1E 6 QP.

**Members Present:** Councillors Tony Devenish (Chairman), Louise Hyams and Robert Rigby and David Boothroyd

**Also Present:** Councillor Iain Bott (Item 1), Michael Chatten (Presiding Officer), Nathan Barrett (North Area Presenting Officer), Kimberley Davies (South Area Presenting Officer), Michael Walton (Central Area Presenting Officer), Matthew Pendleton (Design Officer), Phil Mcllwain (Public Protection and Environmental Sciences) and Reuben Segal (Senior Committee and Governance Officer)

#### 1 MEMBERSHIP

- 1.1 It was noted that Councillors Tony Devenish and David Boothroyd had replaced Councillors Andrew Smith and Barbara Grahame respectively.
- 1.2 **RESOLVED:** That Councillor Tony Devenish be elected as Chairman for the meeting.

#### 2 DECLARATIONS OF INTEREST

- 2.1 Councillor Devenish declared in respect of item 3 that he knows one of the members of the public that had submitted a representation on the application through membership of the Conservative party. However, he advised that he had not discussed the matter with them.
- 2.2 Councillor Hyams declared in respect of items 2 & 7 that she had sat on the committee when the applications had previously been considered. She also declared in respect of item 9 that the site was located in her Ward. However, she advised that she had no previous involvement with the application.
- 2.3 Councillor Rigby declared in respect of item 1 that the site is linked to Asia House and that he had formerly been a friend of Asia House. In respect of items 2, 4 & 7, he declared that he had sat on the committee when it had

previously considered the applications. With regard to item 3, he declared that he lives in Hamilton Terrace approximately 150 yards from the site and knows the applicant in his capacity as a resident. As a consequence, he advised that he would step down from the committee during the consideration of this application.

2.4 Councillor Boothroyd read out the following statement of declaration:

“I am Head of Research and Psephology for Thorncliffe, whose clients are companies applying for planning permission from various local authorities. The only project in Westminster on which Thorncliffe have been engaged is a scheme for Future54 in Leinster Square; I am precluded from working on it under the company’s code of conduct.

Some Thorncliffe clients have engaged Turleys as planning consultants who are also representing the applicants tonight on item 7. However I do not deal directly with clients or other members of project teams, and there is no financial link between the planning consultants and my employers.

Item 4: I live in the vicinity of the site.

Item 5: I am a councillor sponsor of the Notting Hill East Neighbourhood Forum which covers part of my ward, but I have no role in determining their response to planning consultations.”

### 3 MINUTES

- 3.1 **RESOLVED:** That the minutes of the meeting on 28<sup>th</sup> June 2016 be signed by the Chairman as a correct record of proceedings.

### 4 PLANNING APPLICATIONS

#### 1 34 WEYMOUTH MEWS, LONDON, W1G 7EE

Demolition of existing mews building behind retained front facade, and demolition of rear extension to 63 New Cavendish Street. Construction of a building comprising of basement and three upper storeys to provide up to 5 residential dwellings (Class C3) and a single integral garage accessed from Weymouth Mews.

Late representations were received from Ward members for Marylebone High Street Ward (11/7/16) and Sarah Simon (12/7/16).

The presenting officer tabled a revision to the recommendation as follows:

Revised recommendation

1. Grant conditional permission and conditional listed building consent subject to authorisation from Historic England.
2. Agree the reasons for granting listed building consent as set out in Informative 1 of the draft decision letter.

Councillor Iain Bott addressed the committee in his capacity as a Ward councillor.

**RESOLVED:**

1. That conditional permission and Listed Building Consent be granted subject to authorisation from Historic England and amending condition 12 to ensure access to garages at 35, 37 & 38 Weymouth Mews protected as part of construction management plan.
2. That the reasons for granting Listed Building Consent as set out in Informative 1 of the draft decision letter be agreed.

**2 1 VINCENT SQUARE, LONDON, SW1P 2PN**

Use of the building to provide 27 residential dwellings. Alterations at basement level to provide five car parking spaces, alterations to the rooftop plant areas and elevations at fifth floor level.

**RESOLVED:**

1. That conditional permission, subject to a S106 legal agreement to secure the following:
  - (i) A payment of £500,000 to the Council's affordable housing fund (index linked and payable on commencement of development).
  - (ii) All residents to be entitled to free membership of a car club scheme – the developer to undertake to pay annual access charge for 25 years from first occupation.
  - (iii) Unallocated car parking.
  - (iv) Monitoring payment.
2. If the S106 agreement has not been completed within 3 months of the date of the Planning Applications Committee 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; however if not
  - (b) The Director of Planning shall consider whether permission should be refused on the grounds that it has not provided possible to complete an 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.

### **3 23 HAMILTON TERRACE, LONDON, NW8 9RE**

Excavation of new basement (part 2, part 1 storey) beneath rear garden, demolition of existing rear lower ground floor conservatory and erection of rear lower ground floor extension. Erection of ground floor side/rear extension and external spiral staircase. Installation of ventilation plant. Internal alterations.

An additional representation was received from City Surveyor's office (8.7.2016).

Having declared a prejudicial interest Councillor Rigby left the room during the consideration of the application.

#### **RESOLVED:**

1. That conditional permission and 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.

### **4 8 CONNAUGHT SQUARE, LONDON, W2 2HG**

Excavation of basement floor below lower ground floor of main house and rear extensions, infill extension at lower ground level within rear lightwell, installation of mechanical plant on rear first floor level terrace and associated internal and external alterations.

Additional representations were received from Councillor Cox (5.7.2016), Mrs Kathleen Shailer (29.6.2016), Michael Freeman (30.6.2016), Michael Freeman and John Shailer (30.6.2016), Rachel Boser (30.6.2016), Lawrence Kymisis (1.7.2016), Anne Larkey (3.7.2016), Councillor Scarborough (3.7.2016), Susan Balgarnie (4.7.2016), Dr Nick Johnson, OBE, FRSA (5.7.2016) and Amanda Newson (5.7.2016).

**RESOLVED:** Deferred for a Site Visit.

### **5 8 BRIDSTOW PLACE, LONDON, W2 5AE**

Excavation of single storey basement with partial demolition of side extension to provide lightwell and alterations to fenestration in side elevation.

#### **RESOLVED:**

That conditional permission be granted.

### **6 4 MILL STREET, LONDON, W1S 2AX**

Use of second floor as a hostess bar including striptease (sui generis use) in connection with the existing use at first floor.

**RESOLVED:**

That conditional permission be granted.

**7 27 SOHO SQUARE, LONDON, W1D 3QR**

Variation of Condition 29 of planning permission dated 19 April 2016 (RN: 15/08151/FULL) for 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. NAMELY, to omit the requirement to provide yellow stock brick work and include the submission of grey bricks.

An additional representation was received from the Soho Society (4.7.2016).

**RESOLVED:**

That conditional permission be granted.

**8 170 RANDOLPH AVENUE, LONDON, W9 1PE**

Use of two areas of the public highway measuring 2.04m x 0.77m and 4.0m x 0.77m for the placing of three tables, six chairs and one waste bin in connection with adjacent coffee shop from 09:00 - 19:00 Monday to Saturday and 10:00 - 18:00 Sundays.

Late representations were received from Councillor Prendergast (11/7/16), Terence Carville (11/7/16) and David Levy (11/7/16).

The presenting officer notified members of an error in the summary of the committee report regarding the hours of use on Monday to Saturday which should have read as 09.00 – 19.00 as set out in the proposal.

**RESOLVED:**

That conditional permission be granted.

(The committee requested that a letter be sent to the applicants urging them to respect the amenity of local residents in future)

**9 12 MAIDEN LANE, LONDON, WC2E 7NA**

Details of a post commissioning noise survey pursuant to Condition 6, 7 and 8 of planning permission dated 22 January 2016 (RN: 15/09562/FULL) which granted the installation of external plant and equipment within existing enclosure at main roof

level and retention of extract ducts from second floor level to roof level terminating within the enclosure.

Additional representations were received from Rylatt Chubb LLP (27.6.2016, 6.7.2016,), Bircham Dyson Bell (4/7/2016), Maiden London Ltd incorporating report from Vanguardia Consulting (6.7.2016) and Public Protection and Licensing Environmental Sciences (7.7.2016).

Late representations were received from Bircham Dyson Bell (7/7/16 & 8/7/16), Vanguardia report and response to Bircham Dyson Bell (12/7/16) and missing page of Public Protection & Environmental Services representation of 6/6/16.

The presenting officer tabled the following change to the draft decision notice:

The approved plan nos is to be amended to refer to:

Noise assessment by Vanguardia Rev 02 dated 5 July 2016.

**RESOLVED:**

That details be approved subject to the revision to the draft decision notice as tabled and set out above.

The Meeting ended at 7.45 pm

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

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