



CITY OF WESTMINSTER

MINUTES

Planning Applications Committee (5)

MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Planning Applications Committee (5)** held on **Tuesday 8th November, 2016**, Rooms 5, 6 & 7 - 17th Floor, Westminster City Hall, 64 Victoria Street, London, SW1E 6 QP.

Members Present: Councillors Richard Beddoe (Chairman), Iain Bott, Gotz Mohindra and Roca.

Also Present: Councillors Nickie Aiken, Christabel Flight and Jacqui Wilkinson (for items 2 and 3 only).

1 MEMBERSHIP

1.1 There were no changes to the membership.

2 DECLARATIONS OF INTERESTS

2.1 Councillor Richard Beddoe 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 Iain Bott declared that in respect of item 5, he was friends with two of those who had made late representations on the application.

3 MINUTES

3.1 RESOLVED:

That the minutes of the meeting held on 4 October 2016 be signed by the Chairman as a correct record of proceedings.

4 PLANNING APPLICATIONS

1 THE POINT, 37 NORTH WHARF ROAD, LONDON, W2 1AF

Erection of a roof extension to provide an additional storey of Class B1 office accommodation at 10th floor level with extension at 11th floor level to accommodate mechanical plant and a partially covered roof terrace and associated external alterations including provision of architectural frame and louvres to north, south and west elevations at 7th floor level.

An additional representation was received from DP9 (31.10.2016).

The presenting officer tabled the following revised recommendation:

Revised recommendation:

1. Grant conditional permission, subject to completion of a legal agreement to secure the following planning obligations:
 - i. Provision of trainee/ apprenticeship placements during the period of construction works and notification of the City Council and affiliated work placement bodies of construction workforce vacancies to promote local employment.
 - ii. Provision of a financial contribution of **£13,882 £TBC** to the Carbon Off-setting Fund prior to the commencement of development.
 - iii. Provision of the costs of monitoring the legal agreement (£500 per head of term).
2. If the Section 106 planning obligation has not been completed by 20 December 2016, then:
 - a) The Director of Planning shall consider whether it would be possible and appropriate to issue the permission with additional conditions attached to secure the benefits listed above. If so, 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 the proposals are unacceptable in the absence of the benefits which 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.

RESOLVED:

1. That conditional permission be granted, subject to the revised recommendation as set out above, and completion of a legal agreement to secure the following planning obligations:

- ii. Provision of trainee/ apprenticeship placements during the period of construction works and notification of the City Council and affiliated work placement bodies of construction workforce vacancies to promote local employment.
 - ii. Provision of a financial contribution of £13,882 to the Carbon Off-setting Fund prior to the commencement of development.
 - iii. Provision of the costs of monitoring the legal agreement (£500 per head of term).
2. That if the Section 106 planning obligation has not been completed by 20 December 2016, then:
- b) The Director of Planning shall consider whether it would be possible and appropriate to issue the permission with additional conditions attached to secure the benefits listed above. If so, 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 the proposals are unacceptable in the absence of the benefits which 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 5-9 WEST WARWICK PLACE, LONDON, SW1V 2DL

Erection of mansard extension at roof level across 5 properties.

Additional representations were received from Nicola Hitchens (01.11.2016) and Nicholas Taylor and Associates (undated).

Councillor Jacqui Wilkinson addressed the Committee in her capacity as Ward Councillor supporting the recommendation to refuse the application.

Councillor Christabel Flight, in her capacity as Ward Councillor, also indicated her support for the recommendation to refuse the application.

Councillor Nickie Aiken addressed the Committee in her capacity as Ward Councillor in support of the application.

The presenting officer tabled the following amended reason and informative for refusing the application:

Reason:

Because of their design, height, location and loss of the original roofscape, the proposed mansard extensions would be visually intrusive and harm the appearance and architectural unity of this group of buildings and would fail to maintain or improve (preserve or enhance) the character and appearance of the Pimlico Conservation Area. This would not meet S25 and S28 of Westminster's City Plan (July 2016) and

DES6, DES 1 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. It would also fail to comply with the guidance set out in the Pimlico Conservation Area Audit SPG.

Informative:

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 so far as practicable. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (July 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service. However, we have been unable to seek solutions to problems as the principle of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

RESOLVED:

That permission be refused, subject to the amended reason and informative as set out above on the grounds of design.

3 6 CHURTON PLACE, LONDON, SW1V 2LN

Installation of security gate.

Councillor Aiken addressed the Committee in her capacity as Ward Councillor in support of the application.

Councillors Flight and Wilkinson, in their capacities as Ward Councillors, indicated their support for the application.

The presenting officer tabled the following amendments in respect of conditions 4 and 8:

4. 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 AIN; Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) 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).

8. Prior to commencement of the development, you must apply to us for approval of details of an Access Management Plan that clearly outlines how access will be afforded through the gate, including how the gate will be operated and how access will be ensured for users of the rear yard area, including refuse collection. You must not start work until we have approved what you have sent us. The gate must then be operated in accordance with this scheme unless otherwise agreed to by Council.

RESOLVED:

That conditional permission be granted, subject to amendments to conditions 4 and 8 as set out above.

4 46 BERKELEY SQUARE AND 46 HAY'S MEWS, LONDON, W1J 5AT

Use of 46 Berkeley Square as a private members' club (*sui generis*), with internal and external alterations including mechanical plant, and erection of Annabel's canopy to front; use of 46 Hay's Mews as a private members' club, and a health and wellbeing club (*sui generis*), alterations to the mews building including the erection of a pitched roof extension with mechanical plant; and erection of a full length retractable glazed canopy from the mews building to the main building enclosing the external dining terrace/courtyard; associated mechanical plant and landscaping.

Additional representations were received from Councillor Paul Church (02.11.2016), Dr Hariette Christian (02.11.2016), Issac Livne (02.11.2016), Michael Jacobson (03.11.2016) and Simon Myles (03.11.2016 and 04.11.2016).

Late representations were received from Malcolm Atkins (07.11.2016), Issac Livne (08.11.2016), Justin Leong (08.11.2016), Paul Winter on behalf of Lewis Silkin (08.11.2016), Simon Myles (02.11.2016, 08.11.2016), Eric Scots-Knight (08.11.2016) and Brian Porter on behalf of Osborne Samuel Gallery (08.11.2016).

RESOLVED:

That the design of the proposed development, including the glazed canopy, is considered appropriate and would not harm the special architectural or historic interest or appearance of the listed building or the area general Conservation Area, and that permission and listed building consent therefore be granted, subject to conditions to be settled under delegated powers by officers, including the proposed opening hours of the basement on Sundays, and subject to a Section 106 agreement on the same terms as agreed under the previous permission dated 4 October 2016, but excluding a contribution towards the affordable housing fund, and making provisions for local charitable openings on the premises on at least two occasions each year, for requiring provision of cycle storage to serve the development at 3A Hay's Mews and for preventing implementation of the planning permission and listed building consent granted on 4 October 2016 if the development proceeds under the permission and consent to be granted.

5 ROSE GARDEN IN HYDE PARK OFF ROTTEN ROW, LONDON

Creation, in the western section of Hyde Park's Rose Garden, of a new memorial garden to honour enslaved Africans and their Descendants, with new planting and a new bronze sculpture.

Additional representations were received from The Most Honourable P. J. Patterson ON, OCC, PC, QC (28.10.2016) and Dr Nicholas Draper (31.10.2016).

Late representations were received from The Archbishop of York (02.11.2016), Georgia Follet and Edward Fear (04.11.2016), Dr Caroline Bressey (undated), Baroness Benjamin, Baroness Berridge, Lord Bird, Lord Boateng, Lord Hague of Richmond, Baroness Lawrence of Clarendon, Lord Oates and Baroness Young of Hornsey (07.11.2016) and Reverend Rico Tice (03.11.2016).

RESOLVED:

1. That it be agreed that the particular circumstances of this proposal constitute “an exceptionally good reason” to justify a departure from the Council’s presumption against new memorials in this part of the City as set out in The Statues and Monuments Supplementary Planning Document (2008).
2. That Subject to 1. above, conditional permission be granted.

6 APPLICATION 1: BERWICK HOUSE, 139-143 OXFORD STREET, LONDON, W1D 2JA APPLICATION 2: ILFORD HOUSE, 133-135 OXFORD STREET, LONDON, W1D 2HY

Site 1: Dual / alternative use of the part ground and first to fourth floors for office (Class B1) and / or educational (Class D1) purposes.

Site 2: Dual / alternative use of the part ground and first to sixth floors for office (Class B1) and / or educational (Class D1) purposes.

The presenting officer tabled the following amendment to the report:

Page 114, Section 8.1.2, first paragraph, final sentence:

Deleted text:

Where the council accepts the loss of reduction of social and community floorspace, the priority use will be residential.

Replacement text:

Where the council accepts the loss of reduction of social and community floorspace, the priority replacement use will be the priority use for the area. The supporting text to policy S34 states that the priority replacement use will be for housing except within the Core CAZ, on Named Streets and in the Opportunity Areas, where the priority will be for commercial development.

RESOLVED:

1. Site 1: That conditional planning permission be granted, subject to the amendment in the report as set out above.
2. Site 2: That conditional planning permission be granted, subject to the amendment in the report as set out above.

7 95 RANDOLPH AVENUE, LONDON, W9 1DL

Excavation of a basement extension beneath the house as proposed to be extended by way of a lower ground floor rear and side extension with front lightwell, rear rooflight and alterations to rear elevation.

Late representations were received from Colin and Clare Croly (27.09.2016), David Williams (04.11.2016), Councillor Jan Prendergast (07.11.2016, 08.11.2016) and Laura Hobey-Hamsher (07.11.2016).

RESOLVED:

That conditional permission be granted.

8 97 RANDOLPH AVENUE, LONDON, W9 1DL

Installation of one external air conditioning unit, shed and enclosure at ground floor level at rear of site.

RESOLVED:

That conditional permission be granted.

The Meeting ended at 7.54 pm.

CHAIRMAN: _____

DATE _____