



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 on **Tuesday 19th February, 2019**, Room 3.1, 3rd Floor, 5 Strand, London, WC2 5HR.

Members Present: Councillors Melvyn Caplan (Chairman), Angela Harvey, Selina Short and Ruth Bush

1 MEMBERSHIP

- 1.1 The Sub-Committee noted that Councillor Ruth Bush had replaced Councillor Geoff Barraclough.

2 DECLARATIONS OF INTEREST

- 2.1 Councillor Melvyn Caplan explained that a week before the meeting, all seven 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 emails 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 Caplan advised that Councillor Payne had an interest in respect of Item 4 on the agenda and Councillor Devenish had an interest in respect of Item 5. In line with guidance agreed by the City Council's Standards Committee, members 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 Councillors Payne and Devenish through their membership of the Majority party and see them at Council and related events. Councillor Caplan advised that he, was able to give that declaration in relation to Councillors Payne and Devenish. Councillor Selina Short and Councillor Angela Harvey stated that they were also able to give that declaration in relation to Councillors Payne and Devenish.

- 2.3 Councillor Caplan declared that in respect of Item 3, he previously held the position of Cabinet Member for a portfolio that included Corporate Property until May 2015 and this was prior to the use requested in the Application.
- 2.4 Councillor Ruth Bush declared that in respect of Item 6, she was a Trustee of the Westminster Tree Trust.

3 MINUTES

- 3.1 That the minutes of the meeting held on 15 January 2019 being signed by the Chairman as a correct record of proceedings subject to Councillors Rigby's name being amended and printed correctly.

4 PLANNING APPLICATIONS

1 ST MARK'S CHURCH, NORTH AUDLEY STREET, LONDON, W1K 6DP

Use of the property for mixed use ('sui generis') purposes, comprising a mix of retail, and food market with retail and food and drink facilities and use of part of the basement as community space, with associated internal and external alterations throughout, including installation of balustrades at first floor level, internal lift, plant, ducting, pizza oven, and external light fittings for the front facade.

A late representation had been received from Geraldeve (15.02.19)

The Presenting Officer tabled the following amended recommendation.

Planning Application (18/10222/FULL and 18/10223/LBC)

1. Grant conditional permission and conditional listed building consent subject to a legal agreement to secure the following: (changes underlined):

- i) setting up of a committee to manage the community space and guarantee its long-term running costs on behalf of local groups/residents at nil cost;
- ii) a requirement not to install the previously approved staircase in the nave between the ground floor and gallery/first floor;
- iii) monitoring costs of £500 for the above clause.

RESOLVED UNANIMOUSLY:

1. That conditional permission be granted subject to the revised recommendation tabled and Condition 22 being amended to restrict all servicing during Monday to Saturdays between 07:00 hours and 22:00 hours, and subject to a legal agreement to secure the following:
 - i) setting up of a committee to manage the community space and guarantee its long-term running costs on behalf of local groups/residents at nil cost;
 - ii) a requirement not to install the previously approved staircase in the nave between the ground floor and gallery/first floor;
 - iii) monitoring costs of £500 for the above clause.
2. That If the S106 legal agreement has not been completed within six weeks, then:
 - a) The Executive Director of Growth Planning and Housing 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 Executive Director of Growth Planning and Housing is authorised to determine and issue such a decision under Delegated Powers; however, if not
 - b) The Executive Director of Growth Planning and Housing 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 Executive Director of Growth Planning and Housing is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.
3. That conditional listed building consent be granted.
4. That the reasons for granting listed building consent set out in Informative 1 of the draft decision letter be agreed.

2 STRATHMORE COURT, 143 PARK ROAD, LONDON, NW8 7HY

Erection of three storey rear extension at fourth, fifth and sixth floor levels. Alterations to rear elevation and installation of terraces. Infill of lightwell at ground floor level. Alterations to roof dormers to provide access to terraces. Installation of rooftop plant equipment. Alterations and addition of windows and doors. All in association with the reconfiguration of existing flats and creation of nine additional dwellings.

RESOLVED UNANIMOUSLY:

That conditional permission be granted subject to including a condition to secure car club membership and subject to a revised condition 14 to secure additional cycle parking provision at basement level.

3 WHITCOMB STREET CARPARK, 39 - 41WHITCOMB STREET, LONDON, WC2H 7DT

Continued use of Levels 12 - 16 of car park (Sui Generis Use) as temporary office, construction welfare and storage area (Sui Generis Use) with screening to elevations associated with the construction of the Leicester Square Hotel opposite until 1 June 2020.

Late representations were received from Huguenot House Residents' Association (17.02.19) and a Resident (17.02.19)

The Presenting Officer tabled a copy of the Informative (s) 1 and 2 (pg. 95 of the Agenda).

Wording of Informatives

In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, neighbourhood plan (where relevant), supplementary planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

You are advised that the works are likely to require building regulations approval. Details in relation to Westminster Building Control services can be found on our website <https://www.westminster.gov.uk/contact-us-building-control>

RESOLVED UNANIMOUSLY:

That conditional permission be granted subject to a condition to require a scheme of landscaping to mitigate the impact of the alterations to the elevations to be settled under the Director's delegated powers.

4 8 MONMOUTH ROAD, LONDON, W2 5SB

Erection of rear boundary wall.

RESOLVED UNANIMOUSLY:

That conditional permission be granted.

5 SECOND FLOOR FLAT, 19 WESTBOURNE STREET, LONDON, W2 2TZ

Application 1: Amendments to planning permission dated 4 September 2018 (RN: 18/06281/FULL) for the: Replacement of rear elevation metal window at second floor level with new timber window. NAMELY, to amend the window design (Linked to 18/10696/LBC).

Application 2: Variation of Condition 1 of listed building consent dated 4 September 2018 (RN: 18/06282/LBC) for the replacement of rear elevation metal window at

second floor level with a new timber window; NAMELY to amend the window design (Linked to 18/10390/NMA).

RESOLVED UNANIMOUSLY:

1. That the non-material amendment be agreed.
2. That conditional listed building consent be granted.
3. To agree the reasons for granting conditional listed building consent as set out in Informative 1 of the draft decision letter.

6 25 ACACIA ROAD, LONDON, NW8 6AN,

The Chair moved and it was

RESOLVED:

That under Section 100 (A) (4) and Part 1 of Schedule 12A to the Local Government Act 1972 (as amended), the public and press be excluded from the meeting for the following item of business because it relates to a claim to legal professional privilege which could be maintained in legal proceedings and it is considered that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

UNANIMOUSLY RESOLVED:

That determination of the application be deferred for an updated Engineering Appraisal that had been submitted in support of the application to fall.

The Meeting ended at 8.34 pm

CHAIRMAN: _____

DATE _____