



CITY OF WESTMINSTER

# MINUTES

## Planning Applications Committee (2)

### MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Planning Applications Committee (2)** Committee held on **Tuesday 21st February, 2017**, Rooms 5, 6 & 7 - 17th Floor, Westminster City Hall, 64 Victoria Street, London, SW1E 6 QP.

**Members Present:** Councillors Melvyn Caplan (Chairman), Paul Church, Gotz Mohindra and Tim Roca.

**Apologies for Absence:** Councillor Ruth Bush

#### 1 MEMBERSHIP

1.1 It was noted that Councillor Tim Roca was replacing Councillor Ruth Bush.

#### 2 DECLARATIONS OF INTEREST

2.1 Councillor Melvyn Caplan declared in respect of application 6 on the agenda that The Lodge, 101 Hall Place, W2 is located in his ward, Little Venice. He added that he had had no communications with the applicants or the objectors in relation to the application. Councillor Caplan also declared in respect of application 5 on the agenda, 18 Montpelier Square, SW7 that he believed Mr Cox, the applicant, was a former councillor of Westminster City Council. Councillor Caplan had known Mr Cox in that capacity. He had not discussed the application with him.

2.2 Councillor Paul Church declared that in his capacity as Ward Councillor for West End Ward which includes Fitzrovia, Marylebone, Mayfair and Soho and Deputy Cabinet Member for Adult Social Services and Public Health, he meets and engages regularly with residents, residents associations, amenity societies, businesses, developers, officers, planners and other stakeholders. He considered Members of both the Majority Party and Minority Party as friends and meets with them regularly.

#### 3 MINUTES

3.1 **RESOLVED:**

That the minutes of the meeting held on 7 February 2017 be signed by the Chairman as a correct record of proceedings.

#### **4 PLANNING APPLICATIONS**

4.1 Councillor Melvyn Caplan 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.

4.2 The decisions relating to the applications on the agenda were as follows:

##### **1 10-11 LANCASTER GATE, LONDON, W2 3LH**

Demolition of 1st and 2nd storey of existing rear extension and erection of new four storey rear extension with internal alterations and new lift associated with use of building as ten residential units and associated works.

The applications were withdrawn by the applicant.

##### **2 DEVELOPMENT SITE AT KINGDOM STREET, LONDON, W2 6AE**

**Application 1:** Temporary use of cleared site at 5 Kingdom Street for two year period as restaurants (Class A3) and bar (Class A4) and erection of a temporary two storey building, with temporary access arrangements from Kingdom Street and Westbourne Bridge Road.

**Application 2:** Display of 2 non-illuminated hoarding signs measuring 2.4m x 55m, 1 internally illuminated sign measuring 1.5m x 5m, 1 internally illuminated sign measuring at 1.2m x 4m, and 1 internally illuminated sign measuring 0.5m x 2m.

The Committee was advised in the additional papers that there were amendments to the Recommendation and Draft Decision Notice as follows:

##### **Condition 3**

With the exception of the new walkway (as shown on drawing 151 E), customers shall not be permitted within the site before 07:00 or after 23:00 hours Monday to Friday ~~Friday~~ **Saturday** and before 07:00 or after 22:30 on Sundays and Bank Holidays.

##### **Condition 8**

From:

You must apply to us for approval of details of how waste is going to be stored on the site and how materials for recycling will be stored separately. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then provide the stores for waste and materials for recycling according to these details, clearly mark the stores and make them available at all times to everyone using the site.

To:

Before anyone moves into the property, you must provide the separate stores for waste and materials for recycling shown on drawing number 150 Rev D. You must clearly mark them and make them available at all times to everyone using the site.

Additional representations were received from Highways Planning Dept, Westminster City Council (16.02.17), Metropolitan Police Service (16.02.17) and CBRE Ltd (16.02.17).

The Presenting Officer tabled the following amendments to the Recommendation and Draft Decision Notices:

### **16/12331/FULL**

AMEND condition 1 (which is a duplicate of condition 2) to:

- “1 The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.  
REASON: For the avoidance of doubt and in the interests of proper planning.”

AMEND condition 4 to state:

- “4 Before the use is commenced, you must provide an updated **Operational Strategy Statement** to include the following details:  
i) how guests departing from the site will be managed;  
ii) sound monitoring and limiting **for both people using the site and from vehicles servicing the site.**  
The use must then operate in accordance with the approved **strategy statement.**”

AMEND condition 5 to include the A4 use:

- “5 You must not sell any take-away food or drink on the premises, even as an ancillary part of the primary Class A3/**A4** use. (C05CB)”

AMEND condition 7:

- “7 All servicing shall take place from within Paddington Central ~~and not from the highway~~ **in accordance with the Operational Statement hereby approved (or as subsequently updated in accordance with condition 4).**”

ADDITIONAL condition 14:

- “14 You must provide level access for people with disabilities as shown on the approved drawing(s) and as outlined in the cover letter from CBRE dated 30 December 2016 before the use commences.

REASON: To make sure that there is reasonable access for people with disabilities and to make sure that the access does not harm the appearance of the building, as set out in S28 of Westminster's City Plan (November 2016) and DES 1 (B) of our Unitary Development Plan that we adopted in January 2007. (R20AC)"

### **16/12332/ADV**

AMEND condition 1:

"1 The ~~hearing~~ **adverts** can stand from 21 February 2017 to 31 December 2017. You must then remove ~~it~~ **them** without delay. (C04CA)".

Late representations were received from Principal Policy Officer, Westminster City Council (20.02.17) and John Zamit, Chairman of South East Bayswater Residents' Association (21.02.17).

### **RESOLVED:**

1. That conditional permission be granted for a temporary period of two years until 31 December 2018, subject to:
  - i) The amendments to the Recommendation and Draft Decision Notices as set out above;
  - ii) An additional condition that a review of the Operational Statement shall take place after the first year has elapsed (December 2017) and the wording of this condition to be cleared via the Chairman;
  - iii) An additional informative that if any complaints are received in respect of the use of the site this matter will be reported to the Committee; and
  - iv) An additional informative that the applicant is advised to keep a log of any complaints received.
2. That conditional advertisement consent be granted for a temporary period of two years and therefore amend the wording of Condition 1 above to 31 December 2018, subject to the amendments to the Recommendation and Draft Decision Notices as set out above.

### **3 SELFRIDGES, 400 OXFORD STREET, LONDON, W1A 1AB**

Installation of stone bench, water fountain and 4 trees including tree grilles on Duke Street.

The Committee was advised in the additional papers of the following amendments:

#### **Revised recommendation as follows:**

1. Grant conditional permission, including conditions to secure the following:
  - The implementation of the servicing regime for the water feature, bench and trees.

- Arrangements to secure the removal of the water feature, bench and trees, associated works of making good above ground level and the re-instatement of the adjacent paving, to match that in adjoining areas, should the servicing regime fail.
- Arrangements to ensure that the applicant will provide public indemnity insurance in relation to the street furniture.

### **Remove Condition 3:**

~~Condition 3: You must apply to us for approval of detailed drawings and a detailed specification showing the following alteration(s) to the scheme: removal of the Tulip Tree (*Liriodendron tulipifera*) and the planting of more suitable species. 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 and specification. (G26UB)~~

The applicants have submitted a suitable alternative to the Tulip Tree and are now proposing either a Liquidambar (Sweet Gum Tree) or Gleditsia Tricanthos Inermis (Honey Locust Tree) and updated plans have been submitted. Therefore Condition 3 can be removed.

### **New Condition 3:**

You must not start work on the site until we have approved appropriate arrangements to secure the following:

- The implementation of the servicing regime for the water feature, bench and trees.
- Arrangements to secure the removal of the water feature, bench and trees, associated works of making good above ground level and the re-instatement of the adjacent paving, to match that in adjoining areas, should the servicing regime fail.
- Arrangements to ensure that the applicant will provide public indemnity insurance in relation to the street furniture.

In the case of each of the above benefits, you must include in the arrangements details of when you will provide the benefits, and how you will guarantee this timing. You must only carry out the development according to the approved arrangements.

Additional representations were received from JLL (15.02.17) and Tree Section, Westminster Council (16.02.17).

The Presenting Officer tabled an additional condition, Condition 4, which is worded as follows:

You must apply to us for approval of detailed drawings (sections) of the following parts of the development - proposed tree pit design.

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

### **RESOLVED:**

That conditional permission be granted, subject to:

1. The revised recommendation set out above and included in the additional papers;
2. The amended condition 3 set out above and included in the additional papers; and
3. The addition of condition 4 tabled at the meeting.

**4 GROUND FLOOR NORTH, COMMUNICATIONS HOUSE, 48 LEICESTER SQUARE, LONDON, WC2H 7LT**

Use of an area of the public highway measuring 3.0m x 18.3m narrowing to 2.0m x 4.0m for the placing of queue barriers in association with the ground floor retail unit.

**RESOLVED:**

That the application be refused due to the application being unacceptable in design terms, adversely impacting on the safe movement of pedestrians and resulting in harm to the character and appearance of the area.

**5 18 MONTPELIER SQUARE, LONDON, SW7 1JR**

Demolition of existing lower ground and ground level rear extensions and erection of new rear extensions at ground and lower ground floors with replacement balcony and stair to garden at ground floor level. Extension to the closet wing at rear third floor level and erection of a mansard roof extension. Internal alterations, including excavation of front vaults.

Late representations were received from Taylor Wessing LLP (20.02.17) and Mr and Mrs Cox. (This representation was missing in the original background papers).

**RESOLVED:**

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

**6 THE LODGE, 101 HALL PLACE, LONDON, W2 1NQ**

Erection of an extension to rear ground floor with terrace above, erection of roof extension with terraces at second floor level. Alterations to windows and doors. Widening of existing garage door.

**RESOLVED:**

That conditional permission be granted subject to:

1. An additional condition that the applicant be required to provide a sample of the building materials being used; and
2. An additional informative requiring the applicant to ensure that construction vehicles do not block access at Compton Street, to the park and the sports centre.

**7 FLAT 1 BERKELEY COURT, MARYLEBONE ROAD, LONDON, NW1 5NA**

Amalgamation of Flat 1 and Flat 5 to form one maisonette at first and second floor levels.

**RESOLVED:**

That conditional permission be granted.

The Meeting ended at 7.36 pm

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

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