



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 6th February, 2018**, Room 3.1, 3rd Floor, 5 Strand, London, WC2 5HR.

**Members Present:** Councillors Andrew Smith (Chairman), Barbara Grahame, Louise Hyams and Robert Rigby.

#### 1 MEMBERSHIP

1.1 There were no changes to the membership.

#### 2 DECLARATIONS OF INTEREST

2.1 Councillor Andrew Smith 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 Smith then made the following declarations as they related to the specific applications on the agenda:

Item 7: That the application site was on his Ward, he had discussed previous applications with residents for this site, but not on this specific application.

Item 8: That he had sat on the Committee that had considered a previous application.

2.3 Councillor Louise Hyams declared that in respect of item 1, the application site was in her Ward

- 2.4 Councillor Robert Rigby declared that in respect of item 3, he had sat on the Committee that had considered a previous application.
- 2.5 Councillor Barbara Grahame declared that in respect of item 3, she had sat on the Committee that had considered a previous application.

### **3 MINUTES**

#### **3.1 RESOLVED:**

That the minutes of the meeting held on 9 January 2018 be signed by the Chairman as a correct record of proceedings.

### **4 PLANNING APPLICATIONS**

#### **1 TRAFALGAR BUILDINGS, 1-6 NORTHUMBERLAND AVENUE, 1-3 WHITEHALL AND 7-13 WHITEHALL, LONDON, SW1A**

Partial demolition and redevelopment behind retained façades of three buildings to provide a building rising to a maximum 7 storeys above ground with two levels of basement accommodation provided following the excavation of an additional basement level all in connection with the use of the building as offices (Class B1) across part basement, part ground, part mezzanine (flexible use unit) and 1st to 6th storey level, retail (Class A1) and restaurant (Class A3) uses at part basement, ground and mezzanine levels (including areas for flexible A1/A3/B1 use).

The presenting officer tabled the following additional condition 34:

#### Additional Condition 34

You must not carry out demolition work unless it is part of the complete development of the site. You must carry out the demolition and development without interruption and according to the drawings we have approved. (C29BB)

Reason: To maintain the character of the Trafalgar Square Conservation Area as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 9 (B) of our Unitary Development Plan that we adopted in January 2007 and Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990. (R29AC)

#### **RESOLVED:**

1. That conditional permission be granted, including a Grampian Condition to mitigate the shortfall of the development's on-site carbon reductions and to facilitate the provision of Crossrail and subject to an additional condition 34 as set out above.
2. That conditional listed building consent be granted.
3. That the reasons for granting consent as set out within Informative 1 of the draft decision letter be agreed.

## **2 4 - 6 GLASSHOUSE STREET, LONDON, W1B 5DQ**

Demolition and reconstruction behind part retained, part rebuilt and extended facade. Retention of ground floor facade and part retention and restoration of ground floor interior. (Linked to planning permission granted on 25 April 2016 (15/07092/FULL) for the redevelopment of 1- 23 Shaftesbury Avenue, 19-26 Denman Street, 44-48 Regent Street, 4- 8 Glasshouse Street and 1-4 Sherwood Street, London W1).

An additional representation was made by Jones Lang LaSalle Ltd (31.01.2018).

The presenting officer tabled the following amendments to conditions 2, 3 and 5:

### **Amended Condition 2**

Pre Commencement Condition.

You must not start any demolition work on site until we have approved either:

- (a) a construction contract with the builder to complete the redevelopment work for which we have given planning permission on **25 April 2016 (Ref: 15/07092/FULL)** ~~the same date as this consent~~, or
- (b) an alternative means of ensuring we are satisfied that demolition on the site will only occur immediately prior to development of the new building.

You must only carry out the demolition and development according to the approved arrangements. (C29AC)

No change to reason.

### **Amended Condition 3**

You must apply to us for approval of detailed drawings and/or full particulars of the following parts of the development –

- 1. Alterations to the façade
- 2. Internal and external works at ground floor level
- 3. Method statement for dismantling, storage and reconstruction of the existing facade
- 4. **Method statement for all retained parts of the building.**

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

You must then carry out the work according to these detailed drawings.

No change to reason.

### **Reason for Condition 5**

**To ensure that the public benefits required to outweigh the identified harm to the listed building are delivered by the development granted permission by the**

~~City Council on 25 April 2016 (Ref: 15/07092/FULL). To maintain the character of the Regent Street Conservation Area as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 9 (B) of our Unitary Development Plan that we adopted in January 2007 and Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990.~~

**RESOLVED:**

1. That listed building consent be granted, subject to authorisation from the National Planning Casework Unit and to amendments to conditions 2, 3 and 5 as set out above.
2. That the reasons for granting consent as set out within Informative 1 of the draft decision letter be agreed.

**3 DUDLEY HOUSE, NORTH WHARF ROAD, LONDON, W2 1LE**

Variation of Condition 1 of planning permission dated 29 April 2016 (RN: 15/11458/COFUL) for the demolition of existing buildings at Nos.139-147 Harrow Road and Dudley House and proposed redevelopment ranging in height from 7 storeys to 22 storeys, comprising between 187 and 197 residential units (Class C3); a new secondary school. NAMELY, to install external LED light fixtures at roof level to illuminate the roof top sports pitch and associated alterations to layout of structures on roof of school block.

A late representation was received from the Senior Practitioner, Air Quality (02.02.2018).

The presenting officer tabled the following additional condition:

**Additional Condition**

Within 3 months of the installation of the lighting units around the roof level sports pitch hereby approved you must apply to us for approval of a post-commissioning lighting calculation report that demonstrates that the lighting fixtures do not cause light spill to neighbouring light sensitive properties in excess of the standards set out in the guidance published by the Institute of Lighting Professionals. If the lighting calculation report that you submit indicates that the lighting units would not accord with the guidance published by the Institute of Lighting Professionals, you must also apply to us for approval of remediation measures. In the event that remediation measures are required, you must implement these in accordance with the details we approve within 3 months of the date on which we approve the details. Following their installation, the mitigation measures (if required) must be permanently retained in accordance with the approved details.

**Additional Reason**

To ensure the proposed development does not cause excessive light spill to neighbouring light sensitive properties in accordance with Policies ENV10 and ENV13 in the Unitary Development Plan that we adopted in January 2007 and Policy S29 in Westminster's City Plan that we adopted in November 2016.

**RESOLVED:**

1. That conditional permission under Regulation 3 of the Town and Country Planning General Regulations 1992 be granted, subject to a unilateral undertaking to secure the planning obligations secured in connection with the previously approved scheme dated 29 April 2016 (RN: 15/11458) and to an additional condition as set out above.
2. That if the unilateral undertaking has not been completed by 12 March 2018, then:
  - a) The Director of Planning shall consider whether it would be possible and appropriate to issue the permission with additional conditions attached to secure the benefits listed above. If so, the Strategic Director is authorised to determine and issue such a decision under Delegated Powers, however, if not:
  - b) The Director of Planning shall consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits which would have been secured; if so the Strategic Director is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

**4 17-18 DOVER STREET, LONDON, W1S 4LT**

Dual / alternative use of the property either as retail accommodation (A1) at basement and ground floors and office accommodation (B1) on the first to fourth floors or dual / alternative use of part of the ground floor either as retail (Class A1) or restaurant (Class A3) accommodation and use of the remainder of the building as a sui generis use comprising gym and medical functions uses; installation of additional plant and screening at main roof level and within a rear lightwell area at basement and ground floor levels.

**RESOLVED:**

That conditional permission be granted.

**5 1) 29 HARLEY STREET, LONDON, W1G 9QR, 2) 82 PORTLAND PLACE, LONDON, W1B 1NS**

Site 1: Use of lower ground and ground floor levels for residential purposes (Class C3).

Site 2: Use of the lower ground to fourth floor for medical purposes (Class D1).

The presenting officer tabled the following amendment to condition 5 in respect of Site 1:

**Amended Condition 5 (Site 1):**

Prior to first use, you must apply to us for approval of an Operational Management Plan (OMP) which identifies:

- The nature of the D1 medical use
- The number of staff
- The maximum number of customers at any one time
- Hours of operation

**The use hereby approved shall be operated in accordance with the approved OMP.**

No change to reason.

**RESOLVED:**

Site 1:

1. That conditional permission be granted, subject to no substantive planning issues being raised during the remainder of the notification period, an amendment to condition 5 as set out above and to a legal agreement to secure the following: a) The conversion of the approved floorspace so that it is ready for occupation for residential (Class C3) purposes either before or within a reasonable timescale of the commencement of the approved development at 29 Harley Street in accordance with planning permission Ref: 17/09945/FULL.
2. That if the Section 106 legal agreement has not been completed within six weeks of the date of this resolution, then:
  - a) The Director of Planning 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 is authorised to determine and issue the decision under Delegated Powers; however, if not;
  - b) The Director of Planning 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 Item No. 5 secured; if so the Director of Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

Site 2:

1. That conditional permission be granted, subject to a legal agreement to secure the following:
  - a) The conversion of the entire building so that it is ready for occupation for medical (Class D1) purposes either before or within a reasonable timescale of the commencement of the approved development at 82

Portland Place in accordance with planning permission Ref:  
17/09947/FULL.

2. That if the Section 106 legal agreement has not been completed within six weeks of the date of this resolution, then:
  - a) The Director of Planning 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 is authorised to determine and issue the decision under Delegated Powers; however, if not;
  - b) The Director of Planning 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 Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

**6 11, 13 AND 15 BRYANSTON MEWS WEST, LONDON, W1H 2BW**

Alterations to the front roofslopes of the existing dwellinghouses to form roof terraces and erection of rear stair access enclosures to the rear.

**RESOLVED:**

That permission be refused on the grounds that:

- (a) Because of their design, location and architectural relationship to the buildings, the roof level terraces would harm the appearance of the buildings, the terrace of which they are part, and fail to maintain or improve (preserve or enhance) the character and appearance of the Portman Estate Conservation Area. This would not meet S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1, DES 6, DES 9, and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (X16AC).
- (b) The roof terraces and stair enclosures would lead to an unacceptable loss of privacy for people in neighbouring properties. This would not meet S29 of Westminster's City Plan (November 2016) and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (X13AC).

**7 DEVELOPMENT SITE AT 110-126 WESTBOURNE TERRACE MEWS, LONDON, W2 6QG**

Variation of Condition 3 of planning permission dated 14 July 2015 (RN: 15/01694) for erection of extension at roof level to Nos.110 to 126 Westbourne Terrace Mews to form continuous second floor mansard roof extension to provide additional living accommodation for nine mews dwellinghouses; NAMELY to apply obscure film and

restrict the opening panes of 7 rear casement windows to the rear at second floor level.

**RESOLVED:**

That conditional permission be granted.

**8 120 WESTBOURNE TERRACE MEWS, LONDON, W2 6QG**

Installation of window at second floor level in side elevation facing rear lightwell (retrospective).

**RESOLVED:**

That conditional permission be granted.

**9 1 UPPER WIMPOLE STREET, LONDON, W1G 6LA**

Demolition and rebuilding of rear outbuilding and link, behind retained Weymouth Street façade, including excavation of a basement beneath the rear courtyard and outbuilding. Associated extension of the lightwell; mansard roof extension to the outbuilding, incorporating dormers and rooflights, all to create a medical centre with new access from Weymouth Street. Internal alterations to the main building at ground floor level in connection with its use as a self-contained flat.

**RESOLVED:**

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

**10 28 HILL STREET, LONDON, W1J 5NW**

Erection of rear extension at 1st floor level and enlargement of terrace with associated alterations, for use in association with dwellinghouse (Class C3).

A late representation was received from Blake Morgan (02.02.2018).

**RESOLVED:**

That permission be refused on the grounds that the height, bulk and design of the proposed extension would harm the appearance of this building, its architectural relationship with adjacent buildings and would fail to maintain or improve (preserve or enhance) the character and appearance of the Mayfair Conservation Area. It would also harm the setting of the adjacent listed building at 26 Hill Street. This would not meet S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1, DES 5, DES 6, DES 9, DES 10 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007; And to an additional reason for refusal on the grounds of the harm to neighbours at 7



Chesterfield Hill as a result of noise and disturbance from the enlarged terrace, the precise wording of which be delegated to officers in consultation with the Chairman.

The Meeting ended at 8.50 pm.

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

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