



**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 4th August, 2020**, Please note that this will be a virtual meeting..

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

**Also Present:** Councillors Jacqui Wilkinson and Jim Glen

#### **1 MEMBERSHIP**

- Membership

It was noted that Councillor Guthrie McKie had replaced Councillor Tim Roca.

- Election of Deputy Chairman

The Chairmen proposed that Councillor Mark Shearer be appointed as Deputy Chairman for the duration of the Meeting. There being no other nominations it was

#### **RESOLVED:**

That Councillor Mark Shearer be appointed as Deputy Chairmen for the duration of the Meeting.

#### **2 DECLARATIONS OF INTEREST**

- 2.1 The Chairman explained that a week before the meeting, all six 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 Robert Rigby declared in respect of Item 3 he was a member of a previous Planning Sub-Committee which deliberated on the Application.
- 2.3 Councillor Mark Shearer declared in respect of Item 1 he lived opposite the site and had no direct involvement with the Application. Councillor Shearer commented that following advice from the Legal Officer he will withdraw from the Meeting whilst the Item was being considered.

### **3 MINUTES**

#### **RESOLVED:**

That the minutes of the meeting held on 9 June 2020 be signed by the Chairman as a correct record of proceedings.

### **4 PLANNING APPLICATIONS**

#### **1 11 BELGRAVE ROAD, LONDON SW1V 1TS**

Councillor Mark Shearer left the virtual meeting whilst the Item was being considered.

Partial demolition including the front and rear facades, sixth floor and structures at seventh floor; replacement frontages; rear extension, rebuilding of the sixth floor and a seventh floor extension for office use (Class B1); creation of a restaurant/ café unit (Class A3) at part ground floor; flexible office (Class B1) or non-residential institution use (Class D1) at part ground floor; assembly and leisure unit (Class D2) at part ground and lower ground floor levels; landscaping and a new boundary wall to the rear; external terraces; rooftop plant enclosure; rooftop photovoltaic panels and associated external works.

Additional representations were received from the Public Protection and Licensing Environmental Sciences, WCC (Unknown) and Quadrum Belgravia Limited (28.07.20)

The presenting officer tabled the following additional Conditions

#### **Item 1: 11 Belgrave Road**

##### **Additional conditions**

To reflect the additional comments from Environment Health (also attached as a blue representation), two additional conditions are recommended:

Additional condition 31 states:

*You must apply to us for approval of sound insulation measures and a Noise Assessment Report to demonstrate that the sound insulation will be sufficient to protect noise sensitive receptors from break-out of internal activity noise and that*

*the development will comply with the Council's noise criteria set out in Condition 11 and 32 of this permission. You must not start work on this part of the development until we have approved what you have sent us. You must then carry out the work according to the details approved before the residential units are occupied and thereafter retain and maintain.*

Additional condition 32 states:

*The design of the separating wall and/or floor should be such that the received value in the noise sensitive spaces, with music playing, should be 10 dB below that measure without music events taking place, at the quietest time of day and night, measured over a period of 5 minutes and in the indices of Leq & LfMax in the octave bands of 63 Hz & 125 Hz. Maximum noise levels generated by the proposed new gym should be demonstrated not to exceed the NR15 curve LAFmax inside any adjoining noise sensitive properties. This includes noise from all sources (including amplified sound, music, and impact noise from gym activities).*

Anthony Smith addressed the Sub-Committee in support of the application.

Ilyas Aslam addressed the Sub-Committee in support of the application.

Councillor Jacqui Wilkinson addressed the Sub-Committee in the capacity as Ward Councillor in support of the application.

Dirk Struycken addressed the Sub-Committee in objection to the application.

#### **RESOLVED UNANIMOUSLY:**

1. That conditional permission be granted subject to the additional Condition as set out above and the completion of a S106 legal agreement to secure the following planning obligations:
  - a) Installation of 12 cycle parking spaces on Belgrave Road;
  - b) Removal of four trees and associated highway works on Guildhouse Street to accommodate four new replacement trees;
  - c) Removal of redundant crossover and associated highway works on Guildhouse Street;
  - d) Financial contribution of £72,400 to the Westminster Employment service; and
  - e) The costs of monitoring the S106 legal agreement.
2. If the legal agreement has not been completed within six weeks of the date of the Sub-Committee resolution then:
  - a) The Director of Place Shaping and 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 Place Shaping and Planning is authorised to determine and issue such a decision under Delegated Powers; however, if not

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

## **2 89 CHARLWOOD STREET LONDON SW1V 4PB**

Installation of louvres at rear lower ground floor level to replace existing louvres and installation of air condenser unit within an acoustic enclosure within rear yard.  
Retention of alterations to windows at rear ground floor level.

Ann Stanghon addressed the Sub-Committee in objection to the application.

### **RESOLVED UNANIMOUSLY:**

That conditional permission be granted.

## **3 3 PARK CLOSE, LONDON SW1X 7PQ**

Use of an area of the public highway measuring 1.20m x 7.35m for the placing of 3 tables and 6 chairs in connection with the existing ground floor use.

### **RESOLVED UNANIMOUSLY:**

That conditional permission be granted.

## **4 8-14 MEARD STREET LONDON W1F 0EQ**

Installation of 3 condenser units and associated acoustic/ visual screening on 4th floor roof of existing office building (partially retrospective application).

### **RESOLVED UNANIMOUSLY:**

That conditional permission be granted subject to an Additional Condition requiring the submission of a Post-Commissioning Acoustic Report to be submitted for approval.

## **5 52 BROOK'S MEWS LONDON W1K 4EE**

Use of two areas of the public highway measuring 6.2m x 2.2m and 11.5m x 2.2m for the placing of 12 tables, 24 chairs, 13 planters and 2 waiter stations in connection with the restaurant premises at 52-54 Brook Mews.

Late Representations were received from Monmouth Planning Ltd (03.08.20) & (04.08.20)

The presenting officer tabled the following amended Condition 2 and an additional condition:

**Item 5: 52 Brook's Mews, W1 (Site includes 53-54 Brook's Mews), W1**

The following amendments to Condition 2 (and the reason for the condition) are proposed, together with an additional Condition 8:

**Condition 2**

You can only use the tables, chairs, waiter stations and planters on the pavement between 11:00-23:00 daily. After 23:00 all tables, chairs and waiter stations must be rendered unusable. You must remove all tables, chairs, waiter stations and planters no later than 00:00 and store them within the premises.

**Reason**

In the interests of public safety and to avoid blocking the road and to make sure that the use will not cause nuisance for people in the area. This is as set out in S24, S29, S32 and S41 of Westminster's City Plan (November 2016) and TACE 11 and ENV 6 of our Unitary Development Plan that we adopted in January 2007.

**Condition 8**

Prior to the commencement of the development hereby approved, you must apply to us for the approval of a management plan to show how you will prevent all tables, chairs and waiter stations from being used between 23.00 and 00.00, and how you will prevent customers who use the tables and chairs outside of 52 Brook's Mews from smoking when using those tables and chairs. You must not commence the development until we have approved what you have sent us. You must then carry out the measures included in the management plan at all times that the tables outside 52 Brook's Mews are in use (between 11.00 and 23.00 daily) and when all tables, chairs and waiter stations are located on the highway between 23.00-00.00.

**Reason**

To make sure that the use will not cause nuisance for people in the area. This is as set out in S24, S29, S32 of Westminster's City Plan (November 2016) and TACE 11 and ENV 6 of our Unitary Development Plan that we adopted in January 2007.

Danielle Zaire addressed the Sub-Committee in support of the application.

**RESOLVED UNANIMOUSLY:**

That conditional permission, as amended, be granted subject to the additional Condition as tabled and set out above.

## **6 DOLPHIN SQUARE LONDON**

Part redevelopment and refurbishment of Dolphin Square including the reconfiguration of existing residential (Class C3) apartments; demolition and reconstruction of Rodney House to provide a new ground plus 9 storey building with 2 basement levels to provide residential (Class C3), serviced apartments (Class C3 temporary sleeping accommodation), retail (Class A1-A4), leisure (Class D2); single storey rooftop extensions to the retained and refurbished Houses to provide additional residential (Class C3); new row of townhouses (Class C3) to the Western Carriageway; landscaping and new publicly accessible open space; new and reconfigured access points; and all necessary enabling works. (Includes 57 on-site affordable and intermediate rented units).

Councillor Jim Glen addressed the Sub-Committee in the capacity as Ward Councillor in support of the Officer's recommendations.

### **RESOLVED UNANIMOUSLY:**

The Sub- Committee agreed with officers that the demolition of the amenity block to the rear of Rodney House and the alterations to this part of the gardens would be harmful to Dolphin Square Gardens (a grade II Registered Park and Garden) and to the Dolphin Square Conservation Area.

The Meeting ended at 9.00 pm

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

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