



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 8th February, 2022**, Rooms 18.01 & 18.03, 18th Floor, 64 Victoria Street, London, SW1E 6QP.

Members Present: Councillors Louise Hyams (Chairman), Devenish, Antonia Cox and David Boothroyd

Also Present: Councillor Tim Mitchell addressed the Sub-Committee on Items 3 and 4 in his capacity as Ward Councillor.

1 MEMBERSHIP

- 1.1 It was noted that Councillor David Boothroyd had replaced Councillor Nafsika Butler-Thalassis.

2 DECLARATIONS OF INTEREST

- 2.1 Councillor Hyams 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 emails 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 would have read about the issue and comments made by correspondents in the papers read prior to the meeting.
- 2.2 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 scheme in Westminster under the company's code of conduct. Savills and Gerald Eve were planning consultants for some Thorncliffe clients, and also acted for some applicants. He did not deal directly with clients or

other members of project teams, and planning consultants were not themselves clients.

- 2.3 Councillor Boothroyd also declared that in respect of Item 1 Paul Dimoldenberg of the Hyde Park Labour Action Team was a friend, but they had not discussed the application.
- 2.4 Councillor Cox declared that in respect of Item 1 the application site was situated within a ward she would be standing in and was also aware of some views expressed about the application. Therefore, she would step down from the Sub-Committee and leave the room during consideration of this item.
- 2.5 Councillor Hyams declared that in respect of Items 3 and 4, the sites were located within her ward, but she had held no discussions regarding them with any parties.

3 MINUTES

3.1 RESOLVED:

That the minutes of the meeting held on 7 December 2021 be signed by the Chair as a correct record of proceedings.

4 PLANNING APPLICATIONS

1 48 CHAPEL STREET LONDON NW1 5DH

Application 1

Demolition of the existing building and erection of a part 3 storey and part 7 storey (plus basement) hotel (Use Class C2), public house (Sui Generis Use) and retail premise (Class E); including excavation of basement, bin and bike storage, rooftop plant, new tree.

Application 2

Relocation of two phone boxes from the corner of Old Marylebone Road and Chapel Street to Chapel Street.

An additional representation was received from Councillor Paul Dimoldenberg (03.02.22).

Late representations were received from a local resident (07.02.22) and Conciliocomms (04.02.22).

Councillor Cox declared that she had a prejudicial interest in the application and therefore left the room during the consideration of this item

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

Elliott Hathaway addressed the Sub-Committee in support of the application.

RESOLVED (Councillors Hyams and Devenish For, Councillor Boothroyd Against):

That the changes to the bulk and mass of the building had sufficiently addressed concerns in relation to loss of light to Wallace Court and therefore it was resolved:

Application 1

- 1) That conditional permission be granted subject to completion of a Section 106 Legal Agreement to secure the following:
 - i. Planting of a replacement tree at the junction of Chapel Street and Old Marylebone Road prior to occupation and provision of a management plan to ensure its retention and ongoing future maintenance.
 - ii. Provision of a financial contribution of £12,476.86 (index linked) Westminster's employment, training and skills development fund prior to the commencement of development.
 - iii. Highways works necessary to facilitate the proposed development.
 - iv. Provision of a financial contribution of £66,405 to the Carbon Offset Fund (index linked) payable prior to the commencement of development; and
 - v. The costs of monitoring the S106 legal agreement.
2. That if the S106 legal agreement had not been completed within six weeks of the date of the Sub-Committee's resolution, then:
 - a) The Director of Place Shaping and Town Planning should consider whether it would be possible and appropriate to issue the permission with additional conditions attached to secure the benefits listed above. If so, the Director of Place Shaping and Town Planning was authorised to determine and issue the decision under Delegated Powers; however, if not;
 - b) The Director of Place Shaping and Town Planning should consider whether the permission should be refused on the grounds that the proposals were unacceptable in the absence of the benefits which 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.

Application 2

- 1) That conditional listed building consent be granted.
- 2) That the reasons for granting conditional listed building consent as set out in Informative 1 on the draft decision letter be agreed.

2 4 THE LANE LONDON NW8 0PN

Excavation of new basement below footprint of existing dwelling extension, partially below the garden to the rear, and driveway to the front together with new lightwells on the front, side and rear elevations.

Simon Levy addressed the Sub-Committee in objection to the application.

RESOLVED UNANIMOUSLY:

That conditional permission be granted.

3 21 THE MARKET COVENT <GARDEN LONDON

Addition of a new external bar and pizza oven located in the existing south side demised external seating of restaurant.

Miriam Holland, representing the Covent Garden Area Trust, addressed the Sub-Committee in objection to the application.

Councillor Tim Mitchell addressed the Sub-Committee in his capacity as Ward Councillor in objection to the application.

UNANIMOUSLY RESOLVED:

That contrary to the officers' recommendation the Sub-Committee refused the application on the grounds that the bar, pizza oven and servery would harm the setting of the Grade II* listed Covent Garden Market Building and fail to maintain or improve (preserve or enhance) the character and appearance of the Covent Garden Conservation Area.

4 27B THE MARKET COVENT GARDEN LONDON WC2E 8RD

Use of 3 areas of public highway measuring 7.1m x 7.1m, 7.3m x 8.9m and 6.3m x 8.8m for the placing of 108 chairs, 24 tables, planters, windscreens, 5 parasol bases and new services below existing cobbles, installation of external service station, placement of waiter stations, external alterations to existing window in south elevation, and associated works.

Late representations were received from Capco (undated) and the Applicant (04.02.22).

Ozgur Karakas addressed the Sub-Committee in support of the application.

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

Miriam Holland, representing the Covent Garden Area Trust, addressed the Sub-Committee in objection to the application.

Councillor Tim Mitchell addressed the Sub-Committee in his capacity as Ward Councillor in support of the application.

RESOLVED (Councillors Hyams, Cox and Devenish For, Councillor Boothroyd Against):

That contrary to the officers' recommendation the Sub-Committee granted the application for a temporary period of two years due to the operational difficulties experienced by the unit and to help enable the post-pandemic economic recovery. The Decision Notice would be approved by officers under delegated powers in consultation with the Chair of Planning Committee (2).

5 38 BRUTON PLACE LONDON W1J 6NX

Use of the ground floor as a retail unit (Class E) and associated alterations.

An additional representation was received from an interested party (03.02.22).

Harriett Young, representing a local resident, spoke in objection to the application.

RESOLVED UNANIMOUSLY:

- 1) That conditional planning permission and conditional listed building consent be granted subject to the following additional conditions:
 - i) Servicing of the unit to be restricted to between the hours of 10am and 4pm Monday to Saturday only;
 - ii) Waste collection from the unit to be restricted to between the hours of 10am and 6pm Monday to Friday only; and
 - iii) No music to be played at the unit.
- 2) That the reasons for granting conditional listed building consent as set out in Informative 1 on the draft decision letter be agreed.

PART 2 (CONFIDENTIAL)

The Chair moved and it was

RESOLVED: That under Section 100 (a) (4) and Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended), the public and press be excluded from the meeting for the following Item of Business because it involves the likely disclosure of exempt information relating to the financial or business affairs of any particular person (including the Authority holding that information) and it is considered that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

6 32 CLIFTON HILL LONDON NW8 0QG 30 CLIFTON HILL LONDON NW8 0QG

Application 1

30 Clifton Hill: 1 x London plane (T1, rear): fell

Application 2

32 Clifton Hill: 1 x lime (T4, front): fell

RESOLVED UNANIMOUSLY:

Application 1: 21/06313/TPO

That conditional consent be granted.

Application 2: 21/06314/TPO

That conditional consent be granted.

The Meeting ended at 8.44 pm

CHAIRMAN: _____

DATE _____