



CITY OF WESTMINSTER

# MINUTES

## Planning Applications Sub-Committee (3)

### MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Planning Applications Sub-Committee (3)** Committee held at 6.30pm on **Tuesday 4th September, 2018**, Room 3.1, 3rd Floor, 5 Strand, London, WC2 5HR.

**Members Present:** Councillors Iain Bott (Chairman), Geoff Barraclough, Angela Harvey and Selina Short

#### 1 MEMBERSHIP

1.1 It was noted that Councillor Angela Harvey had replaced Councillor Jim Glen.

#### 2 DECLARATIONS OF INTEREST

2.1 Councillor Iain Bott 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 Bott advised Councillor Payne has an interest in respect of Application 2 on the agenda. In line with guidance agreed by the City Council's Standards Committee, members of the Majority party sitting on tonight's committee are no longer required to apply for a dispensation from the Code of Conduct provided they can declare that they only know Councillor Payne through their membership of the Majority party and see her at Council and related events. Councillor Bott gave that declaration in relation to Councillor Payne and Councillors Angela Harvey and Short concurred.

2.3 In respect of Item 5 Councillor Angela Harvey declared that the site was in her Ward.

### 3 MINUTES

- 3.1 **RESOLVED:** That the minutes of the meeting held on 14 August 2018 be signed by the Chairman as a correct record of proceedings.

### 4 PLANNING APPLICATIONS

#### 1 78-80 DUKE STREET, LONDON, W1K 6JQ

Use of the ground and lower ground floors of no 78 and 80 as a restaurant (Class A3 use), installation of new shopfronts, installation of roof level extract duct and air conditioning units within first floor rear lightwell and associated external works. (Part of land use package with 64-66 Duke Street).

A late representation from Ms D Osborne was submitted.

In the verbal committee presentation, officers will refer to the following amendment to the recommendation (**changes highlighted in bold**)

1. Grant conditional permission subject to a s106 **planning obligation (unilateral undertaking)** to secure the provision of Class A1 retail floorspace on the basement and ground floors of 64-66 Duke Street.
2. If the **S106 planning obligation** has not been completed within 6 weeks of this resolution, then:
  - a) The Director of Planning shall consider whether the permission can be issued with additional conditions attached to secure the benefits listed above. If this is possible and appropriate, 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 it has not proved possible to complete an agreement within an appropriate timescale, and that the proposals are unacceptable in the absence of the benefits that 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.

In the verbal committee presentation, officers will refer to the following amendment to the conditions:

Condition 20 [to be re-numbered 19] (**changes highlighted in bold**)

You must apply to us for approval of an **updated operational** management plan **confirming how the premises will operate once there is a known operator, and** to show how you will prevent restaurant activities, including the treatment and disposal of glass waste, from adversely affecting neighbours'

amenities and how you will prevent customers who are leaving the building from causing nuisance for people in the area, including people who live in nearby buildings. You must not start the restaurant use until we have approved what you have sent us. You must then carry out the measures included in the management plan at all times that the restaurant is in use.

Condition 18 – to be removed [forecourt public highway that requires separate planning permission].

**RESOLVED UNANIMOUSLY:**

1. That conditional permission be granted subject to a s106 planning obligation to secure the provision of Class A1 retail floorspace on the basement and ground floors of 64-66 Duke Street and to the revised conditions as set out above and further conditions requiring the approval of details of shopfront so as to match as far as possible that of the public house adjacent to the site to be submitted for approval and for deliveries to be from 7am only each day.
2. That if the S106 planning obligation has not been completed within 6 weeks of the date of this resolution, then:
  - a) The Director of Planning shall consider whether the permission can be issued with additional conditions attached to secure the benefits listed above. If this is possible and appropriate, 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 it has not proved possible to complete an agreement within an appropriate timescale, and that the proposals are unacceptable in the absence of the benefits that 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 8 MONMOUTH ROAD, LONDON, W2 5SB**

Erection of single storey side/front infill extension at second floor level and installation of glazed balustrade at rear of third floor roof.

**RESOLVED UNANIMOUSLY:**

That permission be refused on design grounds.

**3 LANDWARD COURT, HARROWBY STREET, LONDON, W1H 5HB**

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

**RESOLVED UNANIMOUSLY:**

That permission be refused on design grounds.

**4 40 LONG ACRE, LONDON, WC2E 9LG**

Erection of a single storey roof extension for office (Class B1) with plant enclosure and associated terrace at fifth floor level; installation of photovoltaic panels at roof level; associated internal and external alterations.

**RESOLVED UNANIMOUSLY:**

1. That conditional permission be granted subject to an informative to encourage revision of fenestration in roof storey to better reflect facades.
2. That conditional listed building consent be granted.
3. That the reasons for granting listed building consent as set out in Informative 1 of the draft decision letter be agreed.

**5 92 GROSVENOR ROAD, LONDON, SW1V 3LE**

Demolition of existing conservatory at rear first floor level and replacement with a new extension and alterations to the railings.

During the course of the presentation the presenting officer tabled the following revised conditions:

**Condition 4**

Notwithstanding what is shown on the approved drawings, and with the exception of the west facing elevation which can remain brickwork, the external facing material of the extension should be finished in render and painted to match the main rear elevation of the building.

**Condition 6**

The extension approved by this permission shall only be used for purposes ancillary to the ground floor flat at 92 Grosvenor Road.

**Reason:** In order to protect amenity and existing finish.

**RESOLVED UNANIMOUSLY:**

That conditional permission be granted subject to the revised conditions set out above.

The Meeting ended at 7.35 pm

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

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