



CITY OF WESTMINSTER

MINUTES

Planning Applications Sub-Committee (2)

MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Planning Applications Sub-Committee (2)** Committee held on **Tuesday 3rd October, 2017**, Room 3.1, 3rd Floor, 5 Strand, London, WC2 5HR.

Members Present: Councillors Melvyn Caplan (Chairman), Ruth Bush, Paul Church and Robert Rigby

Also Present: Councillors

Apologies for Absence:

1 MEMBERSHIP

- 1.1 It was noted that Councillor Rigby had replaced Councillor Mohindra.

2 DECLARATIONS OF INTEREST

- 2.1 Councillor Melvyn Caplan 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 e-mails 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 Paul Church declared that in his capacity as Ward Councillor for West End Ward and Deputy Cabinet Member for Adult Social Services & Public Health, he met and engaged regularly with residents, residents groups, developers and others. He considered members of both the Majority and Minority party as friends and met with them regularly.

3 MINUTES

- 3.1 **RESOLVED:** That the Chairman signed the minutes of the meeting held on 19th September 2017 as a correct record of proceedings.

4 PLANNING APPLICATIONS

1 30 PORTMAN SQUARE, LONDON, W1H 9FJ

Erection of part single and part two-storey roof extension, erection of three-storey rear extension in order to provide an additional 42 bedrooms (Class C1) and erection of single storey side extension to provide extension to hotel (Class C1) facilities. Creation of new retail kiosk (Class A1) at ground floor level at corner of Portman Square and Upper Berkeley Street. Alterations to rear, front and side elevations.

An additional representation was received from the Director of Planning (27.9.17) which highlighted the following error within Section 8.10 of the report in respect of the estimated CIL liability of the proposed development:

8.10 Planning Obligations

Whilst the increase in retail and hotel floorspace does trigger a payment requirement under the Mayor's Crossrail Funding SPG (March 2016), the amount payable under the planning obligations policy is less than that payable under the Mayor's CIL and therefore only the Mayor's CIL is payable. As such, planning obligations are not relevant in the determination of this application.

The estimated CIL payment is:

- Mayoral CIL - ~~£399,975~~ £121,462 (index linked).
- Westminster CIL - ~~£521,258~~ £399,795 (index linked).
- Total –

~~£921,233~~ £521,257 (index linked)

The presenting officer tabled the following amendments:

Additional Condition 23:

Prior to the occupation of any part of the additional hotel floorspace hereby approved, you shall submit and have approved in writing by the local planning authority a detailed Servicing Management Strategy (including hours) setting out how servicing of the hotel will maintain public safety, prevent a highways obstruction and minimise noise and disturbance to the occupants of adjoining residential properties.

The approved Servicing Management Strategy shall be adhered to at all times.

Reason

In the interests of public safety, to avoid blocking the road and to protect the environment of people in neighbouring properties, as set out in S29, S32, S41, S42 of Westminster's City Plan (November 2016) and ENV 6, TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007.

RESOLVED:

That conditional permission be granted subject to:

1. The omission of a condition 17;
2. The additional condition tabled and set out above;
3. A condition to restrict the use of the external restaurant doors after 11 PM daily;
4. An informative regarding the need to control the operation of the hotel restaurant to ensure the impact upon local residential amenity is minimised.

2 34-36 CHARLES STREET, LONDON, W1J 5EB

Erection of roof enclosure to convert part of the existing 5th floor level flat roof into a roof bar and terrace and extension at fifth floor level onto existing flat roof all in connection with existing hotel (Class C1). Relocation of existing air conditioning units to within new roof enclosure.

RESOLVED: Deferred to secure further details of the retractable awning, a further assessment of the acoustic impact of the use of the terrace and the applicant to consider extending the mansard roof to the rear.

3 23 MEARD STREET, LONDON, W1F 0EL

Use of the ground and basement floors of 23 Meard Street as retail (Class A1) in association with the existing retail unit at 74 Wardour Street to include the installation of a ground floor frontage to 23 Meard Street including new emergency and disabled access door and internal openings between 74 Wardour Street and 23 Meard Street.

The presenting officer tabled the following amendments:

Additional Condition 8:

You must apply to us for approval of detailed drawings showing the following alteration to the scheme:

- The installation of ramped access to the ground floor entrance door on Meard Street.

The additional retail (Class A1) floorspace shall not be occupied until these detailed drawings have been approved by the City Council and the approved ramp has been installed in full. The approved ramp shall be retained in situ for the life of the development.

Reason

To make sure that there is reasonable access for people with disabilities and to make sure that the access does not harm the appearance of the building or the character and appearance of the Soho Conservation Area, as set out in S25 and S28 and of Westminster's City Plan (November 2016) and DES 1 (B) and DES 9 of our Unitary Development Plan that we adopted in January 2007.

A late representation was received from Consulco (undated).

RESOLVED:

That conditional planning permission and listed building consent be granted subject to the additional condition tabled and set out above and a new condition to restrict the hours of use of the enlarged unit to 9 AM to 10:30 PM daily.

4 5 BOURLET CLOSE, LONDON, W1W 7BL

Demolition of existing mansard roof, and erection of new second floor and new mansard roof with rear roof terrace and privacy screen, excavation of new basement level, replacement windows and garage doors to front elevation and new windows to rear elevation and associated works; all to extend and alter dwellinghouse (Class C3).

The presenting officer tabled the following amendments:

Additional Condition 18:

You must apply to us for approval of detailed drawings showing the following alteration to the scheme:

- The replacement of the casement windows within the front mansard roof with sash windows.

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

Reason

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the East Marylebone Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007.

Additional Condition 19:

The new windows within the rear elevation hereby approved shall open inwards only.

Reason

To prevent these windows opening over an adjoining site and to prevent any future developments on the neighbouring site being prejudiced.

RESOLVED:

That conditional permission be granted subject to:

1. No substantive additional issues being raised within 21 days of the requisite notice of the application being served upon other owner(s) of the application site.
2. The additional conditions as tabled and set out above.

5 35 - 50 RATHBONE PLACE, LONDON, W1T 1AA

Variation of Condition 8 and 10 of planning permission dated 11 July 2016 (RN: 15/10824) for the variation of Condition 1 of planning permission dated 17 February 2014 (RN 13/04844) for "Substantial demolition of existing buildings and redevelopment of the site to provide a mixed use scheme accommodated in two L-shaped buildings rising to nine storeys plus basements and rooftop plant with frontages to Rathbone Place and Newman Street set around a central open space; use of new buildings for up to 162 residential dwellings (Class C3) with communal garden, offices (Class B1), shops (Class A1), flexible space for use as shops (Class A1) and/or restaurant (Class A3) and/or bar (Class A4); provision within basement of plant rooms and car/cycle parking with vehicular access via lifts from Newman Street; ground floor loading bay with access from Newman Street; new pedestrian routes through the site from Newman Street and Rathbone Place; and associated works"; NAMELY, to enable 30% of the floor area of Unit 13 to be used for vertical drinking (Condition 8) and to allow use of the terrace for dining only until 22:00 (Condition 10).

An additional representation was received from the Planning Department in the form of a draft decision letter (undated).

The presenting officer tabled the following amendments to conditions (changes in bold):

Amendment to Condition 8:

If you provide an A4 use or composite A3/A4 use, no more than 15% of the floor area shall be used by customers for vertical drinking, except for Unit 13 where no more than 30% of the floor area (**excluding terrace**) shall be used by customers for vertical drinking.

Reason remains unchanged.

RESOLVED:

That conditional permission be granted subject to:

1. A deed of variation to the original legal agreement to ensure this permission is subject to the requirements of the S106 agreement dated 11 February 2014 and deed dated 11 July 2016.
2. An amendment to condition 8 as tabled and set out above.

6 26 BLOOMFIELD TERRACE, LONDON, SW1W 8PQ

Excavation of single storey basement, extending into the rear garden incorporating a lightwell; erection of two storey rear extension at lower ground and ground floors, and use of the flat roof at first floor as a roof terrace, with associated railings and alterations; installation of two air conditioning units within an enclosure on first floor roof terrace; lowering of front vaults by 150mm and installation of a boiler flue extract at pavement level; formation of new entrance lobby and door underneath the front foot path within front lightwell; replacement of metal windows to rear and front elevations with timber windows; installation of satellite dish to top of roof; and internal alterations.

RESOLVED:

1. That conditional permission and conditional listed building consent be granted.
2. That the reasons for granting conditional listed building consent as set out in Informative 1 of the draft decision letter be agreed.

7 17-18 THAYER STREET, LONDON, W1U 3JX

Installation of an air conditioning unit and acoustic enclosure within rear light well.

RESOLVED:

That conditional permission be granted.

8 34 SPRING STREET, LONDON, W2 1JA

Installation of one supply and one extract fan to the rear ground floor and refurbishment of existing timber plant enclosure.

RESOLVED:

That conditional permission be granted.

The Meeting ended at 8.32 pm

CHAIRMAN: _____

DATE _____