



CITY OF WESTMINSTER

MINUTES

Planning (Major Applications) Sub-Committee

MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Planning (Major Applications) Sub-Committee** held on **Tuesday 10th November, 2020**, Please note that this will be a virtual meeting..

Members Present: Councillors Robert Rigby (Chairman), David Boothroyd, Geoff Barraclough, Jim Glen, Louise Hyams and James Spencer

Also Present: Councillor Jacqui Wilkinson in her capacity as Ward Councillor, addressed the Sub-Committee on Item 3 in objection to the application.

1 MEMBERSHIP

1.1 There were no changes to the membership.

2 DECLARATIONS OF INTEREST

2.1 The Chairmen explained that a week before the meeting, all six Members of the Sub-Committee were provided with a full set of papers including a detailed officer's report; together with bundles of the letters or e-mails received in respect of this application containing objections or giving support. 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 Sub-Committee, it did not mean that the issue has been ignored.

2.2 Councillor Rigby declared that in respect of Items 1 and 2 he had attended with Officers a pre-application meeting with the developers but had offered no opinions on the application.

In respect of Item 2 Cllr Rigby declared that a representation had been submitted by a former City of Westminster Councillor, but he had not entered into correspondence with him regarding the application.

2.3 Councillor Glen declared that in respect of Item 3 he was a Pimlico resident and knew some of the objectors to the application, however he had entered into no discussions with them regarding the application.

2.4 Councillor Hyams declared that in respect of Item 2 she had attended a briefing on the proposal but had not commented on the application.

- 2.5 Councillor Spencer declared that in respect of Item 3 he was a Pimlico resident and knew some of the objectors to the application, however he had entered into no discussions with them regarding the application.
- 2.6 Councillor Boothroyd declared that he was Head of Research and Psephology for Thorncliffe, whose clients were companies applying for planning permission from various local authorities. No current schemes were in Westminster; if there were, he would be precluded from working on them under the company's code of conduct.

Some Thorncliffe clients had also engaged planning consultants who were separately representing the applicants: Gerald Eve on Items 1 and 2, and Montagu Evans on Item 3. However, he did not deal directly with clients or other members of project teams, and planning consultants were not themselves clients.

In respect of Item 4, he had met some of the applicants when they visited his surgery in December 2019.

3 MINUTES

RESOLVED:

That the minutes of the meeting held on 15 September 2020 be signed by the Chair as a correct record of proceedings.

4 PLANNING APPLICATIONS

1 LANSDOWNE HOUSE 57 BERKELEY SQUARE LONDON W1J 6ER

Demolition of the existing building and redevelopment of the site to provide a new building, comprising of basement, lower ground, ground and nine upper storeys for use as office (Class B1) accommodation, flexible retail (Class A1 and/or Class A3 and/or Class A4) and/or gym (Class D2) uses at part lower ground and ground floor level, public realm improvements, and associated works.

Late representations were received from Gerald Eve (04.11.20 and 06.11.20), HGH Consulting (29.10.20 and 09.11.20) and CO-RE (Undated).

The presenting officer tabled a revised draft decision letter containing the following amendments:

- Alterations to conditions 17-21 to remove references to the Class E of the Town and Country Planning (Use Classes) Order 1987 as amended September 2020 (or any equivalent class order that may replace it).
- Deletion of condition 27 from the draft decision notice which stated that:

“You must apply to us for approval of details of internal structural design, including the structural design of the columns and soffits. You must not start work on the relevant part of the development until we have approved in writing what you have sent us. You must then carry out the work in accordance with the approved details.

(Details of the internal structure are to be secured as part of the legal agreement rather than by condition)”

- The addition of the following two new conditions:

Condition 27 - You must apply to us for approval of full details of how materials in the existing building will be reclaimed and recycled. You must not start removal of recyclable materials until we have approved what you have sent us. You must then carry out the work and recycling according to these approved details.

Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in S28 or S40, or both, of Westminster's City Plan (November 2016). (R44AC)

Condition 28 - You must apply to us for approval of a scheme of public art. You must not start work on the public art until we have approved what you have sent us. Before anyone moves into the building you must carry out the scheme according to the approved details., , You must maintain the approved public art and keep it on this site. You must not move or remove it. (C37AB)

Reason:

To make sure the art is provided for the public and to make sure that the appearance of the building is suitable. This is as set out in DES 7 (A) of our Unitary Development Plan that we adopted in January 2007. (R37AB)

The presenting officer also tabled the following revisions to the recommendations highlighted in bold:

1. Subject to referral to the Mayor of London, grant conditional permission subject to a S106 legal agreement to secure:
 - Provision of 536 m2 of affordable housing at Castle Lane to be made ready for occupation prior to commencement of development or a financial contribution of £3 million towards the City Council's affordable housing fund (index linked and payable on **occupation** of the development)
 - Employment and Skills Plan including a Financial Contribution of £230,564.74 (index linked and payable on commencement of development)

- All highway works immediately surrounding the site required for the development to occur, including changes to footway widths and levels, on-street restrictions and associated work (legal, administrative and physical).
- Tree Planting and maintenance within the vicinity of the site
- Details of Internal structural design, including columns and soffits, to be agreed prior to commencement of development
- **Subject to the agreement of the City Council as Local Highway Authority, the making and consulting on an Order pursuant to Section 247 of the Town and Country Planning Act (1990) (as amended) to 'stop-up' an area of public highway, for which the applicant will pay the City Council's reasonable costs.**
- Monitoring costs

David Ainsworth addressed the Sub-Committee in support of the application.

Simon Allford addressed the Sub-Committee in support of the application.

RESOLVED UNANIMOUSLY:

- 1) That subject to referral to the Mayor of London, conditional permission, as amended, be granted subject to a S106 legal agreement to secure:
 - Provision of 536 m2 of affordable housing at Castle Lane to be made ready for occupation prior to commencement of development or a financial contribution of £3 million towards the City Council's affordable housing fund (index linked and payable on occupation of the development);
 - Employment and Skills Plan including a Financial Contribution of £ 230,564.74 (index linked and payable on commencement of development);
 - All highway works immediately surrounding the site required for the development to occur, including changes to footway widths and levels, on-street restrictions and associated work (legal, administrative and physical);
 - Tree Planting and maintenance within the vicinity of the site;
 - Details of Internal structural design, including columns and soffits, to be agreed prior to commencement of development;
 - Subject to the agreement of the City Council as Local Highway Authority, the making and consulting on an Order pursuant to Section 247 of the Town and Country Planning Act (1990) (as amended) to 'stop-up' an area of public highway, for which the applicant will pay the City Council's reasonable costs; and
 - Monitoring costs
- 2) That if the legal agreement had not been completed within six weeks of the date of the Committee resolution then:
 - a. The Director of Place Shaping and Town Planning should consider whether the permission can be issued with additional conditions

attached to secure the benefits listed above. If this was possible and appropriate, the Director of Place Shaping and Town Planning was authorised to determine and issue such a decision under Delegated Powers; however, if not

- b. The Director of Place Shaping and Town Planning should consider whether permission should be refused on the grounds that it had 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 was authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

2 FIRST CHICAGO HOUSE 90 LONG ACRE LONDON WC2E 9RA

Part demolition, infilling and alterations to existing building to provide a building comprising 4-10 storeys for office use (Class B1) with flexible uses at lower and upper ground floor level including retail, restaurant, bar, assembly and leisure and non-residential institutions (within classes A1, A3, A4, D1, D2, and Sui Generis); internal pedestrian routes with a publicly accessible atrium; upgraded roof terraces; plant at main roof level; servicing, storage, cycle parking and associated works.

The presenting officer tabled the following condition which had been omitted from the report:

“No vibration shall be transmitted to adjoining or other premises and structures through the building structure and fabric of this development as to cause a vibration dose value of greater than 0.4m/s (1.75) 16 hour day-time nor 0.26 m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.”

Liam Bond addressed the Sub-Committee in support of the application.

RESOLVED UNANIMOUSLY:

- 1) That conditional permission, as amended, be granted, subject to:
 - i) The views of the Mayor;
 - ii) An amendment to condition 12 aligning the opening hours for the bar with those of the restaurant as set out in condition 11;
 - iii) An additional condition preventing the use of the balconies outside of the hours 08:00 to 21:00 Monday to Friday; and
 - iv) the completion of a S106 legal agreement to secure:
 - Employment and Skills Plan including a Financial Contribution of £258,145.64 (index linked and payable on commencement of development).

- Walkways agreement for the new public route through the building.
 - Dedication of highway.
 - Highway works to Long Acre, Endell Street, Shelton Street and Arne Street including changes to on-street restrictions, alterations to the vehicle access and adjoining footway and associated work (legal, administrative and physical).
 - Carbon offset payment (index linked and payable on commencement of development) (amount TBC subject to final Energy Strategy).
 - Monitoring costs.
- 2) That if the legal agreement had not been completed within six weeks of the date of the Committee resolution, then:
- a) The Director of Place Shaping and Town Planning should consider whether the permission can be issued with additional conditions attached to secure the benefits listed above. If this was possible and appropriate, the Director of Place Shaping and Town Planning was authorised to determine and issue such a decision under Delegated Powers; however, if not
 - b) The Director of Place Shaping and Town Planning should consider whether permission should be refused on the grounds that it had not proved possible to complete an agreement within the appropriate timescale, and that the proposals were unacceptable in the absence of the benefits that would have been secured; if so, the Director of Place Shaping and Town Planning was authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

3 DEVELOPMENT SITE AT 52 TO 73 WILTON ROAD LONDON

Demolition of existing buildings and redevelopment to provide part 4, part 5 and part 6 storey building and 2 basement levels for a mixed-use development comprising office floorspace (Use Class B1a) at part ground and first to fifth floor levels with terraces at 3rd, 4th and 5th floor levels, 5 residential flats (4 x 2 bedrooms flats and 1 x 3 bedrooms flat) with balconies (Use Class C3) at first to third floor levels at the corner with Gillingham Row and retail floorspace (Use Classes A1/A3) at ground and basement levels with associated works including installation of plant at roof level and alterations to public realm with hard and soft landscaping and the creation of loading bays.

Additional representations were received from Thames Water (29.10.20) and Building Control (03.11.20).

The presenting officer had also circulated an amendment to a condition and informative (06.11.20).

Late representations were received from Environmental Sciences (09.11.20), Concilio (undated) and one local resident (09.11.20).

Peter Bovill addressed the Sub-Committee in support of the application.

Matt White addressed the Sub-Committee in support of the application.

Anthony Smith addressed the Sub-Committee in objection to the application.

David Kirkpatrick addressed the Sub-Committee in objection to the application.

Councillor Jacqui Wilkinson in her capacity as Ward Councillor addressed the Sub-Committee in objection to the application.

RESOLVED (Against - Councillors Rigby, Glen, Hyams and Spencer. For – Councillor Barraclough and Boothroyd):

That permission be refused on the grounds that the height, bulk and design of the application would cause unacceptable harm to the local townscape.

4 THE COLONNADES 34 PORCHESTER SQUARE LONDON W2 6AT

Erection of single storey roof extension to provide additional accommodation to 7 residential flats facing Bishop's Bridge Road.

Additional representations were received from local residents (03.11.20), the Highways Planning Officer (06.11.20), Thames Water (02.11.20) and the Collonades Residents Committee (30.10.20 and 02.11.20).

Late representations were received from Councillor Richard Elcho (10.11.20) and one local resident (10.11.20).

RESOLVED UNANIMOUSLY:

That conditional permission be granted subject to an additional informative advising the applicant to keep the area behind the metal mesh facades in a clean and tidy condition to avoid the build-up of rubbish and to avoid vermin.

The Meeting ended at 10.27 pm

CHAIRMAN: _____

DATE _____