



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 5th September, 2023**, 18th Floor, 64 Victoria Street, London, SW1E 6QP.

Members Present: Councillors Nafsika Butler-Thalassis, Jason Williams, Paul Fisher, Robert Rigby and Jim Glen

Apologies for Absence: Councillor Ruth Bush

1 MEMBERSHIP

- 1.1 Apologies for absence were received from Councillor Ruth Bush.
- 1.2 A Councillor was required to Chair the evening's meeting and the Sub-Committee

RESOLVED:

That Councillor Jason Williams be elected Chair of Planning (Major Applications) Sub-Committee for that evening's meeting.

2 DECLARATIONS OF INTEREST

- 2.1 Councillor Williams explained that a week before the meeting, all 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 Butler-Thalassis declared that in respect of Item 1 she was the Cabinet Member for Adult Social Care, Public Health and Voluntary Sector, however she had held no discussions with any parties regarding the application.
- 2.3 Councillor Williams and Fisher declared that in respect of Item 2 they had both sat on a previous Sub-Committee which had considered a different proposal on the same application site.

3 MINUTES

3.1 RESOLVED:

That subject to Councillor Cara Sanquest being listed as present at the meeting, the minutes of the meeting held on 4 July 2023 be signed by the Chair as a correct record of proceedings.

4 PLANNING APPLICATIONS

1 DEAN BRADLEY HOUSE, 52 HORSEFERRY ROAD, LONDON

Demolition of Dean Bradley House and redevelopment to provide double basement, ground, nine upper floors and plant at 9th and roof level with terraces at all levels and erection of a separate 3-storey gatehouse building facing Romney Street for dual/alternative use either to provide 134 care home units and associated facilities such as library, restaurant, communal lounges and quiet rooms, therapy rooms, art studio and hydrotherapy pool (use Class C2) [option 1] or providing two (non-food) retail units at ground floor level (Class E(a)), clinical use at basement, part ground and first to fifth floor levels (Class E(e)) and 40 post operative care units at sixth to ninth floor levels (Class C2) with hydrotherapy pool and reception area [option 2]. Creation of car and cycle parking at sub-basement level, landscaped communal area and vehicular access in Romney Street.

An additional representation was received from one local resident (25.08.23).

Late representations were received from Medici Lifecare (undated) and one local resident (undated).

The presenting officer tabled the following amendments to the conditions:

Amendment to Conditions:

8. You must apply to us for approval of detailed drawings of a landscaping scheme which includes the surfacing of any part of the site not covered by buildings. You must not start work on the relevant part of the development until we have approved in writing what you have sent us. You must then carry out the landscaping according to these

approved drawings within one planting season of completing the development (or within any other time limit we agree to in writing). (C30AC)

9. **Pre Commencement Condition.** You must apply to us for approval of the ways in which you will protect the trees which you are keeping, as shown on drawings 14060-SQP-XX-00-DR-A-PL104 rev. D and 14060-SQP-XX-00-DR-A-PL114 rev. D You must not start any demolition, site clearance or building work, and you must not take any equipment, machinery or materials for the development onto the site, until we have approved in writing what you have sent us. The tree protection must follow the recommendations in section 7 of British Standard BS5837: 2012. You must then carry out the work according to the approved details. (C31AC)

19. **Pre Commencement Condition.** No demolition of the existing buildings shall take until a Construction Logistics Plan (CLP) to manage all the freight vehicle movements to and from the site has been submitted to and approved by the City Council in consultation with Transport for London. The development shall be carried out in accordance with the approved CLP.

20. You must provide, maintain and retain the fire safety measures set out in the Fire Statement Ref: 21919-HYD-XX-XX-RP-FE-001 rev.03 dated 01 July 2022. You must not remove any of these features.

21. You must not occupy the premises for care home use (Class C2) (option 1) until a detailed scheme for the ground floor windows facing Horseferry Road and Dean Bradley Street has been submitted to and approved in writing by the local planning authority. The scheme shall include the area immediately behind the windows, shall not include any obscured glass and shall define any features within the windows. The development shall thereafter be carried out in accordance with the approved scheme and no further modifications shall be made.

30. The car parking spaces hereby approved are for operational use only and/or for blue badge holders and not for staff or residents personal car parking on options 1 and 2.

34. You must apply to us for approval of detailed drawings and a bio-diversity management plan in relation to the living roofs to include construction method, layout, species and maintenance regime.

You must not commence works on the relevant part of the development until we have approved what you have sent us. You must carry out this work according to the approved details and thereafter retain and maintain in accordance with the approved management plan. (C43GA)

39. In the event the building is used as a care home (Class C2) (option1), the design and structure of the building shall be of such a standard that

it will protect residents within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night. (C49AA)

46. You must submit for approval an updated management plan for option 2. The measures included in your management plan must be followed at all times when the clinic and post-operative care uses are in operation.

New Condition:

48. You must apply to us for approval of a scheme of public art.

You must not start work on the public art until we have approved in writing what you have sent us. Before anyone moves into the building you must carry out the scheme according to the approved details.

You must maintain the approved public art and keep it on this site. You must not move or remove it.

Amendment to informative:

22. In Condition 43 the reference to deconstruction means works to strip out and remove fabric from the existing building as identified within the Circular Economy statement dated 30 May 2023 that was submitted with the application. (I17BA)

New informative:

24. The approved development is likely to necessitate the removal, reposition and/or introduction of new street nameplates. The provision of replacement and/or new nameplates is a requirement of Part II, paragraph 8 of the London Building Acts (Amendment) Act 1939. The replacement and/or new nameplates must be installed in accordance with the requirements of the London County Council Street Naming Regulations 1952.

Nameplates should be:

- Fixed within 10 feet of every street corner (excluding the width of the public footway) on both sides of each street and may be placed on part of a building or structure.
- Installed at a height of between 2.5 and 3.5 metres above ground level for best visibility, where installed on a building.
- Repeated at intervals of approximately 200 yards on alternate sides of the street on straight lengths of street without intersections.
- Placed directly opposite the side street at 'T' junctions.
- Displayed at the point of change if the name of a street changes other than at a junction. Both names should be displayed indicating to which parts of the street the names refer.

In accordance with the regulations, and to ensure consistency of street nameplates across the city, they must be supplied and fitted by the council. For further advice, including the supply and fitting cost, and to request the reprovision and/or introduction of new nameplates, you should contact the Highways Inspector responsible for the management of the application site or you can contact Highways Operations: highwaysoperations@westminster.gov.uk. (I54BA)

25. Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is also a condition of the London Building Acts (Amendment) Act 1939, and there are regulations that specify the exact requirements. For further information on how to make an application for street naming and numbering, and to read our guidelines, please visit our website: www.westminster.gov.uk/street-naming-numbering. (I54AB)

Mark Ellison addressed the Sub-Committee in support of the application.

Nick de Lotbinere addressed the Sub-Committee in support of the application.

**RESOLVED (Grant – Councillors Williams, Fisher, Glen and Rigby;
Refuse – Councillor Butler-Thalassis):**

- 1) That subject to the views of the London Mayor, conditional permission, as amended, be granted subject to:
 - a) An additional informative encouraging the applicant to increase NHS access to the hydrotherapy pool from the minimum of 12 hours per calendar month; and
 - b) A S106 legal agreement to secure the following:
 - i) Payment of a carbon offset contribution of £310,210 (index linked) for option 1 and £282,433 (index linked) for option 2 (payable on the commencement of the development).
 - ii) Monitoring and reporting on the actual operational energy strategy performance of the building, including as built and in-use stage data.
 - iii) Payment of a financial contribution of £44,192.72 (index linked and payable on the commencement of development) towards the Westminster Employment Service (payable prior to the commencement of development)
 - iv) Cost of any highway works associated with the development.
 - v) Maintenance and management plan for the car lift prior to occupation and followed/maintained for the life of development.
 - vi) Payment of a financial contribution of £150,000 (index linked and payable on commencement of development)

- towards the Lambeth Bridge North Health Streets improvement scheme.
 - vii) A Travel Plan and costs of monitoring
 - viii) Securing access to the hydrotherapy pool facilities for NHS patients on both options for a minimum 12 hours per calendar month.
 - ix) Notification of switching between uses for the payment of the CIL and contributions specific to each use.
 - x) The costs of monitoring the S106 agreement monitoring costs.

- 2) That if the S106 legal agreement had not been completed within 3 months from the date of the date Committee's resolution, then:
 - a) The Director of Town Planning and Building Control 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 Town Planning and Building Control was authorised to determine and issue such a decision under Delegated Powers; however, if not

 - b) The Director of Town Planning and Building Control should consider whether permission should be refused on the grounds that if had not proved possible to complete an agreement within an appropriate timescale, and that the proposals were unacceptable in the absence of the benefits that would have been secured; if so the Director of Town Planning and Building Control was authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

2 TROCADERO, 13 COVENTRY STREET, LONDON, W1D 7DH

Erection of roof extensions at 5th, 7th and 9th floors on the Shaftesbury Avenue frontage to accommodate up to 84 hotel rooms in conjunction with the existing hotel (partially retrospective application). Creation of new roof terraces at 7th floor facing Shaftesbury Avenue. Installation of screening to existing plant at 11th and 12th floor levels.

Luke Raistrick addressed the Sub-Committee in support of the application.

RESOLVED UNANIMOUSLY:

- 1) That conditional permission be granted subject to:
 - a) An additional condition to secure samples of materials;

 - b) An amendment to condition 12 to prohibit any music or amplified music from being played on the roof terraces which would be audible at the nearest noise sensitive properties; and

- c) A legal agreement to secure the following:
 - i) A financial contribution of £59,997 (index linked) towards the City Council's Carbon Off Set fund (payable prior to the commencement of the development);
 - ii) Monitoring and reporting on the actual operational energy performance of the building, including as-built and in-use stage data;
 - iii) A financial contribution of £25,628 (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);
 - iv) 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 Town Planning and Building Control 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 Town Planning and Building Control was authorised to determine and issue such a decision under Delegated Powers; however, if not
 - b) The Director of Town Planning and Building Control 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 were unacceptable in the absence of the benefits that would have been secured; if so, the Director of Town Planning and Building Control was authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.
- 3) That conditional listed building consent be granted.
- 4) That the reasons for granting conditional listed building consent as set out in the informative on the draft listed building consent decision letter be agreed.

The Meeting ended at 8.28 pm

CHAIR: _____ **DATE** _____