



City of Westminster

Follow On Committee Agenda

Title:

Planning (Major Applications) Sub-Committee

Meeting Date:

Wednesday 20th October, 2021

Time:

6.30 pm

Venue:

18th Floor, 64 Victoria Street, London, SW1E 6QP

Members:

Councillors:

Robert Rigby (Chairman)
Mark Shearer
David Boothroyd

Geoff Barraclough
Jim Glen
Louise Hyams



Members of the public are welcome to attend the meeting and listen to the discussion Part 1 of the Agenda

Committee members will attend the meeting in person at Westminster City Hall. The Committee will be a hybrid Meeting and will be live broadcast via Microsoft Teams.

Admission to the public gallery is by a pass, issued from the ground floor reception from 6.00pm. If you have a disability and require any special assistance please contact the Committee Officer (details listed below) in advance of the meeting.



An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, please contact the Committee Officer, Georgina Wills: Committee and Governance Officer.

**Tel: 07870 548348; Email: gwilliams@westminster.gov.uk
Corporate Website: www.westminster.gov.uk**

Note for Members: Members are reminded that Officer contacts are shown at the end of each report and Members are welcome to raise questions in advance of the meeting. With regard to item 2, guidance on declarations of interests is included in the Code of Governance; if Members and Officers have any particular questions they should contact the Head of Committee and Governance Services in advance of the meeting please.

AGENDA

PART 1 (IN PUBLIC)

3. MINUTES

To sign the minutes of the last meeting as a correct record of proceedings.

(Pages 5 - 18)

Stuart Love
Chief Executive
20 October 2021

Order of Business

At Planning Applications Sub-Committee meetings the order of business for each application listed on the agenda will be as follows:

Order of Business
i) Planning Officer presentation of the case
ii) Applicant and any other supporter(s)
iii) Objectors
iv) Amenity Society (Recognised or Semi-Recognised)
v) Neighbourhood Forum
vi) Ward Councillor(s) and/or MP(s)
vii) Council Officers response to verbal representations
viii) Member discussion (including questions to officers for clarification)
ix) Member vote

These procedure rules govern the conduct of all cases reported to the Planning Applications Sub-Committees, including applications for planning permission; listed building consent; advertisement consent, consultations for development proposals by other public bodies; enforcement cases; certificates of lawfulness; prior approvals, tree preservation orders and other related cases.

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CITY OF WESTMINSTER

MINUTES

Planning (Major Applications) Sub-Committee

MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Planning (Major Applications) Sub-Committee** held on **Tuesday 28th September, 2021**, 18th Floor, 64 Victoria Street, London, SW1E 6QP.

Members Present: Councillors Robert Rigby (Chairman), David Boothroyd, Geoff Barraclough, Jim Glen, Louise Hyams and Mark Shearer

1 MEMBERSHIP

- 1.1 Councillor Mark Shearer was welcomed to the committee.

2 DECLARATIONS OF INTEREST

- 2.1 Councillor Robert Rigby explained that a week before the meeting, all six Members of the Sub-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 Sub-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 Sub-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 Mark Shearer declared that in respect of item 3, he confirmed that he received a presentation for the site, in his role as the Ward Councillor. Councillor Shearer also declared that with respect of item 4, he attended a site visit with the planner officer for more clarity on the site. Councillor Shearer also noted that he attended university with Anna Bond from Grosvenor Properties.
- 2.3 Councillor Jim Glen declared an interest in respect of Item 1 and 4, where he sat on the planning committee which heard the original applications. Councillor Glen also declared that he was a Trustee of the Westminster Tree Trust and confirmed that his membership would not affect his views.

- 2.4 Councillor Louise Hyams declared an interest in respect of Item 1 and 4, where she sat on the planning committee which heard the original applications. Councillor Hyams also declared that in respect of item 3, she received a presentation for the site, in her role as the Ward Councillor.
- 2.5 Councillor Geoff Barraclough declared an interest in respect of Item 1 and 4, where she sat on the planning committee which heard the original applications.
- 2.6 Councillor David Boothroyd declared he was Head of Research and Psephology for Thorncliffe, whose clients were companies applying for planning permission from various local authorities. He was precluded from working on any scheme in Westminster under the company's code of conduct.

JLL, Gerald Eve and DP9 are planning consultants for some Thorncliffe clients and were also acting for applicants at the meeting. He did not deal directly with clients or other members of project teams, and planning consultants were not themselves clients. Councillor Boothroyd also declared an interest in respect of Item 1 and 4, where he sat on the planning committee which heard the original applications.

- 2.7 Councillor Robert Rigby declared an interest in respect of Item 1 and 4, where he sat on the planning committee which heard the original applications. He added that he met with the Applicant in respect of Item 4 in May 2020 for an overview of the scheme. Councillor Robert Rigby also declared an interest in respect of Item 2 where he met with the Developer and Officers in April 2021 for an overview of the scheme.

3 MINUTES

- 3.1 That the minutes of the meeting held on 7 September 2021 be signed by the Chair as a correct record of proceedings.

4 PLANNING APPLICATIONS

1 DARWIN HOUSE 104 GROSVENOR ROAD LONDON SW1V 3LH

Phase 1 - Demolition of 23 garages and former Balmoral Castle Public House.
Phase 2 - Erection of a part seven storey, part six storey and part five storey building to provide community supporting housing (Class C3) (Block A).
Phase 3 - Demolition of Darwin House. Phase 4 - Erection of part five storey and part four storey building to provide housing (Class C3) (Block B). All together with new public open space, hard and soft landscaping, car parking, cycle parking, plant and other associated works in each phase. (Addendum Report)

RESOLVED UNANIMOUSLY:

1. Grant conditional permission pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992, subject to completion of a S106 unilateral undertaking to secure the following:

- a) provision of the 52 x residential units as Intermediate Rented Housing (18 x 1 bedroom flats in Block B) and Community Supportive Social Rented Housing (34 x 1 bedroom flats in Block A) and Intermediate Rented Housing (18 x 1 bedroom flats in Block B) in accordance with the affordability criteria specified by the Housing Development Manager;
- b) provision of car club membership for 25 years for each residential flat;
- c) walkways agreement to secure access through the site;
- d) a carbon offset contribution of £21,090;
- e) a financial contribution of £6954 to the Westminster Employment Service (index linked and payable on commencement of development);
- f) the cost of monitoring the agreement; and
- g) costs of the stopping-up process.

2. If the S106 unilateral undertaking has not been completed within six weeks then:

- a) The Director of Place Shaping and Town 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 Director of Place Shaping and Town 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 the proposals are unacceptable in the absence of the benefits which would have been secured; if so, the Director of Place Shaping and Town Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

3. Authorise the making of a draft Order pursuant to Section 247 of The Town and Country Planning Act (1990) (as amended) for the stopping up of parts of the public highway to enable this development to take place.

4. Authorise the Director of City Highways, Executive Director of City Management and Communities, or other such proper officer of the Council responsible for highway functions, to take all necessary procedural steps in conjunction with the making of the Order and to make the Order as proposed if there are no unresolved objections to the draft Order.

2 334 - 348 OXFORD STREET LONDON W1C 1JG

Alterations and extensions to, and partial demolition of, existing building to provide partly extended and refurbished, and partly new, building comprising deepened basement, ground, and nine upper floors (including ninth floor Class E space and plant enclosure) to provide commercial, business and service (Class E) use, replacement facades and shopfronts, installation of new plant, provision of cycle parking and other associated works.

Late representations:

1. Email: David Bloy, British Land Company 24.09.2021
2. Letter: John Finlayson, Greater London Authority 27.09.2021

Victoria Sharpiro addressed the Sub-Committee in support of the application.

RESOLVED UNANIMOUSLY:

1. Subject to the views of the Mayor of London and no objections from Historic England (to be referred back to Committee if Historic England object) grant conditional permission subject to the completion of a legal agreement to secure the following:

- i. A carbon offset payment of £1,053,523 (index linked) payable on commencement of the development
- ii. Submit an Employment and Skills Plan and a financial contribution of £304,913 towards the Westminster Employment Service prior to commencement of development
- iii. Highways works associated with the development
- iv. The provision of on-site Public Art
- v. The costs of monitoring the agreement.

2. If the s106 agreement has not been completed within eight weeks of the committee resolution, 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 Place Shaping and Town 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 undertaking within the appropriate timescale, and that the proposals are unacceptable in the absence of the benefits that would have been secured; if so, the Director of Place Shaping and Town Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

3. That the Sub-Committee authorises the making of a draft order pursuant to s247 of the Town and Country Planning Act 1990 for the stopping up of a part of the public highway on all sides of the development on Oxford Street, Vere Street, Henrietta Place and Marylebone Lane. That the Director of Place Shaping and Planning, Executive Director of Environment and City Management, Director of City Highways or other such proper officer of the City Council responsible for highway functions, be authorised to take all necessary procedural steps in conjunction with the making of the order and to make the order as proposed if there are no unresolved objections to the draft order.

3 THE RITZ HOTEL 150 - 156 PICCADILLY LONDON W1J 9BR

Alterations and extensions to the Ritz hotel at roof level and on the site of 22 Arlington Street comprising an extension of four basements, lower ground, ground, mezzanine and seven upper floors to provide additional hotel floorspace including new hotel rooms/suites, entrances on Arlington Street, arrival and drop off facilities, changes to the servicing and refuse facilities, car and cycle parking, plant, associated hotel facilities and upgrades and all necessary works, including demolition, enabling, highways and other ancillary works.

Late representations:

1. Brochure: DAVID JENNINGS, Chair of The Westminster Society
24.09.2021
2. Email: Sheikh Ahmed Bin Khalid Bin Mohammed Bin Ali Bin Abdullah Bin Qassim
Bin Mohammed Al Thani 27.09.2021

Andrew Love addressed the Sub-Committee in support of the application.
Chris Beard addressed the Sub-Committee in support of the application.

RESOLVED UNANIMOUSLY:

1. Grant conditional permission and conditional listed building consent subject to the completion of a S106 legal agreement to secure: i. Employment and Skills Plan including operational phase employment targets and a Financial Contribution of £188,911.40 to support the Westminster Employment Service (index linked and payable on commencement of development). ii. Highway works including repaving, highway reinstatement and making good of dropped kerbs to site frontage along Arlington Street. iii. Carbon-off set payment of £509,352. iv. Financial contribution of £10,000 for replacement tree planting. v. Monitoring costs. 2. If the legal agreement has not been completed within six weeks of the date of the Committee resolution, 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 Place Shaping and Town 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 the appropriate timescale, and that the proposals are unacceptable in the absence of the benefits that would have been secured; if so, the Director of Place Shaping and Town Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers. 3. Agree the reasons for granting listed building consent as set out in Informative 1 of the draft decision letter

4 DEVELOPMENT SITE BOUND BY BROOK STREET, DAVIES

STREET AND SOUTH MOLTON LANE (EXCLUDING 58 DAVIES STREET) AND 10, 15-25, 27 AND 42 SOUTH MOLTON STREET LONDON

Part demolition, excavation (including beneath Davies Mews), erection of new buildings and alterations to existing buildings comprising: redevelopment of 60 Brook Street; redevelopment of 48, 50, 56 and 58 Brook Street and 16 Davies Mews behind retained Brook Street facades at; redevelopment behind retained and partially reconstructed facade at 52-54 Brook Street; refurbishment with alterations and addition of turret and gables at 40-46 Brook Street and 40 South Molton Lane; redevelopment behind retained Davies Mews and South Molton Lane elevations and front roof at 1-7 Davies Mews and 28-30 South Molton Lane; refurbishment and alterations at 50 Davies Street; refurbishment with alterations and partial demolition and redevelopment of upper floors at 52- 54 Davies Street; redevelopment behind reconstructed and extended facade at 56 Davies Street and Brookfield House (44-48 Davies Street and 62 and 64 Brook Street); part demolition of ground floor and refurbishment at 10 South Molton Street; refurbishment and alterations at 15-25, 27 and 42 South Molton Street; all to provide a development of up to 9 storeys including Class B1 (Business), Class A1 (Shops), Class A3 (Restaurant and Cafes), Class A4 (Drinking Establishment), composite use comprising public house and guest accommodation (sui generis), Class C3 (Dwellinghouses), Class D1 (Non-Residential Institutions) and Class C1 (Hotel) uses, improvements to public realm and pedestrian routes, servicing, ancillary plant and storage, cycle parking and other associated works.

Late representations:

1. Letter: Anna Bond, Grosvenor Properties, 23.09.2021

The Planning officer tabled the following conditions:

Planning application (Ref: 20/03987/FULL).

Amended Recommendation 1(g):

An Employment and Skills Plan(s) for the demolition, construction and operational (for the commercial elements) phases of the development and a contribution of £346,000 to support the Westminster Employment Service. Employment and Skills Plan(s) submitted prior to the commencement of the relevant development phase. Financial contribution payable prior to the commencement of development.

Amended Condition 11:

Pre Commencement Condition

You must apply to us for approval of detailed drawings showing how you will support and protect the parts of the building which are to be kept during

building work. You must not start work until we have approved what you have sent us. You must then carry out the work according to these drawings.

This condition may be discharged on a phase-by-phase basis.

No change to reason.

Amended Condition 20:

After 22.00 daily, the windows and doors within the South Molton Lane elevation of the commercial unit within the North Block at the corner of Davies Mews and South Molton Street (annotated as A3 - N.F03 on the approved drawings) shall be fixed shut and customers accessing or exiting this unit after this time shall use the doors on Davies Mews. **This is with the exception of fire escapes.**

No change to reason.

Amended Condition 25

The retractable door and secondary hotel restaurant access at ground floor level of 40 South Molton Lane shall be fixed shut after 22.00 daily and customers shall access and exit the hotel restaurant and bar via Brook Street after this time. **This is with the exception of fire escapes.**

No change to reason.

Amended Condition 30

Pre Commencement Condition

Prior to the commencement of any:

- (a) demolition, and/or
- (b) earthworks/piling and/or
- (c) construction

on site you must apply to us for our written approval of evidence to demonstrate that any implementation of the scheme hereby approved, by the applicant or any other party, will be bound by the council's Code of Construction Practice. Such evidence must take the form of the relevant completed Appendix A checklist from the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Sciences Team, which constitutes an agreement to comply with the Code of Construction Practice and requirements contained therein. Commencement of the relevant stage of demolition, earthworks/piling or construction cannot take place until the City Council as local planning authority has issued its written approval through submission of details prior to each stage of commencement.

This condition may be discharged on a phase-by-phase basis.

No change to reason.

Amended Condition 43:

No piling shall take place until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the City Council. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

This condition may be discharged on a phase-by-phase basis.

No change to reason.

Amended Condition 44:

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the City Council. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

This condition may be discharged on a phase-by-phase basis.

No change to reason.

Amended Condition 52:

Pre Commencement Condition

(a) You must apply to us for approval of a written scheme of investigation for a programme of archaeological work. This must include details of the suitably qualified person or organisation that will carry out the archaeological work. You must not start work until we have approved in writing what you have sent us.

(b) You must then carry out the archaeological work and development according to this approved scheme. You must produce a written report of the investigation and findings, showing that you have carried out the archaeological work and development according to the approved scheme. You must send copies of the written report of the investigation and findings to us, and to the Greater London Sites and Monuments Record, Greater London

Archaeological Advisory Service, Historic England, 4th floor, Cannon Bridge House, 25 Dowgate Hill, London EC4R 2YA.

(c) You must not use any part of the new building until we have confirmed in writing that you have carried out the archaeological fieldwork and development according to this approved scheme.

This condition may be discharged on a phase-by-phase basis.

No change to reason.

Amended Condition 59:

Pre Commencement Condition.

(a) You must apply to us for approval of an independent review of the environmental sustainability features (environmentally friendly features) of the development before you start any work on each respective phase of the development. In the case of an assessment using Building Research Establishment methods (BREEAM), you must provide a Design Stage Interim BREEAM rating and certificate of assessment showing that:

- (i) The North and South Blocks (Offices) will achieve an 'outstanding' rating or, if this is not possible, justification for it achieving an 'excellent' rating.
- (ii) The North and South Blocks (Non-office commercial) will achieve an 'excellent' rating or, if this is not possible, justification for it achieving a 'very good' rating.
- (iii) 40-46 Brook Street and 40 South Molton Lane will achieve an 'excellent' rating or, if this is not possible, justification for it achieving a 'very good' rating.
- (iv) South Molton Street Properties (**residential conversions**) will achieve an 'excellent' rating or, if this is not possible, justification for it achieving a 'very good' rating.

If you use another method, you must achieve an equally high standard.

You must start work on each respective phase of development until we have approved what you have sent us.

b) You must apply to us for approval of details of a post construction stage report which demonstrates that each phase met the rating approved in Part (a) of this condition. This report shall be submitted to us within six months of the occupation of any part of each phase of the development. If you use another method, you must achieve an equally high standard.

No change to reason.

Application for listed building consent at 10 South Molton Street (Ref: 20/03907/LBC).

Amended Condition 2

You must apply to us for approval of detailed drawings (Scales 1:20, 1:5 and 1:1 where appropriate) of the following parts of the development:

1. Shopfront
2. New windows
3. New internal decorative features **to appropriate period detailed designs.**
4. Roof level plant and screening
5. Passageway
6. Vents in facades
7. Street lighting equipment

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

Application for listed building consent at 24 and 25 South Molton Street (Ref: 20/03910/LBC).

Amended Condition 2

You must apply to us for approval of detailed drawings (Scales 1:20, 1:5 and 1:1 where appropriate) of the following parts of the development:

1. Shopfronts
2. New windows
3. New internal decorative features **to appropriate period detailed designs**
4. Roof level plant and screening
5. Rear extensions, including roof terraces
6. Street lighting equipment
7. Replacement pavement lights

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.

Application for listed building consent at 40-46 Brook Street and 40 South Molton Lane (Ref: 20/03902/LBC).

Amended Condition 2

You must apply to us for approval of detailed drawings (Scales 1:20, 1:5 and 1:1 where appropriate) of the following parts of the development:

1. Alterations at roof level - Turret and Gables
2. New windows
3. New internal decorative features **to appropriate period detailed designs**
4. Roof level plant and screening
5. Alterations to mews facade - new shopfront (including degree of opening)
6. Ramp on Brook Street
7. New access to basement in front area on Brook Street
8. Sunken garden on South Molton lane
9. Alterations to Billiard Rooms

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.

Application for listed building consent at 15-21 South Molton Street (Ref: 20/03909/LBC).

Amended Condition 2

You must apply to us for approval of detailed drawings (Scales 1:20, 1:5 and 1:1 where appropriate) of the following parts of the development:

1. Shopfronts
2. New windows
3. New internal decorative features **to appropriate period detailed designs**
4. Roof level plant and screening
5. Rear extensions, including roof terraces
6. Vents in facades
7. Street lighting equipment
8. Refurbished / replaced pavement lights

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.

RESOLVED UNANIMOUSLY:

1. Subject to the views of the Mayor of London and an informative to encourage the provision of on-site public toilets, grant conditional permission subject to a legal agreement to secure the following:
 - a) Provision of 11 x affordable housing units, made up of 7 x social housing units (rents set at London Affordable Rents) at 23-25 South Molton Street and

4 x intermediate housing units (rents set at London Living Rent) at 27 South Molton Street. Increases in rent and eligibility to be agreed with the Head of Affordable Housing and Partnerships. Completed affordable housing to be managed by and transferred into the legal ownership of a Registered Provider. The office floorspace within the North Block or South Block (whichever is completed first) not to be occupied until all 11 x affordable housing units are ready for occupation.

b) Provision of an Early Stage Viability Review if substantial implementation (i.e. (i) Completion of demolition, ground preparation, piling and permanent foundation and below ground structural works and the ground floor slab for the North Block or the South Block; or (ii) The completion of the shell and core of the affordable housing units at 23, 24, 25 and 27 South Molton Street) has not been occurred within three years of the date of the planning permission.

c) The office floorspace within the North Block or the South Block (whichever is completed second) not to be occupied until the market residential units at 10, 15-22 and 42 South Molton Street are ready for occupation.

d) The office floorspace within the North Block or the South Block (whichever is completed first) not to be occupied until the 8 x residential units at part first and the second floors of Claridge House, 32 Davies Street pursuant to planning permission dated 7 September 2020 (Ref: 20/02661/FULL) are ready for occupation. The office floorspace within the North Block or South Block (whichever is completed first) to be ready for occupation within 8 years of these residential units being made ready for occupation.

e) Undertaking of highways works on Davies Mews, South Molton Lane, Davies Street, Brook Street and South Molton Passage, including associated traffic order making, tree planting, cycle parking, provision of loading bays, wayleaving of existing street lighting, details of highways management and any other associated works to accommodate the development. Highway works / management / threshold levels to have been agreed and alterations to traffic orders to have been confirmed prior to commencement of development. If undertaken by the owner, highway works to Davies Mews, South Molton Lane, Davies Street, Brook Street to be completed prior to occupation of any part of the North Block (excluding 50 Davies Street), the South Block or the occupation of 40-46 Brook Street and 40 South Molton Lane as a hotel (unless otherwise agreed in writing with the City Council). Not to occupy any part of the North Block (except 50 Davies Mews) or any part of the South Block (whichever is completed first) until the highways management arrangements have been approved by the City Council. Highway management arrangements secured for the life of the development. If undertaken by the applicant, highways works to South Molton Passage to be completed prior to the occupation of the affordable housing units at 23, 24, 25 and 27 South Molton Street.

f) Submission of a management plan for the City Council's approval setting out the management, maintenance and enforcement of activities upon land retained in applicant's ownership on South Molton Lane. Adherence to the approved management plan for the life of the development.

g) An Employment and Skills Plan(s) for the demolition, construction and operational (for the commercial elements) phases of the development and a contribution of £346,000 to support the Westminster Employment Service. Employment and Skills Plan submitted prior to the commencement of the

relevant development phase. Financial contribution payable prior to the commencement of development.

h) Car club membership for the occupiers of all 33 x residential units for a period of 25 years. i) A financial contribution of £25,000 to provide an extension to a nearby Cycle Hire docking station(s) (payable prior to commencement of development).

j) The submission for the City Council's approval of a management strategy for the passageway beneath 10 South Molton Street in terms of inspecting it for anti-social behaviour, cleaning, lighting and generally maintaining it. Not to occupy the North Block or the South Block (whichever is completed first) prior to the approval of the management strategy. Adherence to the approved management strategy for the life of the development.

k) The provision of at least 127 sq.m of either formal or informal place space either within Grosvenor Square.

Gardens or an alternative location within Mayfair (design and alternative location (if applicable) to be agreed with the City Council). The playspace to be provided prior to any of the residential units being occupied.

l) The provision of at least 1,205 sq.m of replacement social and community floorspace within the basement of the North Building or an alternative location agreed with the City Council within Mayfair (to be ready for tenant fit out within 8 years of the commencement of the demolition of 48 Brook Street or 56 Brook Street). m) Not to occupy 40-46 Brook Street and 40 South Molton Lane as a hotel until the office floorspace within either of the North or South Block is ready for occupation.

n) Submission (prior to commencement of development of each phase) of a revised Energy Strategy setting out whether operational zero carbon can be met and, if not, require the residual carbon emissions for a notional 30 year development life to be either: (i) Off-set through a financial contribution to the City Council's carbon offset fund (payable prior to commencement of development); or (ii) To be made by the applicant off-site within the City through the delivery of an identified carbon savings project(s).

o) The costs of stopping up and area of public highway on the south-west corner of Davies Mews (payable and stopping up order confirmed prior to commencement of the South Block phase of development).

p) The costs of monitoring the S106 legal agreement.

2. If the S106 legal agreement has not been completed within six weeks of the date of this resolution then:

a) The Director of Place Shaping and 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 Place Shaping and Planning is authorised to determine and issue the decision under Delegated Powers; however, if not;

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

3. That the Sub-Committee authorises the making of a draft order pursuant to s247 of the Town and Country Planning Act 1990 for the stopping up of a part of the public highway on the south-west side of Davies Mews. That the Director of Place Shaping and Planning, Executive Director of Environment and City, Director of City Highways or other such proper officer of the City Council responsible for highway functions, be authorised to take all necessary procedural steps in conjunction with the making of the order and to make the order as proposed if there are no unresolved objections to the draft order.

4. Grant conditional listed building consent for all six applications.

5. Agree the reasons for granting the six applications for listed building consents as set out in Informative 1 of the draft decision letters.

The Meeting ended at 8.46 pm

CHAIRMAN: _____

DATE _____