



CITY OF WESTMINSTER

# MINUTES

## Planning Applications Committee (2)

### MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Planning Applications Committee (2)** Committee held on **Tuesday 21st March, 2017**, Rooms 5, 6 & 7 - 17th Floor, Westminster City Hall, 64 Victoria Street, London, SW1E 6 QP.

**Members Present:** Councillors Melvyn Caplan (Chairman), Paul Church, Gotz Mohindra and David Boothroyd

**Also Present:** Councillors

**Apologies for Absence:** Councillor Ruth Bush

#### 1 MEMBERSHIP

- 1.1 It was noted that Councillor David Boothroyd was replacing Councillor Ruth Bush.

#### 2 DECLARATIONS OF INTEREST

- 2.1 Councillor Melvyn Caplan declared that in respect of item 2 on the agenda, he lived off Lanark Road, but did not live close to St. Georges RC Secondary School and had not been consulted in connection with the application.
- 2.2 Councillor Gotz Mohindra declared that in respect of item 2 on the agenda, he lived close to Lanark Road, but at the opposite end of the road to the application.
- 2.3 Councillor Paul Church declared that in his capacity as Ward Councillor for West End Ward and Deputy Cabinet Member for Adult Social Services & Public Health, he met and engaged regularly with residents, residents groups, developers and others. He considered members of both the Majority and Minority party as friends when they made representations. Councillor Church also declared that in relation to item 6, the application site was in his Ward.
- 2.4 Councillor David Boothroyd declared that he was Head of Research and Psephology for Thorncliffe, whose clients were companies applying for

planning permission from various local authorities. No current clients were in Westminster; if there were he would be precluded from working on them under the company's code of conduct.

Some Thorncliffe clients had engaged planning consultants who were also representing the applicants tonight: DP9 on item 1, Lambert Smith Hampton on item 2, Indigo Planning Ltd on item 6, and Rolfe Judd on item 7. However he did not deal directly with clients or other members of project teams, and planning consultants were not themselves clients.

On item 3, Councillor Williams, who had made representations, was a friend.

### **3 MINUTES**

#### **3.1 RESOLVED:**

That the minutes of the meeting held on 21 February 2017 be signed by the Chairman as a correct record of proceedings.

### **4 PLANNING APPLICATIONS**

4.1 Councillor Melvyn Caplan explained that a week before the meeting, all four Members of the Committee were provided with a full set of papers including a detailed officer's report on each application; together with bundles of every single letter or e-mail received in respect of every application, including all letters and e-mails containing objections or giving support. Members of the Committee read through everything in detail prior to the meeting. Accordingly, if an issue or comment made by a correspondent was not specifically mentioned at this meeting in the officers' presentation or by Members of the Committee, it did not mean that the issue had been ignored. Members will have read about the issue and comments made by correspondents in the papers read prior to the meeting.

4.2 The decisions relating to the applications on the agenda were as follows:

#### **1 THE ECONOMIST BUILDING, 27 ST JAMES'S STREET, LONDON, SW1A 1HA**

Refurbishment and remodelling of the three buildings with rooftop extensions to provide new office accommodation (class B1) and plant enclosures; new pedestrian access on Ryder Street and alterations to pedestrian access on Bury street; redistribution of uses including flexible retail/gallery/restaurant/café (class A1.A3) uses at basement, street and Plaza level, additional office floorspace and provision of 4 residential units; hard and soft landscaping works to the Plaza; and associated internal and external alterations.

A late representation was received from the Twentieth Century Society (14.03.17).

The presenting officer tabled the following amendments to the conditions:

#### Revised Condition 4

You must provide a minimum of 622sqm of floorspace for use as an art gallery (Class A1). You must not use it for any other purpose, including any within Class A1 of the Town and Country Planning (Use Classes) Order 1987 as amended April 2005 (or any equivalent class in any order that may replace it).

Reason:

To make sure that the development is completed and used as agreed, and to make sure that it meets policy CM2.4 of Westminster's City Plan (November 2016).

#### Revised Condition 5

In the event that you use any of the street/plaza level retail units for Class A3 purposes you must apply to us for approval of an operational management plan, including measures for minimising nuisance from customers to people who live nearby, before the use of each of these units commences. You must not start the restaurant/cafe use of each unit until we have approved an operational management plan for the relevant unit. You must then carry out the measures included in the operational management plan at all times that the restaurant/cafe is in use.

#### Revised Condition 6

In the event that you use any of the street/plaza level retail units for Class A3 purposes, customers shall not be permitted within any of those restaurant/cafe premises before 0700 or after 2400 (midnight) each day.

#### Revised Condition 7

In the event that you use any of the street/plaza level retail units for Class A3 purposes, you must apply to us for approval of details of the ventilation system to get rid of cooking smells from each Class A3 unit, including details of how it will be built and how it will look. You must not begin any restaurant/cafe use allowed by this permission until we have approved what you have sent us and you have carried out the work according to the approved details.

#### Revised Condition 8

You must apply to us for approval of detailed drawings of the design, construction and insulation of the whole ventilation system and any associated equipment for the entire Economist Building complex. You must not start on these parts of the work until we have approved what you have sent us. You must then carry out the work according to the approved drawings. You must not change it without our permission.

#### Revised Condition 18

You must apply to us for approval of a Delivery and Servicing Management Plan for the entire Economist Building complex. The plan must identify process, internal storage locations, scheduling of deliveries and staffing. You must not commence the Class A1/Class A3/art gallery/office and residential uses hereby approved until we have approved what you have sent us. You must then operate the development in accordance with these details

for the life of the development, unless a revised strategy is approved in writing by us.

Additional Condition 22

No machinery or associated equipment, ducts, tanks or satellite antennae shall extend above the top of or be placed in front of the plant screens on any of the buildings.

Reason:

To make sure that the appearance of the buildings is suitable and that they contribute to the character and appearance of this part of the St James's Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 6 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007.

**RESOLVED:** That

1. Conditional permission be granted, subject to the revised and additional Conditions tabled and set out above; and to the completion of a S106 legal agreement to secure:
  - a) Free lifetime (minimum 25 years) car club membership for residents of the scheme;
  - b) Payment for all necessary highway works to St. James's Street, Ryder Street and Bury Street including changes to footway levels, changes to on-street restrictions, alterations to the vehicle access and adjoining footway and associated work (legal, administrative and physical);
  - c) Monitoring costs.
2. If the agreement has not been completed within six weeks of the date of the Committee 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.
  - 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 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 Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

3. That 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.

## **2 ST GEORGES RC SECONDARY SCHOOL, LANARK ROAD, LONDON, W9 1RA**

Demolition of single storey front extension along Lanark Road and the erection of replacement 3 storey extension, plus erection of roof extension to main building; providing additional floor area for teaching and student activities. Creation of third floor external break out spaces with associated installation of rooftop canopies, including covering of existing roof top sports pitch. Installation of plant equipment at third floor plus solar PV panels to roof of main building (Council's Own Development).

Late representations were received from Mrs Rosemary Burchell and Thaddaeus Jackson-Browne (13.03.17).

**RESOLVED:** That conditional permission be granted, pursuant to Regulation 3 of the Town & Country Planning General Regulations 1992.

## **3 32 GATLIFF ROAD, LONDON, SW1W 8QQ**

Use of the ground floor unit as a mixed cafe, shop and fitness studio (sui generis).

A late representation was received from Councillor Jason Williams (17.03.17).

The presenting officer tabled the following additional conditions and reasons:

### Condition 7

No customer car parking shall be provided or allowed within the Grosvenor Waterside development, including Gatliff Road or the service road. This shall be maintained and managed by both Paola's Bodybarre and Grosvenor Waterside Estate Management Team.

### 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.

### Condition 8

Access for all staff and customers shall be via the primary and secondary entrances as shown on drawing L(-2) 301 Rev C and not via the door at the rear of the studio/private clinic space. This door must only be used in an emergency or for maintenance purposes.

### Reason:

To protect the environment of the people in the residential part of the development. This is as set out in S29 and S32 of Westminster's City Plan

(November 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007.

**RESOLVED:** That conditional permission be granted, subject to subject to the additional Conditions tabled and set out above.

**4 1 CARLTON HILL, LONDON, NW8 0JX**

Use of an area of the public highway measuring 3.0m x 18.3m narrowing to 2.0m x 4.0m for the placing of queue barriers in association with the ground floor retail unit.

A late representation was received from Martin Evans Architects (20.03.17).

**RESOLVED:** That

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

**5 HARLEY STREET UNDERGROUND CAR PARK, QUEEN ANNE MEWS, LONDON, W1G 9HF**

The item was withdrawn.

**6 GROUND FLOOR TOWNSEND HOUSE, 22-25 DEAN STREET, LONDON, W1D 3RY**

Application 1:  
Installation of a new shopfront, incorporating openable windows.

Application 2:  
Use of the public highway for placing 5 tables and 20 chairs in an area measuring 0.90m x 8.00m in connection with the existing ground floor restaurant use.

The presenting officer reported that a drawing of the proposed shopfront had been received, and had been considered acceptable.

**RESOLVED:** That

Application 1: Conditional permission be granted, subject to the deletion of condition 5.

Application 2: Conditional permission be granted.

**7 42 - 44 JAMES STREET, MARYLEBONE, LONDON, W1U 1EU**

Installation of an openable shopfront and alterations to rear first floor roof.

**RESOLVED:** That conditional permission be granted, subject to an informative that planning permission will be needed for plant on the rear first floor roof.

**8 FLAT M, 9-11 WESTBOURNE TERRACE, LONDON, W2 3UL**

Demolition and replacement of second floor rear extension, erection of rear and side extension over existing terrace at third floor level and associated internal and external alterations.

The presenting officer tabled the following additional condition and plan numbers:

Condition 4

You must not use the roof of the third floor extension for sitting out or for any other purpose. You can however use the roof to escape in an emergency.

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out in S29 of Westminster's City Plan (November 2016) and ENV 13 of our Unitary Development Plan that we adopted in January 2007.

Insert the following plan numbers on page 169:

Site location plan, P1 001 demolition second floor plan, P1 001 second floor plan, P1 002, P3 001 Demolition, P3 001, P3 002 Demolition, P3 002 Existing, P3 101 Rev A, P3 101 Rev C, P1 103 Rev C, P1 101 Rev C, P1 102 Rev C, P3 102 Rev C, Historic building impact assessment.

Reason:

The draft decision notice omits these drawing numbers.

**RESOLVED:** That

1. Conditional permission be granted, subject to the additional condition tabled at the meeting and set out above.
2. Conditional listed building consent be granted, subject to the insertion of the plan numbers tabled at the meeting and set out above.
3. The reasons for granting conditional listed building consent as set out in Informative 1 of the draft decision letter be agreed

The Meeting ended at 7.53pm.

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

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

