



CITY OF WESTMINSTER

MINUTES

Planning Applications Sub-Committee (4)

MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Planning Applications Sub-Committee (4)** Committee held on **Tuesday 19th December, 2017**, Room 3.1, 3rd Floor, 5 Strand, London, WC2 5HR.

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

Also Present: Councillor Jan Prendergast (Item 5)

1 MEMBERSHIP

- 1.1 It was noted that Councillor Louise Hyams had replaced Councillor Jonathan Glanz.

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 In respect of Item 1 Councillors Harvey and Hyams declared that they had attended a site visit to the application and Councillors Harvey and Williams also declared that they had both sat on the Sub-Committee which had heard the application previously. Cllr Bott declared that in respect of Item 1 he had made a ward member representation objecting to the application and would therefore step down from the Sub-Committee and leave the room during the consideration of this item.

3 MINUTES

RESOLVED:

That the minutes of the meeting held on 21 November 2017 be signed by the Chairman as a correct record of proceedings.

4 PLANNING APPLICATIONS

1 STONE HOUSE, 9 WEYMOUTH STREET, LONDON, W1W 6DB AND 142-146 HARLEY STREET, LONDON W1G 7LE

1. Erection of a new single storey roof extension to create four residential units (Class C3) and associated plant (Site includes 9-11A Weymouth Street and 60A Portland Place) (Part of a land use swap with 142-146 Harley Street).

2. Use of third and fourth floors as medical use (Class D1) (part of a land use swap with Stone House, 9-11 Weymouth Street).

Additional representations were received from Frances Auyeung (13/12/17) and Ian Berman (10/12/17).

Councillor Bott stepped down from the Sub-Committee and left the room during the consideration of the application.

RESOLVED:

- 1) That conditional permission be granted subject to:
 - (a) An addition to condition 24 requiring the sun pipe serving Flat 16, Stone House to be relocated to the position of the existing roof light; and
 - (b) An informative be added to the draft decision letter requesting that any materials used to cover the building during construction be of a material which permitted as much light penetration as possible.
- 2) That conditional permission be granted.

2 LANDWARD COURT, HARROWBY STREET, LONDON, W1H 5HB

Erection of a two storey roof extension to provide four additional residential dwellings (Class C3) with external terraces provided at 13th floor level.

RESOLVED:

That had an appeal not been lodged against non-determination, planning permission would have been refused on the following grounds that:

- 1) The proposed extension would harm the appearance of the building itself, the setting of neighbouring listed buildings and the character and appearance of the adjoining Molyneux Street Conservation Area; and

2. The proposed development did not provide an appropriate mix of residential units.

3 66 CHILTERN STREET, LONDON, W1U 4JT

Use of ground floor unit as a dual/alternative use for retail and/or leisure (Class A1) or (Class D2).

RESOLVED:

That conditional permission be granted subject to:

- 1) The addition of conditions requiring the provision of cycle parking and a travel plan in relation to the proposed gym use; and
- 2) The addition of an informative setting out the comments from the Highways Engineer on the required cycle parking provision.

4 25 DUKE STREET, LONDON, W1U 1LD

Retention of one air conditioning condenser unit to rear flat roof, installation of two extract/intake ducts terminating on rear flat roof.

RESOLVED:

That conditional planning permission be granted subject to an additional condition to secure screening of the air conditioning unit, the details of which were to be submitted and approved before operational use of the ground floor unit commenced or within three months of the date of this decision, whichever was the sooner.

5 97 RANDOLPH AVENUE, LONDON, W9 1DL

Variation of Condition 1 of planning permission dated 7 October 2014 (RN: 14/04980/FULL) for the excavation of basement extension under garden and house, lower ground floor rear and side extension, conversion of roof space to provide habitable accommodation, insertion of four rooflights. NAMELY, to amend the arrangement of rooflights in the roof of the lower ground floor rear extension from 3 rooflights to one larger rooflight.

Councillor Prendergast addressed the Sub-Committee in her capacity as ward member.

RESOLVED:

That conditional permission be refused on the grounds that the revised roof arrangement would result in an unacceptable level of light spillage and harm the amenity of adjoining residents. The reason for refusal to be agreed under delegated powers in agreement with the Chairman.

6 2 ELM TREE ROAD, LONDON, NW8 9JX

Demolition of south west elevation and roof, erection of two storey extension and roof extension and associated external alterations.

Late representations were received from Keystone Law (15/12/17) and Westminster City Council's Head of Arboricultural Services (19/12/17).

The presenting officer tabled the following additional conditions:

Additional Condition 8

All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings we have approved or are required by conditions to this permission.

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 St. John's Wood Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 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.

Additional Condition 9

You must apply to us for approval of the ways in which you will protect the trees which you are keeping, as shown on the 'Arb Implications - Tree Removals Plan' within 6.2.2 of the Arboricultural Report prepared by Tree Fella. You must not start any demolition, site clearance or building work, and you must not take any equipment, machinery or materials for the development onto the site, until we have approved what you have sent us. The tree protection must follow the recommendations in section 7 of British Standard BS5837: 2005. You must then carry out the work according to the approved details.

Reason

To make sure that the trees on the site are adequately protected during building works. This is as set out in S38 of Westminster's City Plan (November 2016) and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development Plan that we adopted in January 2007.

RESOLVED:

That conditional permission, as amended, be granted.

7 1A PINDOCK MEWS, LONDON, W9 2PY

Excavation of new basement floor beneath the footprint of existing dwellinghouse.

The presenting officer tabled the following amendment to the description of the development and an amended condition:

Amended Description of Development

The description of development has been amended as set out below so that it more accurately describes the proposed development following amendment to set the basement in from the rear elevation of the existing building.

'Excavation of new basement floor. ~~beneath the footprint of existing dwellinghouse.~~'

Amended Condition 5

Condition 5 on page 177 of the committee agenda is to be replaced with the wording below:

'You must carry out the construction of the basement extension from within the application site and you must not construct the basement at any time from the communal garden to the rear of the application site serving Nos.115-137 Sutherland Avenue. The rear wall of the basement must not extend beyond the pink line on drawing 17-006-02A (sheet 1).'

RESOLVED:

That conditional permission, as amended, be granted.

8 17 SHELDON SQUARE, LONDON, LONDON, W2 6EP

Use of pavement adjacent to existing restaurant for the placing of 18 tables, 74 chairs and surrounding planters in an area measuring 21.45m x 5.9m.

The presenting officer tabled the following amendment to the report:

Amended Final Paragraph of Section 2 'Summary' on Pages 179 and 180 of the Committee Agenda

The final paragraph in Section 2 of the report for this application in the Committee Agenda is inaccurate in terms of its assessment of the compliance of the proposal with adopted policy and the length of time for which it is recommended that temporary permission is granted for. This paragraph within the report should therefore be disregarded and replaced with the paragraph below:

"Objections have been received from occupiers of residential properties on the upper floors of the building (No.27 Sheldon Square), principally on noise and disturbance and anti-social behaviour grounds. However, it is considered that the objections raised can be suitably mitigated by the recommended conditions, which are referred to in the report and set out in the draft decision letter appended to the report. In this context, and given the recent appeal decision in respect of the impact of a similar arrangement of tables and chairs on pedestrian and cyclist movement along the canal side, it is not considered that permission for the proposed tables and chairs and surrounding planters can reasonably be resisted at the current time. A condition is recommended to limit the permission to a temporary period that expires on 15 September 2019 so that this permission and that which was granted on appeal recently on 15 September 2017 expire concurrently. This

will allow the City Council to coherently review the impact of the tables and chairs in amenity and highways terms, with particular regard to be had to any increases in pedestrian and cyclist flows along the canal side following the opening of the Elizabeth Line station at Paddington in late 2018.”

RESOLVED:

That conditional permission be granted for a temporary period until 15 September 2019 (to expire at the same time as the appeal decision) subject to condition 5 being amended to read “The tables, chairs, umbrellas and planters approved pursuant to this permission shall only be placed on the pavement between 08.00 hours and 23.00 hours Monday to Sunday.”

The Meeting ended at 7.57 pm

CHAIRMAN: _____

DATE _____