



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 14th June, 2022**, 18th Floor, 64 Victoria Street, London, SW1E 6QP.

**Members Present:** Councillors Ruth Bush (Chair), Nafsika Butler-Thalassis, Paul Fisher, Robert Rigby, Mark Shearer and Jason Williams

#### **1 APPOINTMENT OF CHAIR**

##### **1.1 RESOLVED:**

That Councillor Ruth Bush be elected as Chair of the Planning (Major Applications) Sub-Committee.

#### **2 MEMBERSHIP**

2.1 There were no changes to the membership.

#### **3 DECLARATIONS OF INTEREST**

3.1 Councillor Ruth Bush 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 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.

3.2 Councillor Bush declared that in respect of Item 1, she had visited the application site, but she had offered no opinion on the application and held no discussions regarding it with any parties.

3.3 Councillor Fisher declared that in respect of Items 1, 3 and 4, the sites were located within his ward, but he had held no discussions regarding them with any parties.

3.4 Councillor Rigby declared that in respect of Item 1, he had attended an exhibition on the proposals but he had offered no opinion on the application and held no discussions regarding it with any parties.

#### **4 MINUTES**

##### **4.1 RESOLVED:**

That the minutes of the meeting held on 31 May 2022 be signed by the Chair as a correct record of proceedings.

#### **5 PLANNING APPLICATIONS**

##### **1 GROSVENOR SQUARE GARDENS, GROSVENOR SQUARE, LONDON, W1K 6LD**

1. Alterations to Grosvenor Square Gardens, including redesign of the gardens, comprising of hard and soft landscaping improvements, works to trees (including tree removal and new planting), with new and realigned paths, paving and rills, new perimeter railings, new western entrance, new lighting and planting, the introduction of a shaded garden and wetlands, installation of plinths for the display of sculptures/artworks, informal play areas, the construction of buildings (gardeners hut, public WCs and educational building with catering facilities (sui generis)), external gardeners store, photo voltaic panels, structures, and associated works.
2. Works to Franklin Delano Roosevelt Memorial (FDR): three openings to north walls to allow for levelled access and addition of a disabled access ramp to the statue plinth, removal of stone paved path and low level forecourt and replacement with raised stone-edged path and associated works.

A late representation was received from Grosvenor (09.06.22).

Ed Green addressed the Sub-Committee in support of the application.

Georgina Davis addressed the Sub-Committee in support of the application.

Richard Cutt, representing the Mayfair Neighbourhood Forum, addressed the Sub-Committee in support of the application.

## **RESOLVED UNANIMOUSLY:**

### Application 1:

That subject to referral to the Secretary of State for Levelling Up, Housing and Communities concerning the removal of the commemorative gates at the south entrance, conditional permission be granted subject to condition 19 being amended in order to require the hard and soft landscaping drawings to be approved in conjunction with the Police.

### Application 2:

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

## **2 KILMUIR HOUSE, EBURY STREET, LONDON, SW1W 8TH**

Demolition of existing buildings and erection of a new building of basement, lower ground, ground and 6 upper floors and plant at rooftop level to provide residential floorspace (Class C3), flexible retail floorspace (Class A1/A2/A3/A4), disabled car parking and associated landscaping works. (Site includes 60-64 South Eaton Place).

A late representation was received from Native Land (13.06.22).

The presenting officer tabled the following two additional conditions to the draft decision letter:

42. You must apply to us for approval of a specification for all construction materials which demonstrates that all opportunities to minimise embodied carbon have been undertaken in accordance with the Whole Life Carbon and Circular Economy assessments, here approved or subsequently approved. You must not start any construction work until we have approved what you have sent us.

You must then carry out the work according to the approved specification.

Reason:

To make sure the development provides the environmental sustainability measures proposed and as set out in policy 38 of the City Plan 2019-2040 (April 2021).

AND

43. You must apply to us for approval of full details of the re-use and recycling of materials from the existing building that are to take place.

You must not remove demolition material from the site until we have approved what you have sent us.

You must then carry out the work according to the approved details.

Reason:

To make sure the development provides the environmental sustainability measures proposed and as set out in policies 37 and 38 of the City Plan 2019-2040 (April 2021).

Monica Lucas addressed the Sub-Committee in support of the application.

Jon Pool addressed the Sub-Committee in support of the application.

Nicos Nicolau addressed the Sub-Committee in objection to the application.

Mary Regnier-Leigh, representing the Belgravia Society, addressed the Sub-Committee in support of the application.

**RESOLVED ON THE CHAIR'S CASTING VOTE: Councillors Bush, Butler-Thalassis and Williams – Refuse, Councillors Fisher, Shearer and Rigby - Grant**

That conditional permission be refused on the grounds that the lack of sufficient on-site affordable housing provision was in breach of policy and considered unacceptable.

### **3 WEST ONE SHOPPING CENTRE, 381 OXFORD STREET, LONDON, W1C 2JS**

Part demolition and alterations to existing building comprising demolition of second to fifth floor level, part demolition of ground and first floor at south eastern corner, removal of existing facades at ground and first floor level, erection of new second to seventh floors with setback eighth floor plant level to provide office (Class E) accommodation, new and replacement façades, installation of entrance canopies along Oxford Street and Davies Street, provision of terraces at third, fifth, sixth and seventh floor levels including greening, installation of plant and enclosure at second floor level, provision of cycle parking spaces and facilities and associated works.

The presenting officer tabled the following amendment in bold to the recommendation:

1. **“Subject to the views of the Mayor of London, grant conditional permission subject to a legal agreement to secure the following:”**

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

Galina Fomina addressed the Sub-Committee in objection to the application.

## **RESOLVED UNANIMOUSLY:**

- 1) That subject to the views of the Mayor of London conditional permission, as amended, be granted subject to a legal agreement to secure the following:
  - a) A financial contribution of £162,450 (index linked) towards the City Council's Carbon Off Set fund (payable prior to the commencement of the development);
  - b) Monitoring and reporting on the actual operational energy performance of the building, including as-built and in-use stage data;
  - c) A financial contribution of £137,094 (index linked) towards initiatives that provide local employment, training opportunities and skills development and supporting the Westminster Employment Service (payable prior to the commencement of the development);
  - d) A financial contribution of £35,000 (index linked) to provide an extension to a nearby Cycle Hire docking station;
  - e) All highway works immediately surrounding the site required for the development to occur prior to occupation of the development, including reinstatement of redundant crossovers in Weighhouse Street. All of the above to the Council's specification, at full cost (administrative, legal and physical) of the developer;
  - f) Costs of the stopping-up process; and
  - g) The costs of monitoring the S106 agreement.
- 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 are 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) That the making of a draft Order pursuant to Section 247 of The Town and Country Planning Act (1990) (as amended) for the stopping up of parts of the public highway to enable this development be authorised to take place.
- 4) That the Director of City Highways, Executive Director of City Management and Communities, or other such proper officer of the Council responsible for highway functions, be authorised to take all necessary procedural steps in conjunction with the making of the Order and to make the Order as proposed if there were no unresolved objections to the draft Order.

#### **4 89 MOUNT STREET, LONDON, W1K 2SR**

1. Use of basement and ground floor of 89 Mount Street as a private members' club (Sui Generis) linked with the existing private members' club at 87-88 Mount Street with associated internal and external alterations including alterations to shopfronts.
2. Internal and external alterations including alterations to shopfronts.

Late representations were received from Concilio (14.06.22) and two local residents (13.06.22).

The presenting officer tabled the following change to the draft decision letter:

RN 21/07493/FULL

##### Condition 3

You must apply to us for approval of detailed drawings (1:20 and 1:5) of the following parts of the development - new shopfronts, doors and windows, lift in front lightwell. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these approved documents (C26DB)

##### Condition 7

Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only:

- o between 08.00 and 18.00 Monday to Friday;
- o between 08.00 and 13.00 on Saturday; and
- o not at all on Sundays, bank holidays and public holidays.

You must carry out piling, excavation and demolition work only:

- o between 08.00 and 18.00 Monday to Friday; and
- o not at all on Saturdays, Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

RN 21/07492/LBC

- 4 You must apply to us for approval of detailed drawings (scale 1:20 and 1:5) ; of the following parts of the development - ,
- 1, lower ground floor building up and interfaces with existing fabric,
  - 2, damp proofing,
  - 3, decorative treatment of the ground floor party wall openings,
  - 4, new stair case ,
  - 5, new fire place,
  - 6, new ground floor ceiling in relation to shopfront detailing
  - 7.lift in front lightwell.

You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these approved documents. (C26DB)

In George Jones' absence the Committee Clerk read out to the Sub-Committee his support for the application.

**RESOLVED: Councillors Butler-Thalassis, Rigby, Shearer and Williams – Grant, Councillors Fisher and Bush - Refuse**

- 1) That conditional permission, as amended, be granted.
- 2) That conditional listed building consent, as amended, be granted.
- 3) That the reasons for granting listed building consent as set out within informative 1 of the draft decision letter be agreed.

The Meeting ended at 10.52 pm

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

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