



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 29th August, 2017**, Room 3.1, 3rd Floor, 5 Strand, London, WC2 5HR.

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

**Also Present:** Councillor Susie Burbridge.

#### 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 also declared that in respect of item 6, he had sat on the Committee on 4 July 2017 that had considered a previous 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 and 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.

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

Item 5: That the application is his Ward.

Item 6: That he had sat on the Committee on 4 July 2017 that had considered a previous application.

- 2.5 Councillor Gotz Mohindra declared that in respect of item 6, he had sat on the Committee on 4 July 2017 that had considered a previous application.
- 2.6 Councillor Ruth Bush declared that in respect of items 2 and 3, she is a trustee of Westminster Tree Trust and in respect of item 6, she had sat on the Committee on 4 July 2017 that had considered a previous application.

### **3 MINUTES**

#### **3.1 RESOLVED:**

That the minutes of the meeting held on 1 August 2017 be signed by the Chairman as a correct record of proceedings.

### **4 PLANNING APPLICATIONS**

#### **1 HOLIDAY VILLA HOTEL, 35-39 LEINSTER GARDENS, LONDON, W2 3AN**

Conversion to 32 flats and associated internal works; rebuilding of mansard roof level; external works, including alterations to rear fenestration.

A late representation was received from Councillor Susie Burbridge (29.08.2017).

Councillor Susie Burbridge addressed the Committee in her capacity as a Ward Councillor in support of the recommendation to refuse planning permission.

The presenting officer tabled the following amended reason for refusal of planning permission:

The proposed development fails to provide an appropriate on-site affordable housing contribution and the applicant has failed to demonstrate why they cannot provide affordable housing off-site or failing that an appropriate financial contribution. Accordingly, the proposed development would be contrary to policy 3.12 of the London Plan (adopted March 2016), policy S16 of the City Plan (adopted November 2016), policy H4 of the Unitary Development Plan (adopted January 2007) and the Interim Note on the Affordable Housing Policy (April 2015).

#### **RESOLVED:**

1. That planning permission be refused on the grounds that the proposed development fails to provide an appropriate on-site affordable housing contribution and the applicant has failed to demonstrate why they cannot provide affordable housing off-site or failing that an appropriate financial contribution. Accordingly, the proposed development would be contrary to policy 3.12 of the London Plan (adopted March 2016), policy S16 of the City

Plan (adopted November 2016), policy H4 of the Unitary Development Plan (adopted January 2007) and the Interim Note on the Affordable Housing Policy (April 2015).

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

**2 VICTORIA EMBANKMENT GARDENS, VILLIERS STREET, LONDON, WC2N 6NE**

Use part of Victoria Embankment Gardens for a temporary cinema event for the BFI London Film Festival (LFF) and a series of World Cinema premieres from 4th - 20th October 2017 including construction and de-rigging between 21st September - 4th October and 21st - 27th October. Display of three externally illuminated fascia signs measuring 5.40m x 4.00m, 2.00m x 6.00m, 2.00m x 1.50m and a non-illuminated hoarding sign measuring 0.50m x 1.00m.

A late representation was received from Emilie Arnold-Wren on behalf of the British Film Institute (29.08.2017).

**RESOLVED:**

1. That it be agreed that the public and cultural benefits of the event are sufficient to outweigh the short term harm it causes to the Registered Park and to the setting of the adjacent York Water Gate, listed memorials, listed buildings and conservation area.
2. That subject to 1 above, conditional planning permission and advertisement consent be granted.

**3 ORANGE SQUARE FARMERS MARKET, PIMLICO ROAD, LONDON, SW1W 8NB**

Use of open space between Ebury Street and Pimlico Road as weekly Saturday farmers' market.

Late representations were received from Senan Sexton (29.08.2017) and Councillor Jason Williams (29.08.2017).

**RESOLVED:**

That conditional permission be granted for one year only, subject to an amendment to condition 3 changing the start time for setting up to 07:45 hours on Saturdays, notwithstanding references in submitted documentation, and any consequential changes to other conditions that may be required.

**4 SITE 1: 1 BERKELEY MEWS, LONDON, W1H 7AT; SITE 2: 16 BERKELEY MEWS, W1; SITE 3: 17 BERKELEY MEWS, W1**

Application 1 – 1 Berkeley Mews Use of ground and first floor as an office (Class B1) (retrospective application).

Application 2 – 16 Berkeley Mews Use of the ground and first floor as an office (Class B1).

Application 3 – 17 Berkeley Mews Use of ground and first floors as an office (Class B1).

A late representation was received from The Portman Estate (25.08.2017).

**RESOLVED:**

Applications 1, 2 and 3:

1. That conditional permissions be granted, subject to a legal agreement to secure the following:
  - a) Upon permissions being granted, the George Street planning permission (Ref: 12/01611/FULL) shall not be implemented.
  - b) Costs of monitoring the Section 106 agreement.
2. That if the Section 106 legal agreement has not been completed by 17 September 2017 then:
  - a) The Director of Planning shall consider whether it will be possible or appropriate to issue the permissions 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 permissions 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 applications and agree appropriate reasons for refusal under Delegated Powers.

**5 8 SOUTH STREET, LONDON, W1K 1DE**

Use of part basement and ground floor levels as a restaurant (Use Class A3), alterations to the South Street frontage to include the creation of an external seating terrace. Installation of a retractable glass roof over the existing rear courtyard and installation of a high level extract duct and plant within the courtyard.

**RESOLVED:**

That conditional planning permission be granted, subject to a post commissioning noise report condition and an amendment to condition 15 or an additional condition to ensure that the canopy is adequately sound proofed when closed so as to protect the amenity of surrounding residential premises.

**6 BASEMENT AND GROUND FLOOR, 54 QUEENSWAY, LONDON, W2 3RY**

Use of ground floor and basement as hot food take-away (class a5).

Late representations were received from Councillor Susie Burbridge (29.08.2017), Councillor Andrew Smith (28.08.2017), John Zamit, Chairman of the South East Bayswater Residents' Association (29.08.2017) and KFC (undated).

Councillor Burbridge addressed the Committee as a Ward Councillor to raise some concerns in respect of the application.

**RESOLVED:**

That conditional planning permission be granted, subject to an additional condition to restrict servicing between the hours of 07:30 and 20:00 Monday to Sunday and an additional informative requesting the applicant to encourage the use of small service lorries.

**7 FLAT 1, 46 QUEEN'S GARDENS, BAYSWATER, LONDON, W2 3AA**

Amalgamation of Flat 1 and Flat 4 into a three-bedroom flat over part ground and part lower ground floor levels, replacement of two windows at rear lower ground floor level with a pair of glazed doors with side lights, insertion of glazed doors in side return elevation of lower ground floor conservatory, and installation of two boilers and rainwater butt at rear lower ground floor level.

Additional representations were received from Neville Shack (21.08.2017 and 22.08.2017).

Late representations were received from Bridget O'Halloran (25.08.2017), Elizabeth Kontoyannis (28.08.2017), Councillor Susie Burbridge (29.08.2017), John Walton on behalf of the South East Bayswater Residents' Association (25.08.2017 and 18.04.2017) and Neville Shack (25.08.2017).

Councillor Susie Burbridge addressed the Committee as a Ward Councillor in objecting to the application.

**RESOLVED:**

1. That conditional permission be granted.
2. That conditional listed building consent be granted.

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

The Meeting ended at 8.35 pm.

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

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