



CITY OF WESTMINSTER

# MINUTES

## Planning Applications Sub-Committee (3)

### MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Planning Applications Sub-Committee (3)** held on **Tuesday 18th July, 2017**, Room 3.1, 3rd Floor, 5 Strand, London, WC2 5HR.

**Members Present:** Councillors Andrew Smith (Chairman), Iain Bott, Robert Rigby and Roca.

#### **1 MEMBERSHIP**

It was noted that Councillors Iain Bott and Tim Roca had replaced Councillors Louise Hyams and Barbara Grahame.

#### **2 DECLARATIONS OF INTEREST**

- 2.1 Councillor Andrew Smith 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 Rigby declared that in respect of item 2, he had sat on the previous Committee that had discussed application. Item 3 was in his Ward, and he had received representations from the architect on the application.
- 2.3 Councillor Bott declared that the site relating to item 6 was in his Ward. Councillor Bott declared that Item 7 was also in his Ward, and that he would stand down from the Committee during consideration of this item as he knew the owner.

### **3 MINUTES**

#### **3.1 RESOLVED:**

That the minutes of the meeting held on 27 June 2017 be approved and signed by the chairman as a true and correct record.

### **4 PLANNING APPLICATIONS**

#### **1 9-11 RICHMOND BUILDINGS, LONDON, W1D 3HF**

Demolition of existing front and rear façades and construction of replacement facades in new position incorporating full height front and rear extensions to provide additional office accommodation; extension to the undercroft; rooftop extension and relocation of the two existing residential units at 4th floor to the new 5th floor level, roof terraces at front fifth floor level and on the main roof, refurbishment of offices in remainder of the building and associated works.

The draft decision letter was circulated prior to the meeting and an additional representation was received from Mr Paul Murphy (12/07/17).

The presenting officer tabled the following amendment to the report:

#### **“ Amended Condition**

##### **Condition 6**

The terrace on the main roof (~~to may be used by occupiers of the office accommodation~~) ~~shall only be used only~~ between the hours of 08:00 and 21:00 hours Monday to Fridays and not at all at any other time. This terrace may also be used by occupiers of the two residential flats on the fifth floor, only between 08:00 and 21:00 hours on Mondays to Sundays. ~~They terrace~~ can however be used at any time to escape in an emergency.

[No change to reason for condition]”

**RESOLVED:** that conditional permission be granted, subject to amended Condition 6 as set out above.

#### **2 CARLTON COURT, 120 MAIDA VALE, LONDON, W9 1QA**

Demolition of existing five storey building and out buildings and erection of a part five and part three storey serviced apartment hotel building (Use Class C1) with restaurant and spa facilities in newly excavated basement and erection of single storey stair structure in rear garden to provide access to the basement.

Additional representations were received from Amin Taha Architects (26/07/17, 27/07/17 and 28/07/17).

The presenting officer tabled the following amendment to the report:

“AMEND condition 14 (**bold** shows additional text)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the St John’s Wood Conservation Area **and to help protect the privacy and environment of people in neighbouring properties.** This is as set out in S25, ~~and S28~~ **S29** of Westminster’s City Plan (November 2016) and **ENV13**, DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2017. (R26BE)

ADDITIONAL condition 35

You must provide a minimum of 1m soil depth (plus minimum 200mm drainage layer) and adequate overall soil volume above the top cover of the basement as shown on the drawings hereby approved. The soil depth and soil volume above the basement must thereafter be retained as approved.

Reason:

To improve the appearance of the development and its contribution to biodiversity and the local environment, as set out in S38, CM28.1 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.

**RESOLVED:** That the application be deferred, to enable officers to obtain consistent plans of side and front elevations showing the precise details of fenestration to permit further consultation with local residents.

### **3 LORDS VIEW ONE, ST JOHN’S WOOD ROAD, LONDON, NW8 7HJ**

Erection of 2 storey extension to accommodate 4 additional apartments (Class C3) including terraces and green roofs. Associated works to include refurbishment of the existing exterior and internal common parts, replacement lifts and landscaping in connection with the provision of additional parking spaces.

Additional representations were received from fourteen local residents (11/07/17 and 12/07/17) and three interested parties (12/07/17).

Late representations were received from Mr Spencer Jefferies (29.07.17), Mrs Masiel Sanchez Lopez (12.07.17), Mr John Anthony Brown (13.07.17), Mr Aftab-Gavhar Pirbhal (13.07.17), Mr Dhananajay Mungale (13.07.17), Mrs Punam Kumar (13.07.17), Ms Rekha Rakhit (14.07.17), Mr Rajesh R V Galani (15.07.17), Ms Sukriti Gayatri Kumar (15.07.17), and from the Arboricultural Officer (18.07.17).

The presenting Officer tabled the following additional conditions:

“ADDITIONAL condition 14

**Pre Commencement Condition.** You must apply to us for approval of a method statement explaining the measures you will take to protect the trees on and close to the site. You must not start any demolition, site clearance or building work, and you

must not take any equipment, machinery or materials for the development onto the site until we have approved what you have sent us. You must then carry out the work according to the approved details.

Reason:

To protect trees and the character and appearance of the site as set out in S38 of Westminster's City Plan (November 2016) and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development that we adopted in January 2007. (R31CC)

**ADDITIONAL condition 15**

You must apply to us for approval of specifications, details and maintenance of the following parts of the development: Green roof to be constructed on the top of the extension hereby approved. 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 details approved under the provisions of this condition.

Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in S28 or S40, or both, of Westminster's City Plan (November 2016). (R44AC)."

**RESOLVED:** That conditional permission be granted, subject to the amended conditions set out above, and to a further amending condition to require fewer car parking spaces and more landscaping retained in front of the building to be agreed before the development commences.

#### **4 11 PIMLICO ROAD, LONDON, SW1W 8NA**

Use of the public highway for the placing of 3 tables, 12 chairs and two planters in an area measuring 1.7m (at its widest point) x 7.6m on the Ranelagh Grove frontage.

**RESOLVED:** That conditional permission be granted.

#### **5 31-33 SHEPHERD MARKET, LONDON, W1J 7PT**

Use of premises as a mixed use restaurant and outdoor shisha smoking venue (sui generis) including use of an area of the public highway measuring 2.1m x 7.6m for the placing of 12 tables and 24 chairs. Installation of two awnings along the Shepherd Market (retrospective application).

The presenting officer tabled the following amended conditions and additional conditions:

#### **"Amended Conditions**

##### **Condition 7**

Customers shall not be permitted within the shisha/restaurant premises before 10:00 or after ~~00:00~~ 00:30 Monday to Saturday and before 10:00 or after ~~23:30~~ 00:00 on Sundays.

[No change to reason for condition]

### **Condition 9**

The restaurant/shisha use (Sui Generis) use allowed by this permission can continue until 31 July 2018. After that the land must return to its previous lawful condition and use as a Class A3 restaurant.

### **Additional Conditions**

#### **Condition 17**

You must not attach screens, valances or any other items to the awnings hereby approved as shown on drawings AC/31-33/2017/A received 26 June 2017.

#### **Reason**

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part 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 DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007.

#### **Condition 18**

The proposed awnings must be canvas.

#### **Reason**

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part 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 DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan and that we adopted in January 2007.

#### **Condition 19**

Within six weeks of the date of this decision you must apply to us for approval of an operational management plan setting out how the shisha activity will be managed, in particular with regard to its preparation, the heating of the charcoal and the disposal of any waste products. You must then operate the premises in accordance with the details that we approve.

#### **Reason**

To protect the environment of people in neighbouring properties as set out in S29 and S31 of Westminster's City Plan (November 2016) and ENV 5 of our Unitary Development Plan that we adopted in January 2007."

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

### **6 8-13 BIRD STREET, LONDON, W1U 1BU**

1. Installation of an openable shopfront and aluminium and glass entrance screen.
2. Use of an area of the public highway measuring 14.65m x 0.79m for the placing of 12 chairs and 6 tables in connection with restaurant use.

**RESOLVED:** That

Application 1 be refused, on grounds of amenity.

Application 2 be refused, on grounds of amenity and highway safety.

**7 50 MARYLEBONE HIGH STREET, LONDON, W1U 5HN**

Variation of Condition 3 of planning permission dated 21 April 2015 (RN 14/11015/FULL) for, 'Part redevelopment with alterations and extensions for restaurant (Class A3) and retail (Class A1) use on basement and ground floors with six flats at first, second and third floors and plant to first floor rear level', in order to allow an extension to the terminal hour for the restaurant over basement and ground floor level on Monday to Saturday nights from 00.00 to 00.30 (Sundays, Bank Holidays and other public holidays are unaffected).

**RESOLVED:** That conditional permission be granted.

Councillor Iain Bott declared an interest in this application, in that the application site was in his Ward and that he knew the owner. He withdrew from the meeting during consideration of the item, and took no part in the discussion or decision.

The Meeting ended at 8.05pm

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

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