



CITY OF WESTMINSTER

# MINUTES

## Planning Applications Sub-Committee (3)

### MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Planning Applications Sub-Committee (3)** held on **Tuesday 15th December, 2020**. This meeting took place virtually.

**Members Present:** Councillors Jim Glen (Chairman), Geoff Barraclough, Eoghain Murphy and Elizabeth Hitchcock.

#### **1 MEMBERSHIP**

- 1.1 It was noted that Councillor Geoff Barraclough was replacing Councillor Guthrie McKie.

#### **2 DECLARATIONS OF INTEREST**

- 2.1 Councillor Jim Glen explained that a week before the meeting, all four Members of the Sub-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 Sub-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 Sub-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 Glen then declared that in respect of item 3, he is a trustee of the Westminster Tree Trust.
- 2.3 Councillor Eoghain Murphy declared that in respect of item 1, he lives in the Ward that the application site is located in but had not discussed the application with any interested parties.

#### **3 MINUTES**

- 3.1 **RESOLVED:**

That the minutes of the meeting held on 27 October 2020 be signed by the Chairman as a correct record of proceedings.

#### **4 PLANNING APPLICATIONS**

##### **1 25 - 26 ALBEMARLE STREET, LONDON W1S 4HX**

###### Application 1

Variation of conditions 10, 25 and 27 of planning permission dated 04 September 2019 (RN: 19/05928/FULL) which itself varied condition 27 of planning permission dated 2 August 2018 (RN: 18/05198/FULL), for the: Dual/alternative use of the basement, ground and first floors as either a private members' club (sui generis) or a restaurant (A3) at basement and ground and offices (B1) at first floor level. Creation of a terrace on the rear first floor roof with associated visual screening and awning for use in association with the private members' club. Installation of plant at rear first floor level and roof level with associated screening and installation of a high level extract duct and gas flues on the rear elevation of the property. Namely, to allow the extension of the opening hours of the private members club until 01:00AM on the mornings following Monday to Saturday, enable use of the rear first floor terrace until 10:00PM daily and update the Operational Management Plan accordingly.

###### Application 2

Variation of Conditions 5 and 6 of planning permission dated 23 April 2020 (RN: 20/01875/FULL) for: Removal of Condition 4 of planning permission dated 16 July 2019 (RN: 19/03570) for dual / alternative use of the second floor as either office accommodation (B1) or a private members' club use (sui generis) in connection with the existing private members' club on basement, ground and first floor levels. Namely, to allow the extension of the opening hours of the private members club until 01:00AM on the mornings following Monday to Saturday and to update the Operational Management Plan accordingly.

A late representation was received from Oswald's (11.12.20).

Daniel Rinsler addressed the Sub-Committee in support of the application.

#### **RESOLVED UNANIMOUSLY:**

Application 1: That conditional permission be granted.

Application 2: That conditional permission be granted.

##### **2 FLAT 4, 12 NORTHWICK TERRACE, LONDON NW8 8JD**

Alterations to fenestration and installation of balustrade to form balcony on flat roof at rear of first floor flat roof.

Additional representations were received from two local residents (09.12.20 x2), a local resident's representative (03.11.20), Boyer Planning (09.12.20) and Samuels Surveyors and Valuers (02.11.20).

A late representation was received from Councillor Robert Rigby (11.12.20).

The presenting officer tabled the following amendments to condition 5 and informative 2:

**Amend condition 5**

Prior to the use of the terrace, **details of the hit and miss trellis shown on drawing 302-02 R2 shall be submitted to and approved by the local planning authority.** ~~must be installed.~~ The trellis shall thereafter be ~~retained~~ **installed** and maintained in this position.

**Amend informative 2**

**HIGHWAYS LICENSING:**

Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please visit our website at [www.westminster.gov.uk/guide-temporary-structures](http://www.westminster.gov.uk/guide-temporary-structures).

**CONSIDERATE CONSTRUCTORS:**

You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, [siteenquiries@ccscheme.org.uk](mailto:siteenquiries@ccscheme.org.uk) or visit [www.ccscheme.org.uk](http://www.ccscheme.org.uk).

**BUILDING REGULATIONS:**

You are advised that the works are likely to require building regulations approval, **you are particularly directed to part E, which relates to sound and insulation.** Details in relation to Westminster Building Control services can be found on our website at [www.westminster.gov.uk/contact-us-building-control](http://www.westminster.gov.uk/contact-us-building-control).

Kim Blackman addressed the Sub-Committee in objecting to the application.

Grant Leggett also addressed the Sub-Committee in objecting to the application.

**RESOLVED UNANIMOUSLY:**

That conditional permission be granted, subject to amendments to condition 5 and informative 2 and an additional condition to be delegated to officers to mitigate structural noise transfer from the roof terrace to the flat below, subject to the agreement of the Chairman.

**3 7 NEEDHAM ROAD, LONDON W11 2RP**

Amalgamation of two maisonettes to create a single dwelling house [Class C3], excavation beneath the footprint of the existing building and excavation of part of rear garden at lower ground floor level. Demolition of the existing extension to the rear and construction of a new lower ground and ground floor rear extension. Repair work to the facade, alteration to street frontage in line with the street and

landscaping to the rear garden. Installation of acoustically attenuated condenser to the rear garden. Internal alterations.

An additional representation was received from Notting Hill East Neighbourhood Forum (04.12.20).

A late representation was received from a representative on behalf of Notting Hill East Neighbourhood Forum (14.12.20).

The presenting officer tabled the following additional condition:

**Add condition 16 – Contaminated Land:**

**Pre Commencement Condition.** You must carry out a detailed site investigation to find out if the building or land are contaminated with dangerous material, to assess the contamination that is present, and to find out if it could affect human health or the environment. This site investigation must meet the water, ecology and general requirements outlined in 'Contaminated Land Guidance for Developers submitting planning applications' - produced by Westminster City Council in January 2018.

You must apply to us for approval of the following investigation reports. You must apply to us and receive our written approval for phases 1, 2 and 3 before any demolition or excavation work starts, and for phase 4 when the development has been completed but before it is occupied.

Phase 1: Desktop study - full site history and environmental information from the public records.

Phase 2: Site investigation - to assess the contamination and the possible effect it could have on human health, pollution and damage to property.

Phase 3: Remediation strategy - details of this, including maintenance and monitoring to protect human health and prevent pollution.

Phase 4: Validation report - summarises the action you have taken during the development and what action you will take in the future, if appropriate.

(C18AA)

Reason:

To make sure that any contamination under the site is identified and treated so that it does not harm anyone who uses the site in the future. This is as set out in STRA 34 and ENV 8 of our Unitary Development Plan that we adopted in January 2007.

(R18AA)

Alex Ewan addressed the Sub-Committee in support of the application.

Jane Merrick addressed the Sub-Committee in objecting to the application.

Yvonna Demczynska also addressed the Sub-Committee in objecting to the application.

**RESOLVED (Councillors Jim Glen, Elizabeth Hitchcock and Eoghain Murphy in support, Councillor Geoff Barraclough against):**

1. That conditional permission be granted, subject to an additional condition 16 as set out above.
2. That conditional listed building consent be granted.
3. That the reasons for granting conditional listed building consent, as set out in Informative 1 of the draft decision letter, be agreed.

The Meeting ended at 8.24 pm.

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

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