



CITY OF WESTMINSTER

# MINUTES

## Planning Applications Sub-Committee (3)

### MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Planning Applications Sub-Committee (3)** Committee held on **Tuesday 12th July, 2022**, Rooms 18.01 & 18.03, 18th Floor, 64 Victoria Street, London, SW1E 6QP.

**Members Present:** Councillors Jason Williams (Chair), Ruth Bush, Paul Fisher and Amanda Langford

**Also Present:** Councillor Barbara Arzymanow (Item 4)

#### 1 APPOINTMENT OF CHAIR

- 1.1 A Councillor was required to Chair the evening's meeting and therefore the Sub-Committee

#### RESOLVED:

That Councillor Jason Williams be elected Chair of Planning Applications Sub-Committee (3) for that evening's meeting.

#### 2 MEMBERSHIP

- 2.1 It was noted that Councillors Jason Williams, Ruth Bush and Paul Fisher were substituting for Councillors Nafsika Butler-Thalassis, Ryan Jude and Cara Sanquest.

#### 3 DECLARATIONS OF INTEREST

- 3.1 Councillor Paul Fisher declared that in respect of Item 2 the application site was located within his ward, and he knew many of the objectors including The Soho Society, but he had offered no opinion on the application to any parties.
- 3.2 Councillor Amanda Langford declared that in respect of Item 5, the site was located within her ward, but she had held no discussions regarding the application with any parties.

- 3.3 Councillor Jason Williams declared that some members of the majority party had submitted responses to the applications, but he had held no discussions regarding any of the applications with them.

## **4 MINUTES**

### **4.1 RESOLVED:**

That the minutes of the meeting held on 19 April 2022 be signed by the Chair as a correct record of proceedings.

## **5 PLANNING APPLICATIONS**

### **1 DEVELOPMENT SITE AT 268-282 VAUXHALL BRIDGE ROAD, LONDON**

Variation of condition 1 of planning permission dated 3 May 2022 (RN: 21/05606/FULL) which itself varied an earlier permission dated 17 November 2020 (RN: 19/05099/FULL) for the Demolition of existing buildings and erection of a new building comprising basement, ground and 7 upper levels plus rooftop plant to provide a hotel with associated ancillary facilities including restaurant/bar and gym (Class C1), 1 x 2 and 1 x 3 bedroom apartments (Class C3), plant, cycle parking and other associated works. NAMELY, to allow reduction in the number of guestrooms from 137 to 114; amendments to internal layout arrangements; redesigned facades; modification of the massing of the 7th & 8th floors; alterations to the roof level plant and servicing equipment and enclosures; and other associated alterations.

A late representation was received from Councillors David Harvey and Selina Short (12.07.22).

Jamie Dempster addressed the Sub-Committee in support of the application.

### **RESOLVED UNANIMOUSLY:**

- 1) That conditional permission be granted, subject to a deed of variation to the original S.106 legal agreement dated 17 November 2020 to secure the following additional obligations:
  - a) Ensure the agreement relates to the proposed development;
  - b) To increase the financial contribution towards the City Council's Carbon Off Set fund to £371,355 (index linked) (payable prior to the commencement of the development);
  - c) To include the 'be seen' requirements of monitoring and reporting on the actual operational energy performance of the building, including as-built and in-use stage data; and
  - d) Provision of highway works to accommodate two cycle stands on Vauxhall Bridge Road.

- 2) That if the deed of variation had not been completed within six weeks of the date of the Committee resolution, then:
  - a) The Director of Place Shaping and Town Planning should consider whether the permission can be issued with additional conditions attached to secure the benefits listed above. If this was possible and appropriate, the Director of Place Shaping and Town Planning was authorised to determine and issue such a decision under Delegated Powers; however, if not
  - b) The Director of Place Shaping and Town Planning should consider whether permission should be refused on the grounds that it had not proved possible to complete an agreement within the appropriate timescale, and that the proposals were unacceptable in the absence of the benefits that would have been secured; if so, the Director of Place Shaping and Town Planning was authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

## **2 50 DEAN STREET AND 20 ROMILLY STREET, LONDON, W1D 5BQ**

Use of basement and ground floor as a drinking establishment with expanded food provision (Sui Generis).

An additional representation was received from Inception (26.04.22).

Late representations were received from The Soho Society (08.07.22) and Councillor Patrick Lilley (11.07.22).

Duncan Stirling addressed the Sub-Committee in support of the application.

Julia Lee addressed the Sub-Committee in objection to the application.

Andrew Murray, representing The Soho Society, addressed the Sub-Committee in objection to the application.

**RESOLVED: Councillors Bush, Langford and Williams – Grant, Councillor Fisher - Refuse**

That conditional permission be granted.

## **3 50 EASTBOURNE TERRACE, LONDON, W2 6LG**

**Application 1:-** Variation of conditions 1 (approved plans) and 5 (notake-away) of planning permission dated 08 June 2021 (RN: 21/00264/FULL) for the: Change of use of Retails Units at ground and lower ground floor level along Craven Road from Classes A1/A2/A3 to Class E. NAMELY,

Reconfiguration of the approved floor plans, and to allow for an ancillary quantity of takeaway from the restaurant unit.

**Application 2:-** Amendments to planning permission dated 05 February 2020 (RN:19/07378 ) for the: Variation of condition 1 of planning permission dated 10 July 2019 (RN: 18/09733/FULL) which itself varied condition 1 of planning permission dated 15 November 2016 (RN: 16/07359/FULL) for demolition of existing buildings and redevelopment of the site to provide a 6 storey (plus existing lower ground floor) 'L' shaped building, including terraces, a plant room, a green roof and solar panels at roof level to comprise 2 x A1 (retail shops) units and 1 x flexible A1 (retail shop)/ A2 (financial and professional services) / A3 (cafe and restaurant) unit at ground floor level and B1 (office) floorspace at part ground and all upper stories, Erection of 7 residential townhouses, incorporating concealed roof terraces and landscaped areas to the front on Chilworth Mews. NAMELY, to allow the addition of a door on the Craven Road elevation to the approved restaurant unit along Craven Road.

Late representations were received from Environmental Health (08.07.22), Councillors Ryan Jude and Ellie Ormsby (12.07.22) and SEBRA (12.07.22).

The planning officer tabled the following proposed changes to the draft decision notice for Application 1 (22/00672/FULL):

1. Condition 4B – Revised wording- To replace “motorised vehicles” with “by foot, by bicycle or by electrically powered bicycle”.

*B. Prior to the use of the retail/restaurant and ancillary take-away and delivery service, you must apply to us for approval of an operational management plan to show how you will prevent customers who are leaving the building from causing nuisance for people in the area, including people who live in nearby buildings and to minimise any impact in environmental, highways and amenity terms.*

*The Operational Management Plan must include:-*

- o Details of staff and capacity, arrival and departure processes, hours of operation.*
- o Delivery & Click and Collect to remain ancillary to the sit down restaurant*
- o Delivery drivers must only attend the site ~~by way of nonmotorized transport~~, by way of foot, by bicycle or by electrically-powered bicycle*
- o Delivery drivers must park lawfully*
- o No obstruction of the pedestrian or vehicular highway within the vicinity of the site.*
- o No use of Chilworth Mews at any time*
- o Litter patrols*
- o Dedicated restaurant employee to monitor delivery driver compliance with OMP*
- o Policy to exclude drivers who fail to comply with OMP*
- o Contact for complaints*
- o Log of complaints/issues over 12 months from date of first*

- occupation of the restaurant.*
- o *Resubmission of OMP with any necessary refinements/ revisions*

*You must not start the retail/restaurant and ancillary take away or delivery use until we have approved in writing what you have sent us. You must then carry out the measures included in the approved management plan at all times that the restaurant is in use.*

2. Condition 5 – Additional wording to reflect restriction of deliveries/takeaways after 23.00.

*“You must only take-away food or drink on the premises and provide a delivery service, as an ancillary part of the primary restaurant/ café use. The delivery and take away use must not be operated unless fully in accordance with the management measures set out in the Operational Management Plan agreed under Condition 4B of this permission and only operated during the following times:07.00-23.00 Monday to Saturday and 08.00-22.30 on Sundays and Bank Holidays”.*

3. Draft Decision letter for Application 2 (22/00674/NMA) – tabled.

Mark Younger addressed the Sub-Committee in support of the application.

Amy Rogers addressed the Sub-Committee in objection to the application.

**RESOLVED: Councillors Fisher, Langford and Williams – Grant, Councillor Bush - Refuse**

- 1) Application 1 – That conditional permission, as amended, be granted.
- 2) Application 2 - That the Non-Material Amendment be agreed.

**4 129-137 MARYLEBONE ROAD, LONDON, NW1 5QD**

Variation of conditions 1 (approved plans), 14 (Operational management plan for terraces),28 (plant screen design) and 30 (Mews design details) pursuant to planning permission dated 13 July 2021 (RN. 20/06929/FULL) for Demolition and redevelopment of the mews building, partial demolition of the 1960s building and roof extension, facade alterations to the 1930s building all in connection with continued Class E use, associated cycle parking, landscaping, servicing area, external terraces, rooftop plant enclosure and associated external works. NAMELY external alterations including changes to the rooftop plant enclosure, mansard roof pitches, access to the mews building and other external changes.

Jonathan Chenery addressed the Sub-Committee in support of the application.

Councillor Barbara Arzymanow addressed the Sub-Committee in her capacity as Ward Councillor in objection to the application.

## **RESOLVED UNANIMOUSLY:**

1. That conditional permission be granted, subject to a deed of variation to the original S.106 legal agreement dated 13 July 2021.
2. That if the legal agreement had not been completed within 6 weeks from the date of the Committee's resolution, then:
  - a) the Director of Place Shaping and Town Planning should consider whether the permission can be issued with additional conditions attached to secure the benefits listed above. If this was possible and appropriate, the Director of Place Shaping and Town Planning was authorised to determine and issue such a decision under Delegated Powers; however, if not:-
  - b) the Director of Place Shaping and Town Planning should consider whether permission should be refused on the grounds that had not proved possible to complete an agreement within an appropriate timescale, and that the proposals were unacceptable in the absence of benefits that would have been secured; if so the Director of Place Shaping and Town Planning was authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

## **5 31 GROVE END ROAD, LONDON, NW8 9LY**

Excavation of basement and new landscaping to front and rear gardens. Refurbishment of existing house, demolition of the north side wing and its rebuilding as a 3 storey addition, raising of the height of the flat roof to the side south wing, rear extension at lower ground floor, rear and side dormers and other external alterations.

An additional representation was received from the St. John's Wood Society (undated).

Late representations were received from Rendall and Rittner (12.07.22) and Quod (08.07.22).

The planning officer tabled the following proposed changes to the draft decision notice:

1. Additional Condition (No.29 )-  
*The front curtilage of the site shall not be used for the parking of cars.*  
Reason: To prevent an over-provision of car parking on the site and to secure the landscaping and biodiversity improvements on the site, in accordance with policies 27 & 34 of our City Plan 2019 - 2040 (April 2021)

Tiziana Giannico addressed the Sub-Committee in objection to the application.

**RESOLVED UNANIMOUSLY:**

That conditional permission, as amended, be granted.

**6 19 UPBROOK MEWS, LONDON, W2 3HG**

Excavation of single storey basement beneath footprint of original dwelling, conversion of garage into habitable space and erection of a mansard roof extension with raising the height of the party wall with 18 Upbrook Mews.

Additional representations were received from a local resident (06.07.22).

A late representation was received from a local resident (11.07.22).

James Black addressed the Sub-Committee in objection to the application.

**RESOLVED UNANIMOUSLY:**

That the application be deferred in order for further information to be provided on flood risk and the proposed construction methodology with regard to the mitigation of any risk.

The Meeting ended at 10.17 pm

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

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