



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 20th April, 2021**, 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 Murad Gassanly

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 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 had been ignored.

2.2 Councillor Jim Glen declared that he resided in Pimlico and knew some of the objectors. He advised that there had been no correspondence with any of the objectors and would approach the application with an open mind.

2.3 Councillor James Spencer declared that he resided in Pimlico and knew some of the objectors. He advised that there had been no correspondence with any of the objectors and would approach the application with an open mind.

2.4 Councillor Boothroyd declared that he was the Head of Research and Psephology for Thorncliffe, whose clients were companies applying for planning permission from various local authorities. He was precluded from working on any schemes in Westminster under the company's code of conduct.

2.5 He also declared that he had been contacted by one of the registered speakers who wished to discuss their concerns about the process. Councillor Boothroyd confirmed that it had been explained that he could not discuss any planning matters with the speaker.

3 Minutes

3.1 RESOLVED:

That the minutes of the meeting held on 13 April 2021 be signed by the Chair as a correct record of proceedings.

3 PLANNING APPLICATIONS

1 EBURY BRIDGE ESTATE, EBURY BRIDGE ROAD, LONDON, SW1W 8PX

A mixed use development in outline for residential floorspace and ancillary residential facilities (Class C3) non-residential floorspace comprising flexible retail (Classes A1 - A4), community (Class D1), leisure (Class D2) and workspace (Class B1) floorspace; provision of basement; new pedestrian and vehicular access; and associated amenity space, open space, plant, landscaping, car and cycle parking, refuse storage, servicing area, and other associated infrastructure works; and detailed planning consent for Blocks 7 and 8 comprising residential floorspace and ancillary residential facilities (Class C3); provision of a basement; new pedestrian and vehicular access; and associated amenity space landscaping, car and cycle parking, refuse storage, servicing area, and other associated infrastructure works.

Late Representations were received from the Ebury Bridge Community Futures Group (20.04.21), (20.04.21), Local Resident (20.04.21) and Local Resident (20.04.2021)

The presenting officer tabled the following amendments to the report, Conditions 25, 46, 52 & 54 and three additional conditions.

Condition 25

You must apply to us for approval of details of the on-site children's play space facilities for Phase 1. The details shall include:

- i. the provision of a minimum of 909sqm of play space;
- ii. surface treatment; siting, design, equipment / features, how consideration has been given to play accessibility for all abilities
- iii. confirmation that all play areas within the public realm will be open to all residents at all times with no segregation on the basis of tenure;
- iv. confirmation that all play areas within the podium level will be open to all residents of Blocks 7 and 8 at all times with no segregation on the basis of tenure; and
- v. any site management controls that may apply and in what circumstances.
- vi. safety features for the play space within the town square.

You must not start work on this part of the development until we have approved what you have sent us. You must then carry out the development in accordance with the details approved. All play space shall be retained as approved.

Revised Condition 46

You must provide the following sustainability features for Phase 1 as set out in the Energy and Sustainability Statement (July 2020): -

- ground source heat pumps (unless otherwise agreed in writing)
- air source heat pumps.

You must not remove any of these features.

Revised Condition 52

You must apply to us for approval of detailed drawings of the following parts of the development for Phase 1:

- i. The vehicle circulation routes including a vehicle swept path analysis.
- ii. The pedestrian routes (shared surface and segregated).
- iii. The bollards and/or gates at the vehicle access point (see informative 9); and
- iv. Signage for the road system to indicate a one-way operation.

You must not start work on this part of the development until we have approved in writing what you have sent us. You must then carry out the development in accordance with the details approved.

Revised Condition 54

Unless otherwise indicated on the approved drawings the internal private road network within the development must operate only as a one-way system.

New Condition 89

You must apply to us for approval of details of the following SuDS features within Phase 1:

- Blue roofs to Buildings 7 and 8 to show extent and design.
- Bio-retention systems/Rain gardens
- Permeable paving to show extent and design
- Detention Basins/Ponds; and
- Below ground attenuation tank (min volume 160 cubic metres)

You must not occupy any part of the development until we have approved what you have sent us. You must then carry out the development in accordance with the details submitted prior to the occupation of any part of the development. You must not remove any of these features.

New Condition 90

You must apply to us for approval of details of a privacy scheme for the external roof terraces within Phase 1 and for development plots within the outline area. You must not start work on this part of the development until we have approved what you have sent us. You must then carry out the development in accordance with the privacy scheme approved prior to the use of any external terrace within the relevant part of

the development. You must thereafter manage the development in accordance with the details approved.

New Condition 91

You must apply to us for approval of details of a Whole Life Cycle scheme for the development. You must not start any work on this part of the development until we have approved what you have sent us. You must then carry out the development in accordance with the scheme approved.

Replacement of paragraph on p72 of the committee report that starts with “In terms of sunlight...”

In terms of sunlight the significance effects applied by the applicant are:

Impacts are considered neutral if;

- The retained APSH remains above 25% (with 5% of APSH occurring in the winter months) or within 0.8 times the annual or winter sun baseline values, or;
- there is a reduction equal to or less than 4% APSH

Impacts are considered not significant adverse if;

- the APSH value, expressed as a ratio, is between 0.7 or 0.8 times the baseline value, or;
- the APSH value achieved remains greater than 20%, or;
- there is a reduction equal to or less than 5% APSH

Impacts are considered significant adverse if;

- the APSH value, expressed as a ratio, is between 0.6 or 0.7 times the baseline value, or;
- the APSH value achieved remains greater than 15%, or;
- there is a reduction equal to or less than 10% APSH
- the APSH value, expressed as a ratio, is less than 0.6 times the baseline value, or;
- the APSH value achieved is less than 15%, or;
- there is a reduction more than 10% APSH

Richard Hyams addressed the Sub-Committee in support of the application

Rachel Reilly addressed the committee in support of the application

Bela Nascimento addressed the Sub-Committee in objection to the application.

Tom McGregor in his capacity as Chair of the Ebury Bridge Community Futures Group addressed the Sub-Committee in support of the application.

Councillor Murad Gassanly in his capacity as Ward Councillor addressed the Sub-Committee in support to the application.

RESOLVED:

That conditional permission be granted as amended subject to the additional Conditions as set above and

1. Subject to the views of the Mayor of London, grant conditional permission under Regulation 3 of the Town and Country Planning General Regulations 1992, subject to a unilateral undertaking to secure the following:
 - a) Provision of 142 x affordable housing units within the detailed area (Blocks 7 and 8) made up of 98 x social rent tenure and 44 x intermediate tenure (comprising 28 London Living Rent units and 16 Intermediate Ownership Units. The market units within Blocks 7 and 8 not to be occupied until all 142 affordable housing units are ready for occupation. The obligation to be subject to an early and late stage review.
 - b) Provision of a minimum of 50% affordable housing when measured in habitable rooms (Masterplan wide). Of those affordable habitable rooms across the Masterplan that are an uplift against the existing provision, 60-70% should be provided as intermediate and 30-40% should be provided as social rent. The market units within each subsequent phase not to be occupied until all affordable housing units are ready for occupation. The obligation to be subject to an early, mid and late stage review.
 - c) Undertaking of highways works on Ebury Bridge Road for each phase of development including access, parking bays, bus stop relocation and associated traffic management orders.
 - d) A Walkways Agreement to safeguard a publicly accessible route through the site.
 - e) An Employment and Skills Plan and a contribution of £190,993.96 (index linked) to support the Westminster Employment Service including measures for Ebury residents (payable on a pro rata basis and submitted prior to the commencement of the relevant phase of development)
 - f) Car club membership for the occupiers of all residential units for a period of 25 years.
 - g) The space for a Cycle Hire Docking Station extension within the private public realm (not on highway) at a location to be agreed with the City Council and TfL, to provide before first occupation of the adjoining building and retain for the life of the development.
 - h) Provision of a minimum of 2 car club spaces to be provided within the site and made available to a car club operator at no cost to them prior to occupation of the phase within which they are located.
 - i) The dedication of part of the site on Ebury Bridge Road as public highway prior to first occupation of the relevant phase of development.
 - j) Payment of £282,928 (index linked) towards the City Council's Carbon Off Set fund for the detailed area (payable prior to commencement of development).
 - k) An updated energy plan for the outline area to be submitted prior to commencement of relevant phase of development. Where a net zero-carbon shortfall for any individual building with a development phase is identified, the carbon offset contribution is required to be paid prior to commencement of the relevant phase.
 - l) The long-term retention, access to and maintenance of any play space within the development.

- m) The provision of a 158sqm (minimum) community space facility to be provided within the relevant phase of development. The space to be provided in perpetuity at a peppercorn rent and made ready for occupation prior to occupation of market units within the same phase of development.
 - n) The costs of monitoring the S106 legal agreement.
2. If the unilateral undertaking has not been completed within six weeks of the date of the Committee resolution, then:
 - a) The Director of Place Shaping and Town 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 Place Shaping and Town Planning is authorised to determine and issue such a decision under Delegated Powers; however, if not
 - b) The Director of Place Shaping and Town Planning shall consider whether permission should be refused on the grounds that it has not proved possible to complete an agreement within the appropriate timescale, and that the proposals are unacceptable in the absence of the benefits that would have been secured; if so, the Director of Place Shaping and Town Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.
 3. That Committee authorises the making of a draft agreement pursuant to s38 of the Highways Act 1980 for the dedication of land currently adjacent to Ebury Bridge Road to enable this development to take place. That the Director of Place Shaping and Town Planning, Executive Director of City Management, or other such proper officer of the City Council responsible for highway functions, be authorised to take all necessary procedural steps in conjunction with the dedication and to make the final agreement. The applicant will be required to cover all costs of the City Council in progressing the agreement.
 4. That additional informative which requires for conditioned security assessment to consider inclusion of CCTV in the estate and the use of single leaf doors to residential entrances and for the conditioned site wide management plan to include consideration of clutter to balconies.

The Meeting ended at 9.10 pm

CHAIRMAN: _____

DATE _____