



CITY OF WESTMINSTER

MINUTES

Planning Applications Committee (4)

MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Planning Applications Committee (4)** Committee held on **Tuesday 31st January, 2017**, Rooms 5, 6 & 7 - 17th Floor, Westminster City Hall, 64 Victoria Street, London, SW1E 6 QP.

Members Present: Councillors Angela Harvey (Chairman), Iain Bott, , Louise Hyams and Jason Williams

Also Present: Councillor Paul Dimoldenberg (Item 6)

Apologies for Absence: Councillor Jonathan Glanz

1 MEMBERSHIP / ELECTION OF CHAIRMAN

- 1.1 Nominations for the post of Chairman were invited. One nomination was received and seconded. There were no further nominations.

RESOLVED:

That Councillor Angela Harvey be appointed Chairman of Planning Applications Committee (4).

2 DECLARATIONS OF INTEREST

- 2.1 Councillor Angela Harvey 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 Harvey declared that she knew other Councillors who may have made representations; she knew various amenity societies, was Chairman of

the Licensing Committee and was also married to Councillor David Harvey who was the Cabinet Member for Environment, Sports and Community.

- 2.3 Cllr Bott declared that in respect of Item 5 the application was situated within his ward.
- 2.4 Cllr Williams declared that in respect of Item 2 he had met with Sainsbury's regarding planning issues in his ward and had also received treatment from Pure Sports Medicine. In respect of Item 4 Grosvenor was a major land holder in his ward. In respect of Item 6 as the Westminster City Council Labour Party spokesperson for transport he had spoken with Westminster Cycling but not with regards to the application.

3 MINUTES

RESOLVED:

That the Minutes of the meeting held on 29 November 2016 be approved and signed by the Chairman as a true and correct record.

4 TREE PRESERVATION ORDER NO. 632 (2016) - 188 SUTHERLAND AVENUE, W9 1HR

The City Council had made a tree preservation order (TPO) to protect one Horse Chestnut tree located in the garden at 188 Sutherland Avenue, London, W9 1HR. the TPO was provisionally effective for a period of six months from 9 August 2016 during which time it may be confirmed with or without modification. If not confirmed, the TPO will lapse after 8 February 2017.

The TPO was made because the tree has significant amenity value and makes a valuable contribution to the character and appearance of the conservation area. The City Council, having been made aware of the proposal to remove the Horse Chestnut tree considers it expedient in the interests of the amenity that a TPO was made in order to safeguard its preservation and future management.

Objection to the TPO had been made by the owner of 188 Sutherland Avenue, London, W9 1HR.

The City Council's Arboricultural Officer had responded to the objections.

RESOLVED:

That the Tree Preservation Order No. 632 (2016) be confirmed with permanent effect.

5 PLANNING APPLICATIONS

1 8 CHESTERFIELD HILL, LONDON, W1J 5BW

The item was withdrawn.

2 38-40 STRATTON STREET, LONDON, W1J 8LT

Use of the basement and ground floor (part) for gym and sports rehabilitation (sui generis) and alterations to the existing Berkeley Street access [Site includes 40-42 Berkeley Street].

RESOLVED:

That conditional permission be granted.

3 37-38 MARGARET STREET, LONDON, W1G 0JF

Variation of condition 3 of planning permission dated 8 April 2015 (RN 15/01461/FULL) which in itself varied condition 3 of planning permission dated 8 April 2014 for use of part of the ground floor as a restaurant (Class A3) (which allowed an extension to opening hours); NAMELY, to extend opening hours from 08.00 - 03.00 daily.

RESOLVED:

That conditional permission be granted for a temporary period of 1 year.

4 18 WEIGHHOUSE STREET, LONDON, W1K 5LU

Variation of Conditions 4 and 5 of planning permission dated 17 September 2014 (RN: 14/06746/FULL) for 'Use of the first floor of 18-22 Weighhouse Street as residential accommodation (Class C3) comprising 1x1-bed and 1x2 bedroom flats; amalgamation of existing Class A1 retail units, to be located at basement and ground floor of Nos. 18, 19 & 20, as a single retail unit; relocation of existing Class A3 cafe/restaurant to be located to Nos. 21 & 22 (at ground and basement levels); alterations to the shopfronts and to the fenestration of the property at ground and first floor levels' - namely, to vary the wording of conditions 4 and 5 to enable a maximum capacity of 40 people in the restaurant and to enable the restaurant to remain open until 23:00 Mondays to Saturdays.

A late representation was received from Gerald Eve LLP (23/01/17).

The presenting officer tabled the following amendments to the conditions:

Revised Condition 9

You must provide the stores for waste and materials for recycling according to the details shown on drawing 618-34.3-1.003H. You must clearly mark the stores and make them available at all times to everyone using the A1 and A3 units. You must store waste inside the units and only put it outside just before it is going to be collected. You must not use the waste stores for any other purpose.

Additional Condition 15

All bottles must be stored internally and may only be placed outside the building between 08:00 and 21:00 hours only

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R13EC)

RESOLVED:

That conditional permission be granted for a temporary period of one year subject to:

- 1) The revised conditions tabled at the meeting;
- 2) Condition 15 be amended to read "All bottles must be stored internally and may only be placed outside the building between 08:00 and 20:00 hours only";
- 3) Condition 5 be amended to read "Customers shall not be permitted within the Class A3 premises before 07:00 hours or after 23:00 hours on Thursdays to Saturdays and not before 07:00 hours or after 22:00 hours on Sundays to Wednesdays; and
- 4) An additional informative requesting the applicant to dispose of bottles through the use of a bottle imploder.

5 29 MARYLEBONE ROAD, LONDON, NW1 5JX

Alterations to the ground floor frontage, construction of roof top plant enclosures and extensions, facade alterations to the annexe on Luxborough Street at all levels including a roof terrace and use of the building as a dual/alternative Class B1 office/D1 non-residential institution.

RESOLVED:

That conditional permission be granted.

6 18 ILBERT STREET, LONDON, W10 4QJ

Installation of two bike hangars on the highway outside 18 Ilbert Street.

Councillor Paul Dimoldenberg addressed the committee in his capacity as a Ward councillor.

Additional representations were received from Cllr Paul Dimoldenberg (23/01/17), Cllr Heather Acton (24/01/17), Cllr Adam Hug (23/01/17) and Westminster City Council's Executive Director for City Management and Communities (26/01/17).

Late representations were received from Cllr Brian Connell (29/01/17) and Queen's Park Community Council (31/01/17).

The presenting officer tabled a revised draft decision letter and the following revised recommendation:

Revised Recommendation

Grant conditional permission for a temporary period of one year.

RESOLVED:

That conditional permission be granted for a temporary period of one year.

7 50 BALCOMBE STREET, LONDON, NW1 6ND

Installation of a glazed roof access hatch in roof of 4th floor mansard storey and replacement of internal staircase to roof level with new staircase/ ladder.

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.

8 FIRST FLOOR FLAT, 88 QUEENSWAY, LONDON, W2 3RR

Use of first floor as a Class B1 office for a temporary five year period.

Late representations were received from Councillors Robert Davis MBE and Cllr Susie Burbridge (31/01/17) and the South East Bayswater Residents' Association (31/01/17).

RESOLVED:

That the application be refused on the grounds of loss of residential floorspace.

9 5 MAIDA AVENUE, LONDON, W2 1TF

Erection of part single storey and part two storey rear extension at lower ground and ground floor levels.

A late representation was received from Barnaby Gunning (24/01/17).

RESOLVED:

That the application be refused on the grounds that it would create an increased, and therefore unacceptable, sense of enclosure to the neighbouring property.

The Meeting ended at 7.59 pm

CHAIRMAN: _____

DATE _____