



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 28th March, 2023**, 18th Floor, 64 Victoria Street, London, SW1E 6QP.

Members Present: Councillors Ruth Bush (Chair), Paul Fisher, Jason Williams, Nafsika Butler-Thalassis, Ed Pitt Ford and Mark Shearer

1 MEMBERSHIP

That Councillor Ed Pitt Ford was substituting for Councillor Robert Rigby.

There were no other changes to the membership.

2 DECLARATIONS OF INTEREST

2.1 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. The Sub-Committee would be adjourned to allow Members to read late representations that had been submitted prior to the meeting.

2.2 Councillor Bush declared an interest in Item 1 and advised that she had attended a site visit and informed that she had not expressed any views about the Application. She also advised that she was a Trustee for the Westminster Tree Trust.

2.3 Councillor Nafsika Butler-Thalassis declared an interest in Item 1 and advised that she had attended a site visit and had no declarations of interests. Councillor Mark Shearer and Councillor Ed Pitt Ford made the same declaration.

3 MINUTES

That the minutes of the meeting held on 28 February 2022 be signed by the Chair as a correct record of proceedings subject to the Committee membership attendance list be amended to include Councillor Jim Glen and for Councillor Mark Shearer's name to be deleted.

4 PLANNING APPLICATIONS

1 LAND BOUND BY EDGWARE ROAD, BOSCOBEL STREET, PENFOLD STREET, CHURCH STREET, SALISBURY STREET AND BROADLEY STREET (INCLUDING VENABLES STREET AND PART OF PENFOLD STREET) (SITES A, B AND C) AND PUBLIC HIGHWAY ON CHURCH STREET, LONDON

Hybrid planning application consisting of: An application for full planning permission for Site A, for the demolition of all buildings on Site A and erection of mixed-use buildings providing ground floor flexible commercial use floorspace (use class E), a library (use class F1), market storage (use class B8), residential units (Use Class C3), landscaped amenity space, car parking, motorcycle parking, cycle parking, market infrastructure and associated works; and An application for outline permission for Sites B, C and Church Street Market (all matters reserved) for: 1. The demolition of buildings and structures; 2. The erection of buildings and works of alteration to existing buildings for the following uses a) Flexible Commercial Floorspace (Use Class E); b) Community Floorspace (Use Class F1 and F2); c) Public houses, wine bars, or drinking establishments Floorspace (Use Class Sui Generis); d) Market Storage (Use Class B8), and e) Residential Floorspace (Use Class C3) and ancillary residential facilities. 3. Associated infrastructure; 4. Streets, open spaces, landscaping and public realm; 5. Car, motorcycle and bicycle parking spaces and delivery/servicing spaces; 6. New pedestrian and vehicular access; 7. Market infrastructure and ancillary facilities; 8. Utilities including electricity substations; and 9. Other works incidental to the proposed development. Application accompanied with an Environmental Impact Assessment (EIA)

An additional representation was received from the Place Shaping and Town Planning Service (24.03.23)

A late representation was received from the Health And Safety Executive (28.03.23)

The Clerk read out a statement by Mohammed Nisar who wrote in support of the Application.

Setareh Neshati addressed the Sub[1]Committee in support of the application.

Alan Stirling in his capacity as Chair of the Church Street Ward Neighbourhood Forum addressed the Sub Committee in support of the application.

RESOLVED UNANIMOUSLY:

1. Subject to the views of the Mayor of London, that conditional permission be granted under Regulation 3 of the Town and Country Planning General Regulations 1992 subject to an unilateral undertaking to secure the following:

- a) Provision of affordable units on-site (Site A comprising of 171 social rented units and 42 intermediate units at London Living Rent) prior to the occupation of the market units;
- b) Right to return for leasehold and social housing tenants in line with Westminster Housing Renewal Policy;
- c) Provision of early, mid and late-stage viability review mechanisms for Sites B&C and early and late-stage reviews for Site A, in accordance with policies H5 and H8 of the London Plan and the Mayor's Affordable Housing and Viability SPG;
- d) Provision of minimum of 50% affordable housing when measured in habitable rooms across the three sites. Of those affordable habitable rooms across Sites A, B and C that are an uplift against the existing provision, 60-70% should be provided as social and 30-40% should be provided as intermediate rent. The market units within each subsequent phase not to be occupied until all affordable housing units are ready for occupation.
- e) Provision of a carbon offset payment of £374,184 (index linked) on commencement of Site A. Provision of carbon offset payment (index linked) as calculated and agreed for Sites B and C, provided on commencement;
- f) Payment of a financial contribution towards an additional cycle hire docking station of £220,000 or enlargement of an existing docking station within the vicinity of the Sites A, B and C with an equal proportion provided prior to commencement of each phase of development;
- g) Payment of the cost of highway works associated with the development of each phase;
- h) Provision of lifetime car club membership (25 years) for each residential on Sites A, B and C;
- i) Contribution of £50,000 towards an on-street electric vehicle charging point, prior to commencement of Site A
- j) Provision of a Walkways Agreement to ensure that pedestrian routes through Site A are open to the public 24 hours a day and maintained;
- k) Stopping up and dedication of the highway where necessary Sites A, B and C
- l) Car parking management plan where parking is provided on Sites A, B and C;
- m) Car lift management plan for Site A;
- n) Submit an Employment and Skills Plan and a financial contribution of £128,400 towards the Westminster Employment Service prior to commencement of development of Site A. Provision of Employment and Skills Plan, and financial contribution if required, for Sites B and C, provided on commencement;
- o) Library on Site A provided at peppercorn rent and fitted out to Category B prior to occupation of any market units on Site A;
- p) Provision of the library garden on Site A;
- q) All residents, regardless of tenure to be provided access to communal private amenity spaces within their block;
- r) Provision of playspace within both private and public realm prior to occupation of market housing of each phase of development.
- s) "Be seen" energy monitoring on Sites A, B and C

- t) Payment of £25,000 (total) towards tree planting in the vicinity of the application site with an equal proportion provided prior to commencement of each phase of development.
- u) Payment of cost of monitoring the 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 Town Planning and Building Control 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 Town Planning and Building Control is authorised to determine and issue such a decision under Delegated Powers; however, if not
- b) The Director of Town Planning and Building Control shall consider whether permission should be refused on the grounds that it has not proved possible to complete an undertaking 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 Town Planning and Building Control is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

3. That Committee authorises the making of a draft order pursuant to s247 and s278 of the Highway Act 1980 for the stopping up, and pursuant to s38 and s278 of the Highway Act 1980 alteration and dedication to parts of the highway to enable this development to take place. That the Director of Town Planning and Building Control, 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 making of the orders and to make the orders as proposed. The applicant will be required to cover all costs of the Council in progressing the stopping up orders.

4. That the changes to the draft decision letter be agreed by officers under delegated powers in consultation with the Chair.

5. That an informative be included which requires there be consultations with the market traders.

The Meeting ended at 9.30 pm

CHAIRMAN: _____

DATE _____