



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 6th July, 2021**, Rooms 18.01 & 18.03, 18th Floor, 64 Victoria Street, London, SW1E 6QP.

Members Present: Councillors James Spencer (Chairman), Louise Hyams, Antonia Cox and Nafsika Butler-Thalassis

1 MEMBERSHIP

- 1.1 It was noted that Councillor Nafsika Butler-Thalassis had replaced Councillor Matt Noble on Planning Applications Sub-Committee (2).

2 DECLARATIONS OF INTEREST

- 2.1 Councillor Spencer 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 Butler-Thalassis declared that in respect of item 1 the application site was situated within her ward, but she had held no discussions regarding it with any parties.
- 2.3 Councillor Hyams declared that in respect of item 2 the application site was situated within her ward, but she had held no discussions regarding it with any parties.

- 2.4 Councillor Spencer declared that in respect of Item 3 he had Chaired the Planning Sub-Committee meeting in December 2020 which had considered an application on the same site.

3 MINUTES

3.1 RESOLVED:

That the minutes of the meeting held on 11 May 2021 be signed by the Chair as a correct record of proceedings.

4 PLANNING APPLICATIONS

1 45 KILBURN PARK ROAD LONDON NW6 5XD

Redevelopment of site to provide 'Extra Care' residential facility (Use Class C3) ranging between 3-6 storeys with terraces and courtyard and a building ranging between 2-6 storeys to provide residential dwellings (Use Class C3); together with the provision of associated communal facilities including café and hairdressers, podium level car parking and landscaping.

An additional representation was received from RPS (30.06.21) and a fact sheet (undated).

Late representations were received from Councillor Geoff Barraclough (03.07.21), a local resident (04.07.21), Westminster City Council's Highway Planning Officer (02.07.21) and Westminster City Council's Head of Arboricultural Services (02.07.21).

The Planning Officer tabled the following amendments to the draft decision notice:

Amend condition 20 (new wording in bold):

Prior to first occupation of the development, ~~a minimum of 50% active~~ Electric Vehicle Charging Points shall be provided **for all car parking spaces within the development** and thereafter retained in working order.

Additional Condition 37:

Prior to the occupation of the extra care facility (Block A), an Operation Management Plan (OMP) shall be submitted to and approved by the Local Planning Authority. The facility will then operate in accordance with the plan, or any revised/updated OMP, which has been agreed in writing.

Reason

To ensure that the development provides suitable facilities and management for the extra care facility in accordance with Policies 10, 12, 24, 25, 26, 27, 29, 30, 31 and 38 C of Westminster's City Plan 2019-2040 (April 2021).

Additional Condition 38:

Prior to the occupation of the development, you must implement the crime prevention measures outlined within the Design and Access Statement, email dated 10 June from RPS and as shown on the drawings hereby approved. You must retain these measures thereafter.

Reason:

To ensure that the development is suitably secure, as set out in Policies 12 and 38 C of Westminster's City Plan 2019-2040 (April 2021).

Additional condition 39:

Prior to the occupation of the development, a suitably qualified independent review of the energy efficiency measures to be provided within the development shall be provided to the Local Planning Authority. This shall confirm that the extra care block (Block A) will meet PHI Low Energy Building Standard and the general needs building (Block B) has been designed to Passivhaus Standards. If this target is no longer achievable or another method is used, this must be agreed first in writing following the submission of suitable justification.

Reason:

To make sure that the development affects the environment as little as possible, as set out in S28 or S40, or both, of Westminster's City Plan (November 2016). (R44BC)

Additional Informative 13:

In relation to condition 37, the OMP shall include (not exclusively) details of Housing Management, Staffing, details of the on-site care facilities and how they will be provided and managed for residents, servicing.

Christopher Hicks addressed the Sub-Committee in support of the application.

Father Amos addressed the Sub-Committee in objection to the application.

RESOLVED UNANIMOUSLY:

1. That conditional permission, as amended, under Regulation 3 of the Town and Country Planning General Regulations 1992 be granted, subject to:
 - a) the completion of a Unilateral Undertaking to secure the following obligations:
 - i. Provision of 100% affordable housing in the form of 65 'Extra Care' units for people aged 55 and over, and 22 "general needs" residential units.
 - ii. A financial contribution of £66,405 towards Carbon Offset Payments (index linked and payable on commencement).
 - iii. Lifetime Car Club membership (25 years minimum) for all 87 units within the development.
 - iv. Car parking is leased and not sold.

- v. Highways works to facilitate the proposed development, including reinstatement existing vehicle access as footway and creation of a new vehicle crossover plus adjoining footway in Kilburn Park Road, Carlton Vale and associated work (legal, administrative and physical).
 - vi. Prior to commencement of development, the provision of an employment training, skills and apprenticeships opportunities for residents of Westminster in relation to the construction and operational phases of the development.
 - vii. Payment of a contribution of £31,149.04 (index linked) to support the Westminster Employment Service prior to commencement
 - viii. Tree planting contribution of £10,000 (index linked) to be used for the purpose of tree planting and maintenance within the vicinity, provided prior to commencement.
 - ix. The costs of monitoring the Unilateral Undertaking payable on completion of the deed.
- b) An additional informative drawing the attention of the applicant to the 'agent of change' principle that placed the responsibility for mitigating impacts from existing noise-generating activities or uses of the church such as bell ringing and weddings etc on the proposed new noise sensitive development.
 - c) The Servicing Management Plan condition be updated to include a requirement for consultation with St Augustine Church and a point of contact to be made available to neighbours.
 - d) An additional informative to advise that should human remains be identified on the site, an exhumation license will likely be required. More information available online:
<https://www.gov.uk/apply-for-an-exhumation-licence>
2. That if the Unilateral Undertaking had not been completed within 3 months from the date of the Committee's 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) If it had not been possible to complete the Unilateral Undertaking within an appropriate timescale, the application should be reported back to Sub-Committee.
3. That the Sub-Committee authorised the making of a draft order pursuant to s247 of the Town and Country Planning act 1990 for the

stopping up of parts of the public highway to enable this development to take place.

4. That the Director of Place Shaping and Town Planning, or other such proper officer of the City Council responsible for highway functions, be authorised to take all necessary procedural steps in connection with the making of the orders and to make the orders as proposed if there are no unresolved objections to the draft orders. The applicant was to cover all costs of the Council in progressing the stopping up orders.

2 SITE AT MERCERS COVENT GARDEN ESTATE BLOCK C MERCER STREET LONDON

Variation of condition 4 of planning permission dated 28 March 2014 (RN: 13/06028/FULL) for the: Retention and refurbishment of 13-14 Langley Street for retail (Class A1) use. Demolition of 6, 10-14 Mercer Street, the one/two storey warehouse-type buildings and the later rear addition of 116 Long Acre and redevelopment to provide 24 residential flats (Class C3), retail (Class A1) and restaurant (Class A3) units with associated plant and ancillary space. Creation of new pedestrian and servicing piazza and street, works of hard landscaping, alterations to existing vehicular and pedestrian access together with associated enabling works. Namely, to allow the extension of hours of operation/trading at unit 2.

An additional representation was received from a local resident (26.06.21).

RESOLVED UNANANIMOUSLY:

That conditional permission be granted subject to a deed of variation to the legal agreement dated 28 March 2014 under RN 13/06028/FULL.

3 EATON HOUSE SCHOOL 3-5 EATON GATE LONDON SW1W 9BA

Erection of single storey rear extension at 3 Eaton Gate (first floor to mews), erection of single storey rear extension at 5 Eaton Gate (first floor to mews), refurbishment of buildings including, new roofs to extensions with accessible walk on terraces, repair of windows, internal reorganisation of the building, replacement kitchen extract flue, and associated works.

An additional representation was received from a local resident (30.06.21).

Graham Allisson addressed the Sub-Committee in support of the application.

The Committee Officer read out a representation from Pat Marsh in objection to the application.

RESOLVED UNANIMOUSLY:

1. That conditional permission be granted subject to condition 11 being amended to require the submission of a revised management plan to ensure the terraces were used for quiet lessons and not play.
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 10 AND 11 QUEEN'S MEWS LONDON W2 4BZ

Rear extension at ground, first and second floor levels [at no. 10], reconfigured windows at rear [nos. 10 and 11] and the creation of terrace with railings in front roof slope [at no. 10].

Additional representations were received from a local resident (30.06.21) and three other local residents (undated).

Late representations were received from two local residents (undated) and SEBRA (06.07.21).

Ghazala Hussain addressed the Sub-Committee in support of the application.

RESOLVED UNANIMOUSLY:

That conditional permission be granted.

5 12 ABBEY GARDENS LONDON NW8 9AT

Excavation to create new basement, replacement rear infill extension, alterations to rear closet wing, external alterations to fenestration and internal alterations.

Late representations were from a local resident (05.07.21) and Councillor Lindsey Hall (06.06.21).

Jacque Andrews addressed the Sub-Committee in support of the application.

Robin Snell addressed the Sub-Committee in objection to the application.

Peter Toeman addressed the Sub-Committee in objection to the application.

RESOLVED (Councillors Spencer, Butler-Thalassis and Hyams for; Councillor Cox against):

1. That conditional permission be granted.

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.

The Meeting ended at 8.49 pm

CHAIRMAN: _____

DATE _____