



CITY OF WESTMINSTER

MINUTES

Planning Applications Sub-Committee (2)

MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Planning Applications Sub-Committee (2)** held on **Tuesday 4th July, 2017**, Room 3.1, 3rd Floor, 5 Strand, London, WC2 5HR.

Members Present: Councillors Melvyn Caplan (Chairman), Ruth Bush, Paul Church and Gotz Mohindra

1 MEMBERSHIP

1.1 There were no changes to the membership.

2 DECLARATIONS OF INTEREST

2.1 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.

2.2 Councillor Caplan declared in respect of item 2 that he had sat on the committee that had considered the previous application for the site on the 5 April 2016.

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 and met with them regularly. He further declared in respect of items 1 and 6 that the sites were located in his Ward. He also declared in respect of item 2 that he had sat on the committee that had considered the previous application for the site on the 5 April 2016.

- 2.4 Councillor Mohindra declared in respect of the Tree Preservation Order and item 1 that he works in Mayfair not far from Brook Street.
- 2.5 Councillor Bush declared in respect of item 1 that she is a trustee of the Westminster Tree Trust. She declared in respect of item 2 that she had sat on the committee that had considered the previous application for the site on the 5 April 2016.

3 MINUTES

- 3.1 **RESOLVED:** That the Chairman signed the minutes of the meeting held on 6 June 2017 as a correct record of proceedings

4 TREE PRESERVATION ORDER NO. 635 (2017) - 39 BROOK STREET, MAYFAIR, LONDON, W1K 4JE

- 4.1 The City Council has made a Tree Preservation Order (TPO) to protect one Indian bean tree (T1) located in the rear courtyard garden at 39 Brook Street, Mayfair, London, W1K 4JE. The TPO is provisionally effective for a period of six months from 18 th January 2017 during which time it may be confirmed with or without modification. If not confirmed, the TPO will lapse after 19 th July 2017.
- 4.2 The TPO was made because the tree has significant amenity value and makes a valuable contribution to the character and appearance of the Mayfair conservation area. The City Council, having been made aware of the proposal to remove the Indian Bean tree considers it expedient in the interests of the amenity that a TPO is made in order to safeguard its preservation and future management.
- 4.3 Objection to the TPO has been made by Mr Nigel Hughes of Grosvenor Investments Limited, The Grosvenor Office, 70 Grosvenor Street, London, W1K 3JP.
- 4.4 The City Council's Arboricultural Officer has responded to the objection.
- 4.5 A late representation was received from Councillor Glenys Roberts (4/7/17).
- 4.6 **RESOLVED:** That Tree Preservation Order No: 635 (2017) be confirmed with permanent effect.

Members requested that the Arboricultural Officer contact the owners regarding the best time to carry out the pruning which has already been agreed under 17/03304/TPO.

5 PLANNING APPLICATIONS

1 39 BROOK STREET, MAYFAIR, LONDON, W1K 4JE

1 x Indian bean tree (T1 Catalpa bignonioides, rear courtyard): Fell

An additional representation was received from Councillor Glenys Roberts (27/6/17).

RESOLVED: As Tree Preservation Order No. 635 has been confirmed consent to fell the tree be refused.

2 110 VAUXHALL BRIDGE ROAD, LONDON, SW1V 2RQ

Use of ground and basement floors as two residential flats (Class C3). Alterations, including to windows, doors, the rear extensions at ground and first floor levels, the creation of a lightwell to Vauxhall Bridge Road frontage.

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

Condition 4 amended to read:

You must apply to us for approval of further information as set out below of the following parts of the development:

- (a) New railings caulked in a plinth and bridge link (drawn elevations, plans and sections at 1:10);
- (b) New windows and doors (drawn elevations and sections at 1:5).

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 details.

Reason:

As originally drafted.

Condition 7 amended to read:

Any painting of the ground floor walls must be done in a colour to match the existing and be retained in that condition thereafter.

Reason:

As originally drafted.

Informative 7 Added:

The development for which planning permission has been granted has been identified as potentially liable for payment of both the Mayor of London and Westminster City Council's Community Infrastructure Levy (CIL). Further details on both Community Infrastructure Levies, including reliefs that may be available, can be found on the council's website at: www.westminster.gov.uk/cil

Responsibility to pay the levy runs with the ownership of the land, unless another party has assumed liability. If you have not already you must submit an [Assumption of Liability Form](#) immediately. On receipt of this notice a CIL Liability Notice setting out the estimated CIL charges will be issued by the council as soon as

practicable, to the landowner or the party that has assumed liability, with a copy to the planning applicant. You must also notify the Council before commencing development using a {b\ul Commencement Form}

CIL forms are available from the planning on the planning portal: {i
<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>}

Forms can be submitted to CIL@Westminster.gov.uk

{b Payment of the CIL charge is mandatory and there are strong enforcement powers and penalties for failure to pay, including Stop Notices, surcharges, late payment interest and prison terms}.

RESOLVED: That conditional permission be granted including a condition to secure measures to mitigate the impact of the new residential units on on-street parking demand, and subject to the changes to the draft decision letter as tabled and set out above and amending condition 3 b to retain the pub fascia but not the signage.

3 27 SAXON HALL, PALACE COURT, LONDON, W2 4JA

Erection of a single story roof extension and external alterations to create a second floor level.

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

Condition 4 amended to read:

You must install the green roof to the flat roof of the ground floor rear addition in accordance with the drawings hereby approved prior to occupation of the extension and it shall be retained thereafter.

Reason:
As originally drafted.

Condition 5 amended to read:

You must not use the roof of the ground floor rear extension permitted under RN:16/10856/FULL for sitting out or for any other purpose. You can however use the roof to escape in an emergency or for maintenance purposes.

Reason:
As originally drafted.

RESOLVED: That conditional permission be granted subject to the changes to the draft decision letter tabled and set out above.

Councillor Bush dissented to the decision.

4 4 BINGHAM PLACE, LONDON, W1U 5AT

Demolition of 4 Bingham Place behind retained facade and erection of replacement three storey dwelling (Class C3) with one new basement level. Rear extensions at ground, first and part second floor levels in connection with existing use as Hotel (Class C1) at 19 Nottingham Place. (SITE INCLUDES 19 NOTTINGHAM PLACE).

The application was withdrawn by the applicants prior to the meeting.

5 BASEMENT AND GROUND FLOOR, 54 QUEENSWAY, LONDON, W2 3RY

Use of ground floor and basement as hot food takeaway (class A5).

Additional representations were received from SEBRA (26/6/17), Councillor Susie Burbridge (28/6/17) and the Bayswater and Lancaster Gate Safer Neighbourhood Team (27/6/17).

Late representations were received from SEBRA (2/7/17), Councillor Andrew Smith (3/7/17) and Councillor Robert Davis (29/6/17).

RESOLVED: That determination of the application be deferred to obtain more information on the likely operator of the class A5 use and how it will operate (Management Plan) including measures to deal with litter and clarity over the takeaway delivery service.

6 19 KINGLY STREET, LONDON, W1B 5QD

Use of basement and ground floor as a mixed retail/cafe/bar (A1/A3/A4) (sui generis) (retrospective application).

A late representation was received from Rolfe Judd Planning (undated).

The presenting officer tabled the following changes required to the decision letter on this case:

Amendment to condition 3 to read:

You must not sell any take-away food or drink on the premises, for either collection or delivery, even as an ancillary part of the use.

Additional condition 5

The use hereby approved shall be carried out in accordance with the management plan received July 2017

Reason

To make sure that the use will not cause nuisance for people in the area. This is as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and TACE 8 and 9 and ENV 6 of our Unitary Development Plan that we adopted in January 2007

Additional condition 6

You must provide details of waste storage within 3 months of the date of this decision. Waste storage must be provided and permanently retained in accordance with the approved details. You must store waste inside the property and only put it out just before it is going to be collected. You must not use the wastestore for any other purpose.

Reason

To protect the environment and provide suitable storage for waste and materials for recycling as set out in S44 of Westminster's City Plan (November 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14CC)

RESOLVED: That conditional permission be granted subject to the changes to the draft decision letter as tabled and set out above.

7 FLAT 15 MONTAGU COURT, 27-29 MONTAGU SQUARE, LONDON, W1H 2LG

External alterations to the rear elevation to alter access to the fire escape.

RESOLVED: That conditional permission be granted.

Councillor Bush dissented to the decision.

The Meeting ended at 7.40 pm

CHAIRMAN: _____

DATE _____