



CITY OF WESTMINSTER

MINUTES

Planning Applications Sub-Committee (2)

MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Planning Applications Sub-Committee (2)** held on **Tuesday 7th January, 2020**, Rooms 18.01 & 18.03, 18th Floor, 64 Victoria Street, London, SW1E 6QP.

Members Present: Councillors Robert Rigby (Chairman), James Spencer, Matt Noble and Elizabeth Hitchcock

Also Present: Councillors Melvyn Caplan and Matthew Green (Item 1)

1 MEMBERSHIP

1.1 There were no changes to the membership.

2 DECLARATIONS OF INTEREST

2.1 The Chairman 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 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 Matt Noble declared in respect of Item 2 that he knows some of the people that had submitted comments on the application but he had not discussed the proposals with them.

3 MINUTES

3.1 RESOLVED:

That the minutes of the meeting held on the 26 November 2019 be signed by the Chairman as a correct record of proceedings.

4 PLANNING APPLICATIONS

1 5 KINGDOM STREET, LONDON

Erection of a mixed-use development comprising ground floor (at Kingdom Street level), plus 18 storeys to provide offices (B1a) plus ancillary plant and amenity areas. Three floors below Kingdom Street delivered in phases to provide a flexible mix of business B1(A), retail (A1), leisure, community and cultural uses (D1) within the former 'Crossrail box'. New outdoor terraces adjacent to railway at basement level; creation of a new pedestrian and cycle link between Harrow Road and Kingdom Street including internal and external garden and landscaping; and associated works. The application is accompanied by an Environmental Impact Assessment (EIA development)

Additional representations were received from Development Planning Services (undated) in the form of an amendment to the recommendation and the Interim Director of Planning and Place (RBKC) (17.12.2019)

Late representations were received from Development Planning Services in the form of amendments to Section 5 Consultations on the report setting out support from the Hyde Park East Association and the Paddington BID; Councillor David Boothroyd (4.1.2019); Councillor Emily Payne (7.1.2019) and British Land (2.1.2019)

Michael Meadows spoke in favour of the application.

John Zamit (Chairman, Bayswater Residents' Association, SEBRA) spoke in objection to the application.

John Zealley (Chairman, Paddington Waterways and Maida Vale Society) spoke in objection to the application.

Councillors Melvyn Caplan, Matthew Green spoke in objection to the application in their capacity as Ward Members.

RESOLVED UNANIMOUSLY:

Subject to referral to the Mayor of London, resolved to refuse permission on design, townscape and heritage grounds and that insufficient information has been submitted to demonstrate that the proposed building would not result in a cumulative material loss of light to the detriment of the amenities of the occupiers of the properties on Westbourne Terrace Road and Warwick Crescent.

2 3 - 4 LANCASTER TERRACE, LONDON, W2 3PF

Redevelopment of car park and garages to extend hotel including excavation of a basement and erection of part single, part three storey building (above ground) with terrace at first floor level, incorporating loading bay and ancillary hotel facilities and plant. Installation of flue to rear of hotel.

The presenting officer referred to the following additional condition:

Condition 30 – provide green roof.

You must provide, maintain and retain the green roof before you start to use any part of the hotel extension, as set out in your application. You must not remove any of these features.

REASON

To increase the biodiversity of the environment, as set out in S38 of Westminster's City Plan (November 2016) and ENV17 of our Unitary Development Plan that we adopted in January 2007.

Additional condition 31

A minimum of 4 of the additional hotel rooms shall be wheelchair accessible.

Reason

In order to meet Policy 4.5 of the London Plan 2016.

Late representations were received from SEBRA (2 & 7.1.2019); Development Planning Services (3.1.2019) and the occupier of 11 Carroll House, Craven Terrace, London, W2 (3.1.2019)

Matthew Brewer spoke in support of the application.

Stephen Porter spoke in objection to the application.

Anna Bardos spoke in objection to the application.

John Zamit, representing Bayswater Residents' Association and SEBRA, spoke in objection to the application.

RESOLVED: (for: Councillors Rigby, Spencer and Hitchcock; Against: Noble)

1. That conditional permission and conditional listed building consent be granted subject to the amendment to condition 30 and the additional condition 31 as tabled and set out above and local amenity societies to be consulted on the discharge of the Servicing Management Plan.
2. That the reasons for granting listed building consent as set out in Informative 1 of the draft decision letter be agreed.
3. **DEVELOPMENT SITE AT 37-41 GREAT TITCHFIELD STREET, 42-50 MORTIMER STREET AND 1A LITTLE TITCHFIELD STREET, LONDON W1**

Restoration of ground floor shopfronts, internal alterations across ground and lower ground floor and the installation of comfort cooling within central lightwell at first floor level (within new plant enclosure) and ventilation ducts within ground floor lightwell. Use of lower ground floor of 44 Mortimer Street and rear ground floor of 44 Mortimer Street (Little Titchfield Street frontage), as flexible/alternative Retail or Gymnasium

(Class A1 or D2) use, with access to proposed gymnasium or shop from new entrance (at rear of 44 Mortimer St) adjacent to 1a Little Titchfield Street. Use of ground and lower ground floors of 46-50 Mortimer Street as Retail (Class A1).

An additional representation was received from the occupier of Flat 1, Ames House, 44 Mortimer Street, London (23.12.2019)

A late representation was received from the occupier of Flat 4, 44 Mortimer Street (7.1.2019).

The presenting officer tabled the following changes to the draft decision letter:

9 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 5 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:

- (a) A schedule of all plant and equipment that formed part of this application;
- (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
- (c) Manufacturer specifications of sound emissions in octave or third octave detail;
- (d) The location of most affected noise sensitive receptor location and the most affected window of it;

- (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
- (g) The lowest existing L A90, 15 mins measurement recorded under (f) above;
- (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
- (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

- 12
- a) Before you use the plant within the central lightwell at first floor level you must implement the mitigation measures set out in RBA Acoustic's Plant Noise Assessment report dated 2 August 2018 Revision 2, in particular you must fully enclose the condensers with acoustic louvres, including a lid. You must then maintain it in the form shown for as long as the machinery remains in place.
 - b) You must not operate the plant/ machinery that we have allowed (other than to carry out the survey required by this condition) until you have then carried out and sent us a post-commissioning noise survey and we have approved the details of the survey in writing. The post-commissioning noise survey must demonstrate that the plant/ machinery complies with the noise criteria set out in condition 9 of this permission.

RESOLVED:

1. That conditional permission be granted subject to the amendment to condition 9 and condition 12.
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.

4 11 BEAUMONT MEWS, LONDON, W1G 6EE

Erection of roof extension to create 4-bedroom dwelling with rear roof terrace enclosed by a timber screen; formation of new green roof.

RESOLVED UNANIMOUSLY:

That conditional permission be granted.

5 7 - 10 BEAUMONT MEWS, LONDON, W1G 6ED

Erection of roof extension to form additional office space, rear roof terrace enclosed by a timber screen at first floor level, green roof, entrance lighting, seven new air conditioning units within proposed new roof plant enclosure and installation of new lift.

RESOLVED UNANIMOUSLY:

That conditional permission be granted.

6 222 STRAND, LONDON, WC2R 1BA

Use of sub-basement, basement, ground and mezzanine levels as a public house (Class A4); installation of a new ventilation system, new plant equipment at roof level; and associated internal and external alterations.

Late representations were received from Councillor Louise Hyams (6.1.2020) and Outer Temple Chambers (undated).

James Counsell QC spoke in objection to the application.

The presenting officer tabled the following changes to the draft decision letter:

Condition 5:

The Public House shall not open for business before an Operational Management Plan, including a Servicing Management Plan, has been approved by the City Council. The Operational Management Plan must show how you will prevent customers who are leaving the building from causing nuisance for people in the area, prevent customers queuing on the street, manage customers who wish to smoke, prevent customers from taking their drinks outside, and manage servicing. With regards to servicing the plan must identify process, internal storage locations, scheduling of deliveries and staffing, and set out how it will be carried out in a sensitive manner to ensure noise and highway impacts are minimised.

You must then carry out the measures included in the approved Operational Management Plan at all times that the Public House (Class A4) is in use.

Additional condition added:

You must not allow customers to drink on the pavement outside the premises.

RESOLVED UNANIMOUSLY:

1. That conditional permission and conditional listed building consent be granted subject to:
 - (a) the amendment to Condition 5 and additional condition regarding not allowing customers to drink on the pavement outside the premises as tabled and set out above.
 - (b) Amending Condition 6 to reduce the closing time to 23:30 on Sunday to Thursdays and 24:00 hours on Fridays and Saturdays;
 - (c) An additional informative advising the applicant to minimise the impact of smokers on the highway.
2. That the reasons for granting conditional listed building consent as set out in Informative 1 of the draft decision letter be agreed.

7 131 SHIRLAND ROAD, LONDON, W9 2EP

Use of Ground Floor as a residential 2 bed unit (Class C3), and alteration to ground floor front elevation and installation of railing.

Late representations were received from Councillor Geoff Barraclough (2.1.2019) and Maven Plan (6 & 7.1.2019).

RESOLVED UNANIMOUSLY:

That conditional permission be granted.

8 BASEMENT AND GROUND FLOOR FLAT A, 36 WESTBOURNE GARDENS, LONDON, W2 5PU

Excavation of a basement beneath the existing driveway, erection of a conservatory at upper ground floor level to Westbourne Gardens elevation and associated works.

Additional representations were received from Councillor Maggie Carman (31.12.2019) and the resident, 33 Westbourne Park Road (30 & 31.12.2019).

The application was withdrawn from the agenda by officers due to issues regarding the issue of certificate.

The Meeting ended at 9.05 pm

CHAIRMAN: _____

DATE _____