



CITY OF WESTMINSTER

# MINUTES

## Planning Applications Sub-Committee (3)

### MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Planning Applications Sub-Committee (3)** held on **Tuesday 14th January, 2020**, Rooms 18.01 & 18.03, 18th Floor, 64 Victoria Street, London, SW1E 6QP.

**Members Present:** Councillors Jim Glen (Chairman), Richard Elcho, Eoghain Murphy and David Boothroyd

**Also Present:** Councillors Elizabeth Hitchcock (Item 4)

#### 1 MEMBERSHIP

- 1.1 There was one change to the membership, Councillor David Boothroyd replaced Councillor Guthrie McKie.

#### 2 DECLARATIONS OF INTEREST

- 2.1 The Chairman explained that a week before the meeting, all four Members of the 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 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 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 Councillor Boothroyd declared that he is the Head of Research and Psephology for Thorncliffe, whose clients are companies applying for planning permission from various local authorities. He advised that there were no current schemes are in Westminster; and if there were, he would be precluded from working on them under the company's code of conduct.

Councillor Boothroyd declared that Some Thorncliffe clients have also engaged Gerald Eve as planning consultants, and they are separately representing the applicants tonight on item 1. However, he did not deal

directly with clients or other members of project teams, and planning consultants are not themselves clients.

### **3 PLANNING APPLICATIONS**

#### **1 78-82 DUKE STREET LONDON, W1K 6JQ (SITE 1) 18 BALDERTON STREET LONDON, W1K 6TG (SITE 2)**

##### **SITE 1**

Use of the building (lower ground and ground of nos. 78 and 80 as a restaurant (Class A3), use of lower ground, ground and first floors of no. 82 as a public house (Class A4) and use of upper floors as office (Class B1), together with extension to the rear of the existing buildings and the installation of a lift, provision of a roof terrace, installation of plant equipment, facade treatments, installation of a lift overrun and associated works (site includes 78-82 Duke Street). (Part of land use package with 18 Balderton Street and 62-64 Duke Street).

##### **SITE 2**

Use of part ground floor to form one new residential unit (Class C3) with associated external alterations, including the removal of the external stair in the rear lightwell (Site 2) (part of land use package with 78-82 Duke Street)

The presenting officer tabled the following conditions:

#### **Change to condition 6 to read**

You must apply to us for approval of detailing drawings of the following parts of the development at a scale of 1:20

- i) All new shopfront
- ii) All new windows
- iii) The new office entrance on the Brown Hart Gardens frontage

You must not start any work on these parts on the development until we have approved what you have sent us.

You must then carry out the work according to these approved drawings

#### **Change to condition 7 to read**

You must apply to us for approval of detailed drawings at a scale of 1:20 showing the following alteration(s) to the scheme;

- i) The provision of fixed (non -openable) glazing to the shopfronts. You must not start on these parts of the work until we have approved what you have sent us. You must then carry out the work according to the approved drawings.

#### **Change to condition 26 to read**

You must provide full details including a biodiversity management plan of the green roof and living walls. The green roof and living wall must then be provided in accordance with the approved details and plan before you use any part of the development and thereafter you must not remove these features.

### **Deletion of condition 31**

A late representation was received by Gerald Eve LLP (10.01.20)

Simon Armstrong from Grosvenor, spoke in support of the application

### **RESOLVED UNANIMOUSLY:**

Site: 1: Grant conditional permission subject to changes to the conditions as tabled, completion of a legal agreement as above and a s106 planning obligation to secure:

- i) The provision of replacement residential accommodation at 18 Balderton Street, in accordance with the approved plans, prior to the occupation of the offices at 3rd and 4th floors of 80 Duke Street
- ii) Continued use of the basement and ground floor shop unit at 64-66 Duke Street for Class A1 retail purposes.
- iii) Highway works
- iv) Monitoring costs

2. If the s106 legal agreement has not been completed within 6 weeks then:

- a) The Director of Place Shaping and Town Planning 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 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 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 Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

Site 2: Grant conditional permission

### **2 16 CHARLES STREET LONDON W1J 5DR**

Application withdrawn by the applicant prior to the Sub-Committee meeting.

### **3 30-31 PETER STREET LONDON W1F 0AP**

Application withdrawn from the agenda by officers.

#### **4 FORBES HOUSE 10 HALKIN STREET LONDON, SW1X 7DS**

Variation of condition 1 of planning permission and the listed building consent dated 4 April 2017 (RN: 16/10545/FULL and 16/10546/LBC) for "Alterations in connection with the reversion of the building to use as a single family dwelling, including removal of and rebuilding rear stable block, extension to main house and formation of basement and sub-basement levels; removal of garage building and erection of a replacement garage/ sub-station building; raising mansard roof trusses; and associated internal alterations, landscaping and associated works." NAMELY, to allow further internal and external alterations from lower ground floor to roof including further repair, restoration and refurbishment, the relocation of main staircase, amendments to rear extensions and stable block, altered fenestration and enlargement of lift shaft and landscaping of garden space, including creating a public garden area off Grosvenor Crescent.

A late representation was received by Michael Blair Associates (10.01.20) – with letter from Historic England (23.04.19)

A late representation was received by Forbes House - Summary of proposal (10.01.20)

A late representation was received by Forbes House Limited (10.01.20)

Tim Tatlioglu spoke in support of the application

Karin Cooper spoke in support of the application

Mary Regnier-Leigh (Belgravia Society) spoke in support of the application

Councillor Elizabeth Hitchcock spoke in support of the application

**RESOLVED:** Members overturned officers' recommendations to refuse Planning Permission (design) and Listed Building Consent (loss of historic fabric as a result of relocation of the stairs).

**1 (Unanimously)** Grant conditional permission - content with the principle of the 3 doors at the rear – condition to secure their detailed design

**2 (Councilors Glen, Elcho and Murphy for; Boothroyd against)** Grant conditional Listed building consent. Members agreed that the harm to the building to relocate the staircase has been clearly and convincingly justified and this less than substantial harm has been outweighed by the public benefits- proposed works secure the long term future of Forbes House as a designated heritage asset, improvements to the ballroom and the wider public benefits secured by the creation of a public space in Grosvenor Crescent. No objections to proposed rear doors in historic building terms subject to a condition to secure their detailed design.

Planning application be subject to a Section 106/Grampian condition to secure the provision of the public space in Grosvenor Crescent – applicant to pay all costs of its provision, maintenance and the space to be provided in perpetuity. The design of the public realm to be secured in the legal agreement as the design is at an early

stage and further discussions required. Officers to discuss further the timing and delivery of this public space with the applicants.

Officers to agree conditions and reasons for conditions under delegated powers – and include the conditions suggested by Historic England on the draft listed building consent.

**5 14 WILTON CRESCENT, LONDON, SW1X 8RN,**

Use of the rear first floor flat roof as a terrace and associated external works including the installation of trellising.

The presenting officer tabled the following conditions:

**Revised Planning Condition 4**

You must apply for approval of detailed drawings of the size, species and height of the trees to the rear of the terrace before works take place on the relevant part of the development. Before you use the approved first floor terrace, you must install the trees as approved and these trees must thereafter be maintained in situ.

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

Ben Dalkin spoke in support of the application

**RESOLVED UNANIMOUSLY:**

1. Grant conditional permission and conditional listed building consent.
2. Agree the reasons for granting conditional listed building consent as set out in Informative 1 of the draft decision letter.

The meeting ended at 8.07 pm

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

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