



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 6th December, 2016**, Rooms 5, 6 & 7 - 17th Floor, Westminster City Hall, 64 Victoria Street, London, SW1E 6 QP.

Members Present: Councillors Robert Davis (Chairman), Susie Burbridge, Tim Mitchell and David Boothroyd

Also Present: Councillor Antonia Cox (Item 1)

1 MEMBERSHIP

1.1 It was noted that there were no changes to the membership.

2 DECLARATIONS OF INTEREST

2.1 Councillor Robert Davis declared that any Members of the Majority Party who had or would make representations on the applications on the agenda were his friends. He also advised that in his capacity as Deputy Leader and Cabinet Member for Planning it was inevitable and part of his role that he got to know, meet and talk to leading members of the planning and property industry including landowners and developers and their professional teams such as architects, surveyors, planning consultants, lawyers and public affairs advisers as well as residents, residents associations and amenity groups. It was his practice to make such declarations. He stated that it did not mean that they were his personal friends or that he had a pecuniary interest, but that he had worked with them in his capacity as Cabinet Member for Planning.

2.2 Councillor Davis explained that all four Members of the Committee were provided a week before the meeting 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 the meeting in the officers presentation or by Members of the Committee, because of the need to get through a long agenda, it did not mean

that Members had ignored the issue as they will have read about it and comments made by correspondents in the papers read prior to the meeting.

2.3 Councillor Davis also declared that in his capacity as the Cabinet Member for the Built Environment with specific responsibility for planning he regularly meets with developers as part of the City Council's pre-application engagement with applicants. This was wholly in accordance with normal protocols and the terms set out in the Localism Act 2011 and as amplified in the Communities and Local Government Act Guidance document "A Plain English Guide to the Localism Act". Councillor Davis added that the meetings held with applicants and in some case objectors too were without prejudice and all parties were advised that a final formal decision was only taken when all the facts were before him and his Committee through the normal planning application process.

2.4 Councillor Davis wished to declare that in his capacity as Cabinet Member he knew a number of the directors of planning consultancy companies in Westminster. The planning consultancy companies were representing the applicants on a number of items on the current agenda, including Four Communications, Belgrave, Rolfe Judd, Gerald Eve, Hard Hat, GL Hearn and Turleys.

2.5 Councillor Davis then made the following further declarations as they related to the specific applications on the agenda:

Item 1 - That he had held a number of meetings with the applicants and had during the process got to know the Directors of the applicant company and had received hospitality from them.

Item 2 - That he had held a number of meetings with the applicants, knows some of the trustees of the Almshouses as well as some of the objectors to the application and the Directors of Gerald Eve.

Item 3 - That he knows the Directors of Belgrave, Turley and Alchemi. He also declared that the application had been considered by the committee previously and that he had attended a committee site visit the previous week.

Item 4 - That previous applications for the site had been considered by the committee and that he had attended a site meeting for a previous application. He also declared that he knows the architect for the scheme.

Item 5 - He knows the Directors of the New West End Company and had himself served as a director of the company but not for some years.

Item 6 - That he had held a meeting with the applicants, knows the Directors of Rolfe Judd and 4 Communications as well as the architects.

Item 7 - That applications for the site had been considered by the committee previously. He also declared that he knows representatives of GL Hearn and directors of the applicant company and had held meetings with them on previous applications held on schemes.

Item 8 - He had held meetings with the freeholders of the hotel previously but not the applicants and these were unrelated to the application.

2.6 Councillor Tim Mitchell declared that any Members of the Majority Party who had or would make representations in respect of the applications on the agenda were his friends. He also advised that in his capacity as a Councillor for St James's Ward, and as Cabinet Member for Finance responsible for the City Council's property portfolio, he regularly met with members of the planning and property industry as well as residents' associations and amenity groups. He also knew planning consultancy companies that were representing the applicants on a number of items on the current agenda, including Turleys, Belgrave, Four Communications and Rolfe Judd.

2.7 Councillor Mitchell then made the following further declarations as they related to the specific applications on the agenda:

Item 3 - That the application had been considered by the committee previously and that he had received correspondence from and engaged with both the applicants and objectors. He also declared that he had attended a committee site visit the previous week.

Item 5 - That he knows the Directors of the New West End Company.

Item 7 - That he had sat on the committee when it had considered a previous application for the Colonnades.

Item 8 - That the site is located in his Ward and he had received representations from the applicant.

2.8 Councillor Susie Burbridge declared that any Members of the Majority Party and Minority Party who had or would make representations on the applications on the agenda were her friends. She advised that she was Deputy Cabinet Member for Housing, Business and Economic Regeneration. She further advised in respect of items 3, 4 & 7 that she had sat on the committee when it had previously considered applications for these sites. In respect of item 1, she declared that she had spoken and listened to quite a number of people who had expressed varying views on the merits of the application but had not expressed a view to them on it.

2.9 Councillor David Boothroyd read out the following declaration:

"I am Head of Research and Psephology for Thorncliffe, whose clients are companies applying for planning permission from various local authorities. No current clients are in Westminster; if there were I would be precluded from working on them under the company's code of conduct.

Some Thorncliffe clients have engaged planning consultants who are also representing the applicants tonight: Gerald Eve on items 1 and 2, Turley on item 3, Rolfe Judd Planning on item 6, GL Hearn on item 7, and Savills on

item 8. However I do not deal directly with clients or other members of project teams, and planning consultants are not themselves clients.

On item 1, I live within the area consulted by the applicant and by the council on this application. I sat on the planning committee on 6 November 2012 which heard a previous scheme on this site. Several representations about this application have been made by people I consider my friends.

I am a councillor sponsor for the Notting Hill East Neighbourhood Forum, who have made representations; I am also a member of Westminster Labour Group and Hyde Park Branch of the Labour Party who have made comments, but in each case I played no part in guiding their views.

On item 3, I had the benefit of a report from Cllr Williams, who had replaced me, on the committee's discussion on 15 November. I also attended the site visit last Thursday.

On item 7, I sat on the committee on 11 March 2014 which decided the main application for reconfiguration of The Colonnades.

On item 8, I am a member of the London Library, which owns several buildings near the site."

2.10 Councillor Antonia Cox declared in respect of item 1 that the site is located in her Ward, she is the chairman of the Adults, Health and Public Protection Policy and Scrutiny Committee and is a Member of the Conservative Party and knows Members of the Majority Party in her capacity as a Westminster Councillor.

2.11 Sean Dwyer, Highways Planning Manager, declared in respect of item 1 that one of the letters of representation submitted in relation to the application is from his wife in her capacity as Director of Built Environment at the City of London. He clarified that they had not made any comments in relation to the application.

3 MINUTES

3.1 **RESOLVED:** That the minutes of the meeting held on 15 November 2016 be signed by the Chairman as a correct record of proceedings.

4 PLANNING APPLICATIONS

1 PADDINGTON SORTING & DELIVERY, 31 LONDON STREET, LONDON, W2 1DJ

Demolition of existing buildings and mixed use redevelopment comprising a commercial cube providing up to 50,000 sqm (GEA) floorspace of office/commercial uses, retail and café/restaurant uses at lower levels and top floor level, a retail/restaurant building on Praed Street; a new major piazza including pedestrianisation of London Street, a new access road between Winsland Street and Praed Street, hard and soft landscaping, new underground station entrance and new

Bakerloo Line Ticket Hall; and associated infrastructure and interface highway and transport works for underground connections, and ancillary works.

Additional representations were received from:

1. Email from TFL dated 28.11.2016 & letter dated 01.12.2016
2. Letter from Imperial College Healthcare NHS Trust dated 1.12.2016 & 02.12.2016
3. Letter from Councillor Cox dated 30.11.2016
4. Letter from PRACT dated 01.12.2016
5. Letter from Paddington Now dated 01.12.2016
6. Email from SEBRA dated 02.12.2016
7. Memo from Arboricultural Officer dated 28.11.2016
8. Response from occupier of 32 Bathurst Mews dated 28.11.2016 (S)
9. Response from the occupier of 27 Leinster Square dated 28.11.2016 (O)
10. Response from the occupier of 95 Gloucester Mews West dated 30.11.2016 (O)
11. Response from the occupier of Craven Road (no number given) dated 30.11.2016 (O)
12. Response from the occupier of 23 Leinster Mews dated 30.11.2016 (S)
13. Response from the occupier of Flat 46 Corringham, 13-16 Craven Hill Gardens dated 30.11.2016 (O)
14. Response from Skyline Campaign dated 30.11.2016 (O)
15. Response from the occupier of Burnwithian Stick Hill Edenbridge dated 30.11.2016 (S)
16. Response from the occupier of 74 Brampton Road St Albans dated 30.11.2016. (S)
17. Response from Dandi Living Limited dated 01.12.2016 (S)
18. Response from the occupier of 17 Burrard Road dated 01.12.2016 (O)
19. Response from the occupier of 3 Hatherley Gardens dated 01.12.2016 (O)
20. Response from the occupier of 27 Coniston Court dated 01.12.2016 (O)
21. Response from the occupier of 59 Lancaster Mews dated 01.12.2016 (O)
22. Response from the occupier of Holly Lodge Mansions, Highgate dated 01.12.2016 (O)
23. Response from the occupier of Ground floor flat, 79 Westbourne Terrace 01.12.2016 (O)
24. Response from the occupier of Flat 1, 169-173 Malden Road 01.12.2016 (O)
25. Response from the occupier of W10 6AS dated 02.12.2016 (S)
26. Response from the occupier of 16 Cleveland Square dated 02.12.2016 (O)
27. Responses (x2) from the occupiers (x2) of 150 Gloucester Terrace dated 02.12.2016 (O)
28. Response from the occupier of 166A Gloucester Terrace dated 02.12.2016 (O)
29. Response from the occupier of Apartment 34, 11 Harbet Road dated 02.12.2016 (O)
30. Response from the occupier of 18 Westbourne Terrace dated 02.12.2016 (S)
31. Response from the occupier of Basement Flat 98 Westbourne Terrace dated 02.12.2016 (O)
32. Response from the occupier of 43 Penwortham Road London dated 02.12.2016 (S)
33. Response from the occupier of The Mount dated 02.12.2016 (S)

34. Response from the occupier of 46 Eaton House dated 02.12.2016 (S)
35. Response from the occupier of 98 Westbourne Terrace dated 02.12.2016 (O)
36. Response from the occupier of 33 Manchester Street London dated 01.12.2016 (S)
37. Response from the occupier of 65 Shirland Road dated 01.12.2016 (O)
38. Response from the occupier of Flat 1a, 27 John Adam Street London dated 01.12.2016 (S)
39. Response from the occupier of Kings College School dated 01.12.2016 (S)
40. Response from the occupier of 30 Harbord Street dated 01.12.2016
41. Letter from Applicant (with attached brochure) dated 02.12.2016

Late representations were received from:

1. Revised officer recommendation & draft decision letter
2. Email from Councillor Smith Dated 06.12.2016
3. Email from Councillor Hug on behalf of the Labour group At dated 04.12.2016
4. Email from Councillor Arzymanow dated 02.12.2016
5. Letter from Imperial College Healthcare NHS Trust dated 02.12.2016
6. Email from South East Bayswater Residents Association dated 02.12.2016
7. Email from PRACT dated 02.12.2016
8. Document from Applicant dated December 2016
9. Sofia Massey Cook dated 4.12.2016
10. David Ishack dated 5.12.2016
11. Louise Ward dated 4.12.2016
12. Guto Harri dated 4.12.2016
13. Carole Brown dated 3.12.2016
14. Jillian Dart dated 3.12.2016
15. Claire Tallis dated 3.12.2016
16. Richard Pidgeon dated 2.12.2016
17. Liz O'Brien dated 2.12.2016
18. Eleonora Tijanic dated 2.12.2016
19. Federico Di Natale dated 2.12.2016
20. Amy Stoddart dated 2.12.2016
21. Meriem Rachdi dated 2.12.2016
22. Stuart Hamon dated 2.12.2016
23. Joseph Bazerghi dated 2.12.2016
24. Adam Bahsoon dated 2.12.2016
25. Richard Michaels dated 2.12.2016
26. Nik Shah dated 2.12.2016
27. Leonard Bellam dated 2.12.2016
28. Katya Chelli dated 2.12.2016
29. Lottre Franklin dated 2.12.2016
30. Guy Milne dated 5.12.2016
31. Mike Davies dated 5.12.2016
32. Celia Davies dated 5.12.2016
33. Sellar Paddington Ltd dated 5.12.2016
34. Mahbubur Rahman dated 2.12.2016
35. Alison Russell dated 2.12.2016
36. Harriet Sanderson dated 2.12.2016
37. Catherine Rastgoow dated 2.12.2016

38. Broderick Munro Wilson dated 2.12.2016
39. Emma Salter dated 6.12.2016
40. Alex Tsangarides dated 6.12.2016
41. Nick Lawley dated 6.12.2016
42. Graham Davies dated 6.12.2016
43. Nicky Hessenberg dated 5.12.2016
44. Lee Evans dated 5.12.2016
45. Edward Marshall dated 6.12.2016
46. Geoffrey Salter dated 6.12.2016
47. Sophie Pemberton dated 6.12.2016
48. Mona Benjamin dated 6.12.2016
49. Emma Salter dated 6.12.2016
50. Waikay Chan dated 6.12.2016
51. Edward Cassels dated 6.12.2016
52. Howard Evans dated 6.12.2016

Councillor Antonia Cox addressed the committee in her capacity as a Ward councillor.

The presenting officer tabled the following changes (in bold and strikethrough) to the recommendation in addition to changes to the draft decision notice:

1. Grant conditional planning permission subject to the views of the Mayor of London, and subject to a S106 legal agreement to secure the following:-

1. a) Prior to commencement of development the developer to **enter into a Development Agreement with TFL and** submit a schedule of works associated with the interface between Paddington Bakerloo Line and the development which must be agreed by the City Council (in consultation with TFL and LUL and Network Rail) The development must be carried out in accordance with the schedule of works agreed **and the Development Agreement**.

1. b) Prior to occupation of any of the buildings above ground level, the developer to carry out structural works and to construct the station box to the Bakerloo Line ticket hall and the fit out works to the unpaid side of ticket barriers including all escalators, steps and lift access from concourse level and London Street/Praed Street level, in accordance with the approved drawings, (unless otherwise agreed in writing by the City Council in consultation with TFL and LUL and Network Rail) and thereafter provide a 999 year lease at peppercorn rent to TFL/LUL for operation of the station and public access through and within the development to all public transport entrances/exits when public transport is operational.

2. The developer to pay £8.5m (index linked) towards Transport for London's delivery of fit out works (to paid side of ticket barriers) to the new Bakerloo Line ticket hall. To be paid to Transport for London on receipt of confirmation from Transport for London of their commitment to fund the remaining cost of fit out works and 3 months before the commencement of relevant fit out works.

3. The developer to meet the cost of funding the procurement, management and delivery (including all necessary consents) of the following works within Paddington

Station, including namely; i) tunnels refurbishment, ii) redesign of servicing area to western end of platform 1; iii) removal and replacement of buffer stops and adjacent plant to platforms 11 & 12.

4. The developer to fund a transport study by a steering group comprising WCC, TFL, NR & Crossrail of traffic management and servicing associated with the site and in its vicinity. Including Eastbourne Terrace, Bishops Bridge (Harrow Road gyratory to Eastbourne Terrace), Praed Street (Craven Road to Norfolk Place), London Street (North), Winsland Street, Winsland Mews, Junction of London Street with South Wharf Road and proposed new road, Paddington Station Arrivals ramp. The findings of the study to be implemented in agreement with the City Council & TfL ~~at the developers cost.~~ **The developer to fund the reasonable and proper costs of agreed and identified recommended measures to be implemented which relate specifically to the proposed development.**

5. Developer to fund the cost of highways works immediately surrounding the site, required for the development to occur/mitigate the impact of the development **and for the proper planning of the wider Paddington area. This is to include the revised offer put forward by the applicant to pay for the construction of the preferred access road for St Mary's hospital are set out in the letter dated 5 December 2016 and to pay for the costs of temporary buildings on the St Mary's site.**

(For clarification purposes the above text in bold was approved by the Sub-Committee upon the approval of the minutes of the previous meeting held on 17 January 2017).

6. Developer to submit a servicing management plan, to minimise servicing movements within the public realm, including the area of the Paddington Station Arrivals ramp, for approval by the City Council and thereafter to carry out the development in accordance with the approved plan.

7. Developer to provide and manage at their own cost all of the public realm works within the application site including associated street furniture, paving, landscaping, drainage, service diversions and thereafter maintain and manage the area including the area that is currently the Arrivals Road and allow 24 hours access for the general public via a walkways agreement to be submitted for approval.

8. Provision of vehicular and pedestrian public highway to the City Council's adoptable standard from Praed Street to Winsland Street prior to closure of London Street and thereafter with 24 hours access. Details to be agreed by the City Council.

9. Provision of or cost of relocation/replacement/upgrade of east and west bound bus stops on Praed Street to TfL satisfaction and in line with 4 above.

10. Provision of or cost of relocation/replacement of cycle docking station and provision of vehicular access to and from it to allow manual redistribution of bikes within the site to TfL satisfaction and in line with 4 above.

11. Provision of or cost of relocation/replacement and changes of on street car parking including blue badge car parking as part of 4 above

12. Provision of or cost of relocation/replacement of motorcycle parking within the site as part of 4 above

13. Provision of Public Art to the value of no less than £2,000,000 (index linked) and maintenance of public art thereafter at full cost to the developer.

14. Provision and maintenance of public access to **i) the Cube's rooftop restaurant (Class A3); ii) external terrace and iii) projecting glass box/structure to provide free public viewing area** ~~and provision of a free public viewing area~~ (details to be agreed later) at no cost to the public.

15. Financial contribution of £250,000 (index linked) as a payment in lieu of an on-site mini recycling facility

16. Financial contribution of £250,000 (index linked) as a payment in lieu of on-site social and community facility

17. Employment and Training Strategy

18. Cost of Monitoring the S106 legal agreement

19. Crossrail contribution of £4,326,820 (Mayoril Cil treated as a credit towards crossrail)

3.If the S106 legal agreement has not been completed within 3 MONTHS from the date of the Committee's resolution then:

a) The Director of 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 Planning 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 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.

4. Grant conditional listed building consent and agree the reasons for granting listed building consent as set out in informative 1 of the draft decision letter.

5.That Committee authorises the making of a draft order pursuant to s247 of the Town and Country Planning Act 1990 for the stopping up of parts of the public highway and creation of new public highway to enable this development to take place. That the Director of Planning, Executive Director of City Management, 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 orders and to make the orders as proposed if there are no unresolved objections

to the draft orders. The applicant will be required to cover all costs of the Council in progressing the stopping up orders.

RESOLVED:

1. That conditional planning permission be granted subject to:

A) The views of the Mayor of London,

B) A S106 legal agreement to secure the following:-

1. a) Prior to commencement of development the developer to enter into a development agreement with TFL and submit a schedule of works associated with the interface between Paddington Bakerloo Line and the development which must be agreed by the City Council (in consultation with TFL and LUL and Network Rail) The development must be carried out in accordance with the schedule of works agreed and the Development Agreement.

1. b) Prior to occupation of any of the buildings above ground level, the developer to carry out structural works and to construct the station box to the Bakerloo Line ticket hall and the fit out works to the unpaid side of ticket barriers including all escalators, steps and lift access from concourse level and London Street/Praed Street level, in accordance with the approved drawings, (unless otherwise agreed in writing by the City Council in consultation with TFL and LUL and Network Rail) and thereafter provide a 999 year lease at peppercorn rent to TFL/LUL for operation of the station and public access through and within the development to all public transport entrances/exits when public transport is operational.

2. The developer to pay £8.5m (index linked) towards Transport for London's delivery of fit out works (to paid side of ticket barriers) to the new Bakerloo Line ticket hall. To be paid to Transport for London on receipt of confirmation from Transport for London of their commitment to fund the remaining cost of fit out works and 3 months before the commencement of relevant fit out works.

3. The developer to meet the cost of funding the procurement, management and delivery (including all necessary consents) of the following works within Paddington Station, including namely; i) tunnels refurbishment, ii) redesign of servicing area to western end of platform 1; iii) removal and replacement of buffer stops and adjacent plant to platforms 11 & 12.

4. The developer to fund a transport study by a steering group comprising WCC, TFL, NR & Crossrail including PRACT and representatives from local amenity groups of traffic management and servicing associated with the site and in its vicinity. Including Eastbourne Terrace, Bishops Bridge (Harrow Road gyratory to Eastbourne Terrace), Praed Street (Craven Road to Norfolk Place), London Street (North), Winsland Street, Winsland Mews, Junction of London Street with South Wharf Road and proposed new road, Paddington Station Arrivals ramp. The findings of the study to be implemented in agreement with the City Council & TfL. The developer to fund the reasonable and proper costs of agreed and

identified recommended measures to be implemented which relate specifically to the proposed development.

5. Developer to fund the cost of highways works immediately surrounding the site, required for the development to occur/mitigate the impact of the development and for the proper planning of the wider Paddington area. This is to include the revised offer put forward by the applicant to pay for the construction of the preferred access road for St Mary's hospital are set out in the letter dated 5 December 2016 and to pay for the costs of temporary buildings on the St Mary's site.

6. Developer to submit a servicing management plan, to minimise servicing movements within the public realm, including the area of the Paddington Station Arrivals ramp, for approval by the City Council and thereafter to carry out the development in accordance with the approved plan.

7. Developer to provide and manage at their own cost all of the public realm works within the application site including associated street furniture, paving, landscaping, drainage, service diversions and thereafter maintain and manage the area including the area that is currently the Arrivals Road and allow 24 hours access for the general public via a walkways agreement to be submitted for approval.

8. Provision of vehicular and pedestrian public highway to the City Council's adoptable standard from Praed Street to Winsland Street prior to closure of London Street and thereafter with 24 hours access. Details to be agreed by the City Council.

9. Provision of or cost of relocation/replacement/upgrade of east and west bound bus stops on Praed Street to TfL satisfaction and in line with 4 above.

10. Provision of or cost of relocation/replacement of cycle docking station and provision of vehicular access to and from it to allow manual redistribution of bikes within the site to TfL satisfaction and in line with 4 above.

11. Provision of or cost of relocation/replacement and changes of on street car parking including blue badge car parking as part of 4 above

12. Provision of or cost of relocation/replacement of motorcycle parking within the site as part of 4 above

13. Provision of Public Art to the value of no less than £2,000,000 (index linked) and maintenance of public art thereafter at full cost to the developer.

14. Provision and maintenance of public access to i) the Cube's rooftop restaurant (Class A3); ii) external terrace and iii) projecting glass box/structure to provide free public viewing area (details to be agreed later) at no cost to the public.

15. Financial contribution of £250,000 (index linked) as a payment in lieu of an on-site mini recycling facility

16. Financial contribution of £250,000 (index linked) as a payment in lieu of on-site social and community facility

17. Employment and Training Strategy

18. Cost of Monitoring the S106 legal agreement

19. Crossrail contribution of £4,326,820 (Mayoril Cil treated as a credit towards crossrail)

3.If the S106 legal agreement has not been completed within 3 MONTHS from the date of the Committee's resolution then:

a) The Director of 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 Planning 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 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.

4. Conditional listed building consent be granted and the reasons for granting listed building consent as set out in informative 1 of the draft decision letter be agreed.

5.That Committee authorises the making of a draft order pursuant to s247 of the Town and Country Planning Act 1990 for the stopping up of parts of the public highway and creation of new public highway to enable this development to take place. That the Director of Planning, Executive Director of City Management , 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 orders and to make the orders as proposed if there are no unresolved objections to the draft orders. The applicant will be required to cover all costs of the Council in progressing the stopping up orders.

2 CHESTERFIELD LODGE, 75 ST JOHN'S WOOD TERRACE, LONDON, NW8 6LF

Demolition of existing building and the erection of a four storey building to accommodate 44 residential dwellings (Class C3) and associated works including landscaping and the provision of car parking.

Additional representations were received from Metropolitan Police (29.11.16) and Planning Highways Manager (29.11.16).

Late representations were received from Gerald Eve (6.12.16), Head of Affordable & Private Sector Housing (5.12.16), Metropolitan Police (1.12.16 & 5.12.16), Jacqueline Zelkha (2.12.16) and Tasos Kontos (5.12.16).

The presenting officer tabled the following change to the draft decision letter:

ADD Condition 22:

Pre Commencement Condition. No development shall take place, including any works of demolition, until a construction management plan for the proposed development has been submitted to and approved in writing by the City Council as local planning authority. The plan shall provide the following details:

- (i) a construction programme including a 24 hour emergency contact number;
- (ii) parking of vehicles of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- (iii) locations for loading/unloading and storage of plant and materials used in constructing the development;
- (iv) erection and maintenance of security hoardings (including decorative displays and facilities for public viewing, where appropriate);
- (v) wheel washing facilities and measures to control the emission of dust and dirt during construction; and
- (vi) a scheme for recycling/disposing of waste resulting from demolition and construction works.

You must not start work until we have approved what you have sent us. You must then carry out the development in accordance with the approved details.

REASON:

To protect the environment of residents and the area generally as set out in S29 of Westminster's City Plan (November 2016) and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007.

RESOLVED:

1. Subject to no new issues being raised when the consultation period on the revised proposal formally expires on 9 December 2016, conditional permission granted subject to:
 - i. Amending condition 22 as tabled and set out above
 - ii. An additional condition that requires the flats to be affordable.
2. Members agreed that due to the exceptional circumstances of this case this proposal can be treated as an affordable housing credit to be secured by a Memorandum of Understanding (MOU). This Almshouses Memorandum of Understanding will set out the terms of this funding mechanism and shall be

regarded as a material planning consideration from the date of this resolution and shall last for a period of ten years.

3 WESTMINSTER FIRE STATION, 4 GREYCOAT PLACE, LONDON, SW1P 1SB

Use of the Fire Station (ground floor) as Class A3 and (four upper floors) as Class C3 use (6 flats) with associated internal and external alterations. Demolition of the existing rear buildings and replacement with a five storey residential building to provide 11 flats with balconies, excavation of one storey basement under the entire footprint of the site to accommodate A3 use and residential use. Installation of photovoltaic panels to roof level of rear building. Rebuilding of the existing rear tower with installation of plant on top.

Additional representations were received from Christopher Davis (2.12.16), Clare Annamalai (2.12.16), Hilary Johnson (1.12.16), Dr Guy Northridge (30.11.16), Stephen Black (30.11.16), Victor Farhi (29.11.16), Emmett de Monterey (29.11.16), Charles Rose (29.11.16), Alessandro Vittorini (29.11.16), Ida Hochman (28.11.16), Susan Timbrell (28.11.16), Jennifer Solomon (28.11.16), Bruce Rayner (28.11.16), Rachael Macpherson (28.11.16) and Andrew Stainer (26.11.16).

Late representations were received from Michael O'Brien (6.12.16), Nitin Parshotam (5.12.16), Martin Fricker (5.12.16), Tim and Barbara Benton (3.12.16 & 4.12.16), Derek Butler (2.12.16) and Fiona Jones (6.12.16).

The presenting officer tabled the following changes to the recommendation and draft decision letter.

Remove 2 part iii of the recommendation:

The applicant to comply with the Council's Code of Construction Practice, provide a Site Environmental Management Plan including a Construction Access Plan for Artillery Mansions prior to commencement of development to ensure access is not affected and provide a financial contribution of £52,000 per annum during demolition and construction to fund the Environmental Inspectorate and monitoring by Environmental Sciences officers.

Add the following to the recommendation:

3. Grant conditional listed building consent.
4. Agree the reasons for granted listed building consent as set out in Informative 1 of the draft decision letter.

Add the following Conditions:

Condition 34

Prior to the commencement of any demolition or construction on site the applicant shall provide evidence 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 a completed Appendix A of the Code of Construction Practice, signed by the applicant and approved by the Council's

Environmental Inspectorate, which constitutes an agreement to comply with the code and requirements contained therein.

Reason

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007.

Condition 35

You must apply to us for approval of a construction access plan to demonstrate how the pedestrian and vehicle access between Artillery Mansions and Greycoat Place will remain fully accessible during construction.

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

Reason

To protect the environment of neighbouring occupiers as set out in S29 of Westminster's City Plan (November 2016).

RESOLVED:

1. Members considered that the additional set-backs proposed for the five storey residential building are sufficient to improve the amenity impact of the development to the residents in Artillery Mansions.
2. Subject to 1 above, conditional permission be granted subject to:
 - A) a S106 legal agreement to secure the following:
 - i. A replacement social and community facility with a minimum 256m² floorspace (gross external area) to be provided elsewhere in the City.
 - ii. A payment of £500,000 to be held in escrow until the applicant has provided a suitable replacement social and community facility within a period of four years from the date of the planning permission.
 - iii. Life-time car club membership (25 years) for residents of the development;
 - iv. Highway works surrounding the site required for the development to occur;
 - v. Setting up a community liaison group;
 - vi. Costs of monitoring the S106 agreement.
 - B) The additional conditions as tabled and set out above.

If the S106 legal agreement has not been completed within three months 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 the proposals are unacceptable in the absence of benefits which 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.

3. That conditional listed building consent be granted.

4. That the reasons for granted listed building consent as set out in Informative 1 of the draft decision letter be agreed.

4 CLARIDGES HOTEL, 47-57 BROOK STREET, MAYFAIR, LONDON, W1A 2JQ

Internal and external alterations including alterations to roof comprising removal of rooftop plant rooms and associated structures and construction of additional two storeys to provide 40 additional hotel (Class C1) bedrooms; alterations to elevations on Brook Street, Davies Street and Brook's Mews; and excavation at basement level to provide five new basement levels to provide additional hotel floorspace (Class C1) in the form of ancillary restaurants/bars, function rooms, hotel leisure/spa facilities, ancillary and back of house spaces.

Additional representations were received from Cabana, Hush and Hache Restaurants (30.11.16) and summary of proposals from the applicant (undated).

The presenting officer tabled the following clarification in respect of the committee report:

Attention is drawn to Section 8.10 of the officer's report. The paragraph at the top of Page 246 discusses the applicant's proposed contribution to environmental improvement works to Brook's Mews or another location within the vicinity of the site. The report says that the offer should not carry any material weight. The report should read that the offer should not carry any weight in the determination of the application.

The presenting officer tabled the following changes required to the draft decision letters on this case (changes in **bold**):

16/07451/FULL

Revised Condition 10:

You must provide the waste store shown on drawing Lower Ground Floor General Arrangement as proposed (**1374(03)090P Rev B**) before the additional 40 bedrooms hereby approved are occupied. You must clearly mark it and make it available at all times to everyone using the hotel. You must store waste inside the property and only put it outside just before it is going to be collected. You must not use the waste store for any other purpose.

Revised Condition 11:

You must apply to us for approval of a Servicing and Operational Management Plan for the hotel to demonstrate management of the servicing requirements of the hotel and management and access arrangements for the ancillary restaurants. You must not occupy **either of the hotel extensions** until we have approved what you have sent us. You must then manage the servicing requirements for the hotel and ancillary restaurants in accordance with the approved Plan.

Revised Condition 18:

You must apply to us for approval of details of the CHP flue, including details of how it will be built and how it will look. You must not **start on this part of the development** until we have approved what you have sent us and you have carried out the work according to the approved details. (C14BB)

Reason:

To protect the environment of people in neighbouring properties and **the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area**. This is as set out in S25, S28, S29 and S32 of Westminster's City Plan (November 2016) and DES 1, DES 5, paras 10.108 to 10.146 and TACE2, ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007.

Revised Condition 19:

You must apply to us for approval of details of the kitchen extract flue to get rid of cooking smells, including details of how it will be built and how it will look. You must not **start on this part of the development** until we have approved what you have sent us and you have carried out the work according to the approved details. (C14AB)

Reason:

To protect the environment of people in neighbouring properties and **the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area**. This is as set out in S25, S28, S29 and S32 of Westminster's City Plan (November 2016) and DES 1, DES 5, paras 10.108 to 10.146 and TACE2, ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007.

16/07452/LBC

Additional Condition 7

You must apply to us for approval of detailed drawings of the following parts of the development:

- (i) CHP flues.
- (ii) Kitchen extract flues.

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 approved drawings.

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007.

RESOLVED:

1. That conditional permission be granted subject to:
 - A) the completion of a S106 agreement to secure:
 - a) A payment of £226,460 (index linked and payable prior to commencement of development) towards environmental improvement works to Brook's Mews or in the vicinity of the property (at the discretion of the Director of Transportation);
 - b) Submission of details and provision of on-site public art (total value at least £200,000 excluding maintenance costs and design and commissioning fees);
 - c) Collect a Crossrail contribution of £398,086 (less any CIL payment made) (index linked and payable prior to commencement of development);
 - d) Secure all costs associated with the alterations to the parking bay on Brook's Mews (prior to commencement of development); and
 - e) The costs of monitoring the S106 legal agreement.
 - B) Amendments to conditions 10, 11, 18 and 19 as tabled and set out above.
2. If the S106 legal agreement has not been completed within 6 weeks of the date of this resolution, then:
 - a) The Director of Planning shall consider whether the permissions can be issued with additional conditions attached to secure the benefits listed above. If this is possible and appropriate, the Director of Planning 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 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.

3. That conditional listed building consent be granted subject to the additional condition 7 tabled and listed above.
4. That the reasons for granting listed building consent as set out in Informative 1 of the draft decision letter be agreed.

5 BIRD STREET, LONDON

Installation of 5 new retail kiosks (Class A1) on the western side of Bird Street and a replacement kiosk (Class A1) close to the junction with Oxford Street, and associated landscaping works to the highway.

An additional representation was received from the applicant in the form of a summary of proposals (December 2016).

Late representations were received from Councillor Heather Acton (6.12.16), Head of Road Management (6.12.16) and NVEC (Greening proposals).

The presenting officer tabled the following changes to the description of the development:

Amended description of development:

Installation of 5 new kiosks on the eastern side of Bird Street and associated landscaping works and works to the highway, including laying of artificial grass and provision of a green wall.

The presenting officer tabled the following changes to the decision letter:

Additional condition No 5:

You must apply to us for approval of detailed drawings at a scale of 1:50 and 1:20 of the following parts of the development canopies including the method of fixing to the building on the western side of Bird Street. You must not start work until we have approved what you have sent us.

You must then carry out the work according to these details

Reason

In the interests of public safety, to ensure that the awnings are not hit by high vehicles and to protect the environment of people in neighbouring properties as set out in TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007 and S24, S29 and S32 of Westminster's City Plan (July 2016).

Additional condition No 6

All servicing must take place between 07.00 and 10.00 daily

Reason

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan (November 2016) and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007.

Additional condition 7

You must apply to us for detailed drawings of the green wall including size and species of plants. You must not start work until we have approved what you have sent us. You must then carry out the landscaping and provide the green wall within 2 months of completing the development (or within any other time limit we agree to in writing), which should then be permanently whilst the kiosks remain in situ.

Reason

To improve the appearance of the development and its contribution to biodiversity and the local environment, as set out in S38 of Westminster's City Plan (November 2016) and ENV 16, ENV 17 and DES 1 (A) of our Unitary Development Plan that we adopted in January 2007

Additional condition 8

No music shall be played at the kiosks hereby approved

Reason

To protect the environment of people in neighbouring properties as set out in S24, S29 and S32 of Westminster's City Plan (July 2016) and ENV6 of our Unitary Development Plan that we adopted in January 2007

RESOLVED: That conditional permission be granted for a temporary period of one year subject to:

1. The additional conditions as tabled and set out above;
2. An additional condition that the Astroturf shall be cleaned and maintained to the satisfaction of the City Council. If the Council is not satisfied that this is being done or believes that the Astroturf is not working and notifies the applicant of this in writing, the Astroturf shall be removed from the highway in full within 7 days of receipt of the written notification.
3. Additional informatives requiring the applicant to liaise with the Council's Arboricultural Manager about paying for replacement of the tree that is to be removed once the temporary permission expires and to highlight the issues of concern raised by the Council's Cleansing and the Highways Teams regarding the use of Astroturf.

6 AXTELL HOUSE, 23-24 WARWICK STREET, LONDON, W1B 5NQ

Demolition of existing 4th to 6th floors and erection of new 4th to 6th floors, including provision of a roof top garden and terrace at 6th floor level; all for office (Class B1) purpose. Relocation of plant to a 1st floor lightwell, replacement of windows to front elevation, alterations to rear elevation and new ground floor entrance.

Additional representations were received from E&A Property Investment Company Ltd (30.11.16) and Regent Street Association (30.11.16)

A late representation was received from Councillor Jonathan Glanz (6.12.16).

RESOLVED: That conditional permission be granted subject to:

1. Amending condition 4.1 so that the step back to the glass balustrade applies to the roof level only
2. Removing condition 4.2 regarding retaining the existing entrance.

7 THE COLONNADES, 26 PORCHESTER ROAD, LONDON, W2 6ES

Application 1

Variation of Conditions 16 and 17 of planning permission dated 9 October 2014 (RN: 13/12442/FULL) for reconfiguration of the ground and first floors to provide a supermarket (Class A1) at part ground floor and first floor levels with three retail shop units (Class A1) and two restaurant/ cafe units (Class A3) at ground floor level, extension to Porchester Road and Bishop's Bridge Road elevations to infill existing colonnade and create entrance lobby to their supermarket, infilling of basement vents to Bishop's Bridge Road, alterations to street facades, amendments to rear service yard, installation of mechanical plant and associated public realm works. NAMELY, to allow amalgamation of Units 4 and 5 facing Bishop's Bridge Road to form one retail unit for use as a mixed retail shop and restaurant use (Sui Generis) (Site also known as Unit 4, Bishop's Quarter, Bishop's Bridge Road).

Application 2

Details of the location, number, appearance, hours of use and location of storage of tables and chairs and associated non-fixed structures such as enclosures or barriers around tables and chairs or sun shades to be placed on the forecourt of the building pursuant to Condition 20 of planning permission dated 9 October 2014 (13/12442/FULL) (Site also known as Unit 4, Bishop's Quarter, Bishop's Bridge Road).

An additional representation was received from Highways Planning (29.11.16).

A late representation was received from GL Hearn (6.12.16).

The presenting officer tabled the following amendment to condition 20 in the draft decision notice:

AMEND condition 20 to state:

- 20 No tables and chairs shall be placed outside of the retail units hereby approved on the forecourt of the building (where it does not form part of the public highway) without our written approval. You must apply to us for approval of the location, number, appearance, hours of use and location of storage for any tables and chairs and associated non-fixed structures such as enclosures or barriers around tables and chairs or sun shades that you propose to place on the forecourt of the building. You must not place the table and chairs or associated structures outside the retail units until we have approved what you have sent us. You must then only place the tables and chairs in the locations we approve in accordance with the details of their use and appearance that we approve.

To the following:

With the exception of the tables and chairs and associated non-fixed structures or barriers on the forecourt of the building that we approved on 6 December 2016 (RN: 16/09312/ADFULL), no other tables and chairs shall be placed outside of the retail units hereby approved on the forecourt of the building (where it does not form part of the public highway) without our written approval. You must apply to us for approval of the location, number, appearance, hours of use and location of storage for any tables and chairs and associated non-fixed structures such as enclosures or barriers around tables and chairs or sun shades that you propose to place on the forecourt of the building. You must not place the table and chairs or associated structures outside the retail units until we have approved what you have sent us. You must then only place the tables and chairs in the locations we approve in accordance with the details of their use and appearance that we approve.

RESOLVED:

Application 1 (Variation of Conditions 16 and 17)

1. That planning permission be refused due to the loss of the A1 shop.
2. That the reasons for refusal to be agreed under delegated powers.

Application 2 (Tables and Chairs on Forecourt)

1. That the application be deferred to ask the applicant to amend the application to remove tables and chairs outside Unit 4 (A1 use).
2. Subject to the applicant agreeing to amend the approval of details application officers are authorised to determine this application for table and chairs outside Unit 5 (A3 use) under delegated powers.
3. Should the applicant refuse to amend the application then the approval of details application be refused and officers are authorised to determine the application and agree appropriate reasons for refusal under delegated powers.

8 80 JERMYN STREET, LONDON, SW1Y 6JD

Lawful Development Certificate for a Mixed Use comprising retail, depository, research centre, archive library, consultancy, publishing and conservation for historic tapestries, textile art and carpets at basement and ground level (sui generis).

RESOLVED: That a certificate be issued.

The Meeting ended at 10.04 pm

CHAIRMAN: _____

DATE _____