



CITY OF WESTMINSTER

MINUTES

Planning Applications Committee (5)

MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Planning Applications Committee (5)** held on **Tuesday 20th December, 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, Louise Hyams and Tim Roca.

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 Richard Beddoe also declared that Councillor Jonathan Glanz has an interest in respect of item 2 on the agenda. In line with guidance recently agreed by the City Council's Standards Committee, members of the Majority party sitting on the Committee are no longer required to apply for a dispensation from the Code of Conduct provided they can declare that they only know Councillor Glanz through their membership of the Majority party and see him at Council and related events. Councillor Beddoe confirmed that he was able to give that declaration in relation to Councillor Glanz.

2.3 Councillor Louise Hyams also confirmed that she was able to make the same declaration in respect of Councillor Glanz.

- 2.4 Councillor Iain Bott declared that he would be addressing the Committee as a Ward Councillor in respect of item 2, and so he would withdraw from the Committee during consideration of this application.

3 MINUTES

- 3.1 That the minutes of the meeting held on 8 November 2016 be signed by the Chairman as a correct record of proceedings.

4 PLANNING APPLICATIONS

1 7 - 8 ST MARTIN'S PLACE, LONDON, WC2N 4HA

Change of use of first to fourth floors from offices (Use Class B1) to hotel (Use Class C1) accommodation together with associated works to comprise the erection of extensions at fifth floor/ roof level to create a rooftop restaurant and bar with external terrace (Use Class A3), reconfiguration of the ground floor retail and the creation of new retail floorspace at basement level (Use Class A1), works to the ground floor entrance, replacement of existing windows, installation of new shopfronts and signage at ground floor level and installation of mechanical plant at podium and roof level.

A late representation was received from Robyn Prince of CBRE Ltd (16.12.2016).

RESOLVED:

That conditional permission be granted.

2 14 WIMPOLE STREET, LONDON, W1G 9SX

Demolition of mews building and lower ground and ground floor rear extensions. Erection of replacement mews building on lower, ground and first floors to provide a four bedroom dwellinghouse (Class C3), accessed from Wigmore Place. Erection of replacement lower ground and ground floor levels rear extension to the main building and use of part ground and part lower ground floor as medical floorspace (Class D1) and use of part lower ground, part ground floor and first to fourth floors as nine flats (Class C3). Alterations to rear elevation including the installation of new windows. Internal alterations.

Late representations were received from Nick Sharpe of Montagu Evans (20.12.2016), Graham Allison of Montagu Evans (16.12.2016) and Councillor Jonathan Glanz in his capacity as a resident and joint owner of properties immediately adjacent to the applicant site (16.12.2016).

Councillor Iain Bott withdrew from the Committee for this item to address the Committee in his capacity as Ward Councillor to raise some issues in respect of the application.

The presenting officer tabled the following amended condition 5 and an additional condition 17 (FULL) and condition 9 (LBC).

Condition 5

You must not use the roof of the lower ground/ground floor rear extensions for sitting out or for any other purpose. You can however use the roof to escape in an emergency and for maintenance purposes.

New Condition 17 (FULL) and condition 9 (LBC)

You must apply to us for approval of detailed drawings showing the following alteration(s) to the scheme:

The deletion of the balustrade railing to the roof of the ground floor rear extension and its replacement with a lanyard-type safety system.

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 (FULL and LBC)

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Harley Street Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paragraphs 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

RESOLVED:

1. That conditional permission be granted, subject to an amended condition 5 and additional condition 17 (FULL) as set out above.
2. That conditional listed building consent be granted, subject to an additional condition 9 (LBC) as set out above.
3. That the reasons for granting listed building consent as set out within Informative 1 of the draft decision letter be agreed.

3 DEVELOPMENT AT 123 -124 NEW BOND STREET, LONDON

Demolition and redevelopment behind retained New Bond Street and Lancashire Court facades to provide a building comprising basement, lower ground, ground and four upper floors, providing retail (Class A1) and office (Class B1) floorspace, with a new office entrance on Lancashire Court.

A late representation was received from Laurence Brooker of Turley (16.12.2016)

The presenting officer tabled the following amendment to condition 25:

25. The glass that you put in the windows and doors in the side and rear elevations of the building, in the locations shown on drawings A-20103Rev 4 and A-20107Rev1 (received 12 December 2016), must not be clear glass and shall be fixed permanently shut. You must apply to us for approval of a sample of the glass (at least 300mm square). You must not start work on the relevant part of the development until we have approved the sample. You must then fit the type of glass we have approved and must not change it without our permission. (C21DB)

Reason

To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC).

RESOLVED:

That conditional permission be granted, subject to an amended condition 25 as set out above and to include a Grampian condition to mitigate the failure of the development to provide adequate on-site carbon reductions.

4 NORTH WESTMINSTER COMMUNITY SCHOOL, NORTH WHARF ROAD, LONDON, W2 1LF

Application 1 (16/03602/FULL)

Variation of Condition 1 of planning permission dated 14 August 2015 (RN: 14/09037/FULL), which varied Condition 1 and removed Condition 45 of planning permission dated 30 December 2013 (RN: 12/11911) for redevelopment of the western end of the former school site by erection of a building ranging between two and 15 storeys in height to provide 150 residential units (Class C3), affordable business accommodation (Class B1), social and community space (Class D1/D2), retail units (Class A1/Class A3) and a gym (Class D2), provision of public open space, public realm and landscaped area, highways works including widening of Hermitage Street to accommodate two way vehicular traffic, new vehicular and pedestrian accesses and two storey basement to provide vehicular and cycle parking, energy centre and ancillary servicing accommodation; namely, to replacement the originally approved limestone cladding with reconstituted stone cladding.

Application 2 (16/03068/MOD106)

To enter into a new S106 Agreement in conjunction with RN: 16/03602/FULL to replace that dated 30 December 2013 (as varied by Deed of Variation dated 14 August 2015), which would include (i) variation of Affordable Business Space and Social and Community Floorspace clauses, including to extend the date by which these parts of the development must be fitted out for occupation by a Qualifying Tenant; (ii) deletion of the Public Open Space clause; deletion of clauses requiring submission of post completion certification that the

development meets the necessary Code for Sustainable Homes and BREEAM levels; and amendments to the upper and lower basement car parking plans (Plans 2 and 3) and energy centre plans (Plans 15 and 16).

The presenting officer tabled the following amendments to the Affordable Business Space and Social and Community Floorspace clauses in the Section 106 agreement, which replaces the two sets of bullet points at the top of page 135 of the Committee Agenda.

Amended Text at Head of Page 135 of Committee Agenda

Affordable Business Space

- Floorspace to be provided to shell and core by 28 February 2017 by Taylor Wimpey (the applicant).
- Floorspace must be provided to Category A fit out by 31 December 2017.
- A draft 80 year lease must be delivered to the City Council or Qualifying Tenant by 30 April 2017.
- An 80 year lease must be entered into with the City Council or Qualifying Tenant at the discount rate by 31 December 2017 (or such a time as may be agreed in writing with the local planning authority).
- The 80 year lease to the City Council or Qualifying Tenant to be 40% market value.

Social and Community Floorspace

- Floorspace to be provided to shell and core by 28 February 2017 by Taylor Wimpey (the applicant).
- Floorspace must be provided to Category B fit out by 31 December 2017.
- A draft 80 year lease must be delivered to the City Council or a Qualifying Tenant by 30 April 2017.
- An 80 year lease must be entered into with the City Council or Qualifying Tenant at the discount rate by 31 December 2017 (or such a time as may be agreed in writing with the local planning authority).
- The 80 year lease to the City Council or Qualifying Tenant is to be provided at a pepper corn rent.

RESOLVED:

1. That conditional permission be granted for Application 1, subject to completion of a Section 106 agreement to secure an additional financial contribution to the Affordable Housing Fund of £845,888.
2. That it be agreed that under Application 2 to complete a new Section 106 agreement to replace that dated 30 December 2013 (as varied by Deed of Variation dated 14 August 2015) and modify the previously secured package of planning obligations, as set out in the description of development for Application 2, to ensure that the heads of terms set out below are delivered in conjunction with the varied development:
 - i. Development of an advertisement and shop front design strategy.

- ii. Provision and affordability of affordable business floorspace.
- iii. Provision and affordability of social and community floorspace (including fit-out to a 'Category B' finish).
- iv. Provision of public realm works in accordance with a public realm masterplan.
- v. Provision, maintenance and use of and access to the on-site public realm.
- vi. A financial contribution of £53,247 (index linked) to PATS.
- vii. Provision and management of on-site car club spaces.
- viii. Provision of car club memberships (25 years) for 27 residential units (the affordable housing units).
- ix. Provision and management of on-site car parking including 25% of spaces to be provided on an 'un-allocated' basis.
- x. A financial contribution of £56,000 (£28k pa - assuming 2yr build programme) to the Environmental Inspectorate/ Environmental Sciences.
- xi. Provision and management of CCTV.
- xii. Provision of costs for monitoring of agreement (£500 per head of term).
- xiii. Adherence with the Council's Local Procurement Code.
- xiv. Developer undertaking to enter into discussions with adjoining sites to form a heat and/ or power network.
- xv. Mitigation measures for television interference.
- xvi. Provision of 27 on-site affordable housing units to the tenure and mix set out in the committee report and to the Council's standard affordability criteria.
- xvii. Provision and periodic review of a site wide travel plan.
- xviii. Provision of public highway enhancement works, required for the development to occur, in North Wharf Road, Harrow Road and Hermitage Street, including the carrying out of the agreed alterations to the highway along Hermitage Street.
- xix. Dedication of the new highway along the east side of Hermitage Street.
- xx. Provision of and compliance with a Balcony Management Strategy.

xxi. A financial contribution of £845,888 to the Affordable Housing Fund (to be paid on completion of the S106 agreement).

3. That if the Section 106 planning obligation has not been completed by 31 January 2017, 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.
4. That conditional permission be granted subject to amendments to the Affordable Business Space and Social and Community Floorspace clauses in the Section 106 agreement as set out above.

5 23B GROVE END ROAD, LONDON, NW8 9BP

Demolition of the existing building and erection of replacement building comprising basement, ground and first floor levels for use as two dwellinghouses (Class C3).

RESOLVED:

That conditional permission be granted.

6 59-61 SOUTH MOLTON STREET, LONDON, W1K 5SN

Use of part basement, part ground, first, second and third floors as offices (use class B1).

Late representations were received from Jonathan Fairhurst of Bonhams (15.12.2016) and Martin Moss (14.12.2016).

The presenting officer tabled the following amendment to condition 3:

You must apply to us for approval of details of secure cycle storage for the office use. You must not start work on this part of the development until we have approved what you have sent us. You must then provide the cycle storage in line with the approved details prior to occupation. You must not use the cycle storage for any other purpose (C21DB)

RESOLVED:

That conditional permission be granted, subject to an amended condition 3 as set out above.

7 9 SHOULDHAM STREET, LONDON, W1H 5FH

Alterations including erection of single storey rear extension at lower ground floor level, with ground floor roof terrace above; demolition of existing roof extension and erection of replacement roof extension with inset terrace to front and rooflights to the rear; replacement of two ear windows and internal alterations.

Late representations were received from Icen Projects Limited (20.12.2016).

The presenting officer tabled the following amendments to condition 5 (FULL) and Condition 4 (LBC).

Condition 5 (FULL)

Remove original condition requiring installation of obscured glass to rear rooflights to main roof. Replace with:

The glass that you put in the roof light within the rear terrace at ground floor level must not be clear glass, and you must fix it permanently shut. You must apply to us for approval of a sample of the glass (at least 300mm square). You must not start work on the relevant part of the development until we have approved the sample. You must then fit the type of glass we have approved and must not change it without our permission. (C21DB).

Reason

To protect the privacy and environment of future residential occupants and people in neighbouring properties, as set out in S29 of Westminster's City Plan (November 2016) and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

Condition 4 (LBC)

Dimension (roof height) changed to match that in condition 6 FULL (1 metre).

RESOLVED:

1. That conditional permission be granted, subject to an amended condition 5 (FULL) as set out above.
2. That conditional listed building consent be granted, subject to an amended condition 4 (LBC) as set out above.
3. That the reasons for granting listed building consent as set out in informative 1 of the draft decision letter be agreed.

8 14 ACACIA ROAD, LONDON, NW8 6AN

Demolition of existing dwellinghouse and erection of new four storey dwellinghouse (Class C3) comprising a basement floor extending under part of the front and rear gardens, ground and two upper floors. Associated external alterations, including replacement of front boundary wall.

RESOLVED:

That conditional permission be granted.

9 MARLOW HOUSE, HALLFIELD ESTATE, LONDON, W2 6HJ

Installation of gas pipe apparatus.

A late representation was received from Simon Williams (20.12.2016).

RESOLVED:

1. That conditional permission and conditional listed building consent for a temporary period of 3 years be granted.
2. That the reasons for granting listed building consent as set out in Informative 1 of the draft decision letter be agreed.

10 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.

11 48 KNIGHTSBRIDGE, LONDON, SW1X 7JN

Use of the public highway measuring between 1400mm and 650mm x 4040mm for the placing of three tables and six chairs in connection with existing restaurant at ground floor.

RESOLVED:

That conditional permission be granted.

12 5 CHESTER MEWS, LONDON, SW1X 7AH

Replacement of a sash window with double glazed French doors with projecting balcony at rear first floor level and installation of two velux rooflights to the rear roof slope.

A late representation was received from Alan Cook (24.08.2016).

RESOLVED:

That conditional permission be granted.

The Meeting ended at 8.30 pm.

CHAIRMAN: _____

DATE _____