



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 6th August, 2024**, Rooms 18.01 - 18.03 - 18th Floor, 64 Victoria Street, London, SW1E 6QP.

Members Present: Councillors Ruth Bush (Chair), Nafsika Butler-Thalassis, Jason Williams, Paul Fisher, Rachael Robathan and Laila Cunningham

1 MEMBERSHIP

1.1 There were no changes to the membership.

2 DECLARATIONS OF INTEREST

2.1 The Chair 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. Councillors Bush, Butler-Thalassis, Cunningham and Robathan noted that they had visited the site prior to the meeting.

3 MINUTES

NOT RESOLVED:

3.1 The minutes of the meeting held on 25 June 2024 have yet to be agreed.

4 PLANNING APPLICATIONS

1 DEVELOPMENT SITE AT 38-70 BAKER STREET, 64-66 BLANDFORD STREET AND 43-45 DORSET STREET, LONDON

Demolition of the existing buildings and redevelopment above a retained basement to create a mixed-use scheme providing Class E commercial space (retail, restaurants, offices), a community space, and 17 residential units within a new building consisting of ground plus 7 storeys plus rooftop amenity for the commercial, and ground plus 7 storeys for the residential element, improvements to the public realm and pedestrian routes around the perimeter of the Site and along Broadstone Place, consolidated servicing, ancillary plant and storage, cycle parking, and other associated works.

The presenting officer tabled a **revised recommendation**, amendments to Condition 41 and an additional Conditions 47 as below:

1. Grant conditional permission subject to completion of a S106 legal agreement to secure the following amendment to part g) of the legal agreement (**in bold text**) and secure an additional to prevent the flats from applying for on-street residents' car parking permits:

g). Undertaking of highways works on the parts of Baker Street, Dorset Street and Blandford Street that abut the development site and the entirety of Broadstone Place that are necessary to accommodate the development (including the provision of a footway along the entire western length of Broadstone Place and, if possible and desirable to the City Council as Highways Authority, short stay cycle parking provision for at least 42 bicycles on the part of Baker Street immediately adjacent to the development) **and the retention or re-siting within Broadstone Place of the existing car parking bays**. If undertaken by the owner (with the agreement of the City Council), highway works to be completed prior to occupation of any part of the development

l). Appropriate arrangements to secure measures to mitigate the potential increased demand for on-street residents car parking in the vicinity of the site.

Condition 41:

You must apply to us for approval of:

- Detailed drawings of the green roof elements of the development hereby approved, including detailed sections through the different types of green roof showing the drainage layer and the depth of planting material.
- The number, size, species and position of planting.
- **Detailed drawings of a hard landscaping scheme**

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

If you find that any plants are dying, severely damaged or diseased, you must replace them with plants of a similar size and species.

Additional Condition 47:

You must provide, maintain and retain the following bio-diversity features before you start to use any part of the development, as set out in your application.

- Log piles, sand mounds, bug hotels and sparrow boxes.

You must not remove any of these features. (C43FA)

Reason:

To increase the biodiversity of the environment, as set out Policy 34 of the City Plan 2019 - 2040 (April 2021). (R43FC)

A late representation was received from a resident (01.08.24).

Penny Alexander, from Baker Street Quarter Partnership, addressed the Sub-Committee in support of the application.

Paul Williams, from Baker Street Quarter Partnership, addressed the Sub-Committee in support of the application.

Heather Adlam, representing Wendover Court Management, addressed the Sub-Committee in objection to the application.

Jasmin Sohi addressed the Sub-Committee in objection to the application.

Catherine Wilson, representing the Marylebone Association, addressed the Sub-Committee in objection to the application.

RESOLVED UNANIMOUSLY:

1. That conditional permission be granted, subject to the views of the Mayor of London and to a legal agreement to secure the following:

a) The drawing down of affordable housing credits equivalent to 1,328.5 sq.m GIA of affordable housing floorspace at Castle Lane / Palace Street pursuant to planning permission dated 6 February 2019 (Ref: 18/01971/FULL), prior to the commencement of development.

b) Car club membership for the occupiers of each of the 17 x residential dwellings for a continuous period of at least 25 years.

c) Submission of an Employment and Skills Plan and a financial contribution of £405,000 (index linked) towards initiatives that provide local employment, training opportunities and skills development through the Westminster Employment Service. Employment and Skills Plan submitted prior to the commencement of the development (including demolition). Financial contribution payable prior to the commencement of development.

d) A financial contribution to the City Council's Carbon Off-Set Fund of £820,000 (index linked and payable prior to commencement of development) to mitigate the residual regulated operational carbon emissions arising from the development over the anticipated 30-year life of the building's services.

- e) Delivery of an off-site carbon savings project at St Mary's Bryanston Square Primary School (or another local carbon savings project making equivalent carbon savings if unforeseen circumstances prohibit delivery of this project). Delivery of this off-site carbon savings project prior to occupation of development. If the off-site carbon savings project at St Mary's Bryanston Square Primary School (or another local carbon savings project making equivalent carbon savings) are not able to delivered despite the owner's reasonable endeavours, a financial contribution to the City Council's Carbon OffSet Fund of £32,000 (index linked and payable prior to occupation of any part of the development) in order to mitigate the residual regulated operational carbon emissions arising from the development over the anticipated 30-year life of the building's services.
- f) Be seen energy monitoring on the actual operational energy performance of the building, including as-built and in-use stage data.
- g) Undertaking of highways works on the parts of Baker Street, Dorset Street and Blandford Street that abut the development site and the entirety of Broadstone Place that are necessary to accommodate the development (including the provision of a footway along the entire western length of Broadstone Place and, if possible and desirable to the City Council as Highways Authority, short stay cycle parking provision for at least 42 bicycles on the part of Baker Street immediately adjacent to the development) and the retention or re-siting within Broadstone Place of the existing car parking bays. If undertaken by the owner (with the agreement of the City Council), highway works to be completed prior to occupation of any part of the development.
- h) Dedication of areas on Broadstone Place, Dorset Street, Baker Street and Blandford Street as public highway.
- i) The costs of stopping up of areas of public highway on Broadstone Place, Baker Street and Dorset Street (payable and stopping up order confirmed prior to commencement of development).
- j) Provision of an Educational and Cultural Space within the development at peppercorn rent in perpetuity and fitted out to a Category A standard.
- k) The costs of monitoring the S106 agreement.
- l). Appropriate arrangements to secure measures to mitigate the potential increased demand for on-street residents car parking in the vicinity of the site.

2. If the S106 legal agreement has not been completed within six weeks of the date of this resolution then:

- a) The Director of Planning and Building Control shall consider whether it will be possible or appropriate to issue the permission with additional conditions attached to secure the benefits listed above. If so, the Director of Planning and Building Control is authorised to determine and issue the decision under Delegated Powers; however, if not;
- b) The Director of Planning and Building Control shall consider whether the permission should be refused on the grounds that it has not proved possible to complete an agreement within an 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 Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

2. Authorise the making up a draft order pursuant to s247 of the Town and Country Planning Act 1990 for the stopping up of parts of the public highway on Broadstone Place, Baker Street and Dorset Street to enable this development to be constructed. That the Director of Planning and Building Control, Executive Director of Environment and City, Director of City Highways 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 order and to make the order as proposed if there are no unresolved objections to the draft order.
3. That condition 9 to be revised to include a requirement to amend the design of the large vertical elements of the building on the corners and either side of the entrance to refine them.

The Meeting ended at 21:35

CHAIR: _____

DATE _____