



CITY OF WESTMINSTER

# MINUTES

## Planning Applications Sub-Committee (1)

### MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Planning Applications Sub-Committee (1)** held on **Tuesday 9th June, 2020**, held as a virtual meeting

**Members Present:** Councillors Robert Rigby (Chairman), Mark Shearer, Selina Short and Tim Roca

#### 1 MEMBERSHIP

1.1 There were no change to the membership.

#### 1.2 RESOLVED:

That Councillor Mark Shearer be elected as the Deputy Chairman for the meeting.

#### 2 DECLARATIONS OF INTEREST

2.1 Councillor Robert Rigby 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 Councillors Rigby, Shearer and Short declared in respect of Item 4 that the application had been submitted by Councillor Antonia Cox who is a fellow member of the council and that they had not discussed the application with her. Councillor Rigby declared that he also considers Councillor Cox as a friend.

2.3 Councillor Shearer further declared an interest in respect of Item 1 in that he knows the applicant from his school days and that although he has no

personal interest in the application, for transparency, he would step down from the committee when it considered the application.

### **3 MINUTES**

#### **RESOLVED:**

That the minutes of the meeting held on 14 April 2020 be signed by the Chairman as a correct record of proceedings.

### **4 PLANNING APPLICATIONS**

#### **1 5 SEAFORTH PLACE, LONDON SW1E 6AB**

Demolition of existing dwelling (Class C3); erection of 10-storey mixed-use building comprising office floorspace (Class B1), one residential unit (Class C3) and ground floor café (Class A1/A3); creation of pocket park; new school playground for Westminster City School; and associated works.

Having declared a personal interest, Councillor Shearer left the meeting during the consideration of the application.

The presenting officer tabled the following changes to the draft decision notice:

At the applicants request condition 8 of the draft decision notice has been amended to read as follows:

There shall be no primary cooking in the retail/cafe (class A1/ A3) unit such that you must not cook raw or fresh food on the premises unless you apply to us for approval of full details of the ventilation system to get rid of cooking smells, including details of how it will be built and how it will look. You must not carry out any primary cooking until we have approved what you have sent us and you have carried out the work according to the approved details (please see informative 26).

Informative 26:

Under condition 8 you must not cook food in any way which is likely to cause a nuisance by smell. You must not, for example, grill, fry, toast, braise, boil, bake, hot smoke or roast food. However, you can reheat food by microwave or convection oven as long as this does not require extractor equipment.

The hot food operation as described in the approved documents shall not be altered in any way with regards to cooking methods, cookline equipment or hot food types sold.

Any approval of details application must submit details of extraction which shall consist only of either a 'full height' system or in limited circumstances where all cooking equipment is electric only an 'approved recirculation' scheme (any extraction scheme proposing 'low-level' external discharge to get rid of cooking fumes will not be accepted as being suitable as per Westminster Environmental Health requirements for new premises wishing to provide an extensive hot food operation). For further information please contact the Environmental Health Consultation Team (Regulatory Support Team 2) by email to [ehconsultationteam@westminster.gov.uk](mailto:ehconsultationteam@westminster.gov.uk).

Tim Rainbird, the agent for the applicant, addressed the committee in support of the application.

**RESOLVED: (For: Cllrs Rigby and Short; Against: Cllr Roca)**

1. That conditional permission be granted subject to:
  - (a) the views of the Mayor of London and a S106 legal agreement to secure the following:
    - A payment of £1,370,000 towards the Council's affordable housing fund (index linked and payable on commencement of development).
    - A Financial Contribution of £ 63,284.97 towards employment and training initiatives prior to commencement of development.
    - Management/maintenance agreement to secure public access to the pocket park to be completed prior to first occupation of the development.
    - Extension to the playground for Westminster City School to be completed prior to first occupation of the development. This should be provided by the developer at nil cost to the school in terms of rental payments or and insurance/indemnity requirements.
    - Carbon offset payment of £3,878 (index linked and payable on commencement of development)
    - Monitoring costs.
    - The playground for Westminster City School at no cost to the school.
    - A contribution to the planting of one street tree to replace that which is being lost.
  - (b) The amendment to condition 8 and the additional informative as set out above.
2. If the S106 legal agreement has not been completed within four weeks of the Committee resolution then:
  - a) The Director of Place Shaping and Town Planning shall consider whether the permission can be issued with additional condition to secure the benefits listed above. If this is possible and appropriate, the Director of Place Shaping and Town Planning is authorised to

determine and issue such a decision under Delegated Powers, however, if not

- b) The Director of Place Shaping and Town Planning shall consider whether permission be refused on the grounds that it has not proved possible to complete an agreement within an appropriate timescale, and the proposal is unacceptable in the absence of the benefits that would have been secured; if so, the Director of Place Shaping and Town Planning is authorised to determine the application and agree appropriate reason for refusal under Delegated Powers

## **2 THE COLONNADES, 34 PORCHESTER SQUARE, LONDON W2 6AP - WITHDRAWN**

Erection of single storey roof extension and associated alterations to 11 flats facing Bishops Bridge Road and Porchester Mews.

The item was withdrawn by the applicant.

## **3 FLAT 1, 280 ELGIN AVENUE, LONDON W9 1JR**

Rear extension at lower ground floor with new basement extension beneath, installation of sash windows to the front elevation and alterations to the front boundary wall and front lightwell.

Late representations were received from the occupiers of:

Flat 7, 280 Elgin Avenue, London, W9 1JR (6.6.2020); The Garden Flat, 282 Elgin Avenue, London, W9 1JR (8.6.2020); 278 Elgin Avenue, London, W9 1JR (8.6.2020); The Basement Flat, 274 Elgin Avenue, London, W9 1JR (9.6.2020) and 282 Elgin Avenue, London, W9 1JR (9.6.2020);

Melissa McDonald, Planning Consultant on behalf of the applicant, addressed the committee in support of her application on behalf of the applicant.

Neil Thompson, Planning Consultant on behalf of the flat owners at 280 Elgin Avenue, addressed the committee in objection to the application.

### **RESOLVED UNANIMOUSLY:**

That the application be refused as the proposed basement would be excessive in size with no setting in from the side boundaries which would be harmful to the environment and contrary to City Plan policy CM28.1.

That the reasons for refusal be determined by officers under delegated authority in consultation with the Chairman.

## **4 FLAT 10, 15 HYDE PARK GARDENS, LONDON W2 2LU**

Removal and replacement of south facing rear mansard slope with enlarged roof terrace to south side of mansard, replacement of railings to rear southern parapet and roof top lightwell, and internal alterations

**RESOLVED UNANIMOUSLY:**

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.

**5 FLAT 17, VALE ROYAL HOUSE, 36 NEWPORT COURT, LONDON WC2H 7PS (WITHDRAWN BY APPLICANTS)**

Erection of a single storey roof extension and alterations to existing roof slope at first floor level including the creation of a terrace.

The item was withdrawn by the applicant.

**6 48 DEVONSHIRE CLOSE, LONDON, W1G 7BG**

Internal demolition and rebuilding works behind a retained façade, the erection of a mansard roof extension, conversion of the existing garage into habitable space, and associated external works to alter and extend the dwellinghouse (Class C3).

**RESOLVED UNANIMOUSLY:**

That conditional permission be granted.

**7 52 - 54 AND 56 DAVIES STREET, LONDON, W1K 5JF**

Use as an office (Class B1) and associated external alterations including the installation platform lift to front entrance steps and increase in lift shaft width to the rear at 56 Davies Street.

**RESOLVED UNANIMOUSLY:**

That conditional permission be granted.

The Meeting ended at 8.22 pm

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

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