



CITY OF WESTMINSTER

MINUTES

Planning Applications Sub-Committee (3)

MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Planning Applications Sub-Committee (3)** Committee held on **Tuesday 9th October, 2018**, Room 3.1, 3rd Floor, 5 Strand, London, WC2 5HR.

Members Present: Councillors Iain Bott (Chairman), Geoff Barraclough, Selina Short and Angela Harvey

Also Present: Councillor Tim Mitchell (Item 2)

1 MEMBERSHIP

1.1 There were no changes to the membership.

2 DECLARATIONS OF INTEREST

2.1 The Chairman 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 Harvey declared that in respect of Item 2 she knew two of the objectors but had not discussed the application with them.

2.3 Councillor Bott declared that in respect of Item 2 he knew Councillor Flight who had objected to the application but had not discussed the application with her. In respect of Item 5, the applicant operated a sister-school, which was situated within his ward, but he had not entered into any discussions with them regarding the application. He declared that he had opened the school at 10 Duchess Street.

3 MINUTES

- 3.1 **RESOLVED:** That the minutes of the meeting held on 4 September 2018 be signed by the Chairman as a correct record of proceedings.

4 PLANNING APPLICATIONS

1 37 CONDUIT STREET, LONDON, W1S 2YF

Erection of a ground floor rear extension, demolition and re-build of the 6th and 7th floors, and extensions to form 8th floor. Extension at basement level and formation of second basement level. All to enlarge existing hotel (Class C1).

The presenting officer tabled the following additional conditions:

Additional Condition 14

Prior to the commencement of work on the eighth floor roof extension hereby approved, detailed drawings shall be submitted for the City Council's approval showing at least three of the additional bedrooms being wheelchair accessible. These bedrooms shall be constructed in accordance with the approved drawings and these wheelchair accessible bedrooms shall be retained for the life of the development.

Reason:

To ensure that at least 10 per cent of the additional hotel bedrooms are wheelchair accessible, in accordance with Policy 4.5 of the London Plan (2016) and Policy DES 1 of our Unitary Development Plan that we adopted in January 2007.

Additional Condition 15

You must apply to us for approval of detailed drawings (annotated to show materials) of the following parts of the development – the rooflight above the rear ground floor 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 these approved drawings and materials.

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 2017.

RESOLVED UNANIMOUSLY:

1. That conditional permission, as amended, be granted subject to the completion of a legal agreement to secure the following:

- a) A Crossrail contribution of £76,494 (index linked) payable within 60 days of commencement of development (minus any relevant Mayoral Community Infrastructure Levy paid).
 - b) Costs of monitoring the S106 agreement.
2. That if the S106 legal agreement had not been completed within six weeks of the date of this resolution then:
- a) The Director of Planning should consider whether it would be possible or appropriate to issue the permission with additional conditions attached to secure the benefits listed above. If so, the Director of Planning was authorised to determine and issue the decision under Delegated Powers; however, if not;
 - b) The Director of Planning should consider whether the permission should be refused on the grounds that the proposals were unacceptable in the absence of benefits which would have been secured; if so, the Director of Planning was authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

2 BARTON STREET, LONDON, SW1P 3NG

- 1. Demolition and rebuilding of ground floor extension and excavation of a new basement level beneath the rear extension. Widening of existing front dormer window and associated works.
- 2. Underpinning of the garden boundary wall to No. 1 Barton Street; removal of the trellis screen on the garden boundary wall and infilling with new brickwork to match existing.
- 3. Removal and replacement of soldier course and creasing tiles for a 2.398m length of the top of the rear garden boundary wall and addition of 0.55m to the wall between Nos. 2 and 3 Barton Street.

Councillor Tim Mitchell addressed the Sub-Committee in his capacity as ward Councillor

RESOLVED UNANIMOUSLY:

That the applications be deferred to a site visit in order for the Sub-Committee to fully understand how the proposals would impact on neighbouring properties.

3 FIRST TO THIRD FLOOR, 64-65 LONG ACRE, LONDON, WC2E 9SX

Use of part ground, first, second, third and new internal mezzanine floors as eight residential dwellings (Class C3); installation of footbridge across internal light well at second floor level, plant machinery and internal lift; associated external alterations, including changes to fenestration.

A late representation was received from Camberwell & Metropolitan (07.10.18).

The presenting officer tabled an amendment to Condition 11 and the following additional informatives:

Condition 11 is amended to read (amendments in bold italics):

The glass that you put in the windows at first and second floor levels in the rear lightwell must not be clear glass and the windows shall be fitted with devices to limit the extent of opening. You must apply to us for approval of a sample of the glass (at least 300mm square) **and full particulars of the restrictors**. You must not start work on the relevant parts of the development until we have approved the **details**. You must then fit the type of glass **and restrictors** we have approved and must not change them without our permission.

The following informatives will also be added:

7. You are advised that the works are likely to require building regulations approval. Details in relation to Westminster Building Control services can be found on our website <https://www.westminster.gov.uk/contact-us-building-control>

8. Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. (I54AA)

9. You will need to re-apply for planning permission if another authority or council department asks you to make changes that will affect the outside appearance of the building or the purpose it is used for. (I23AA)

RESOLVED: (Defer – Councillors Bott, Harvey and Short; Refuse – Councillor Barraclough)

That the applications be deferred to allow the applicant to address the following concerns:

- i) To consider redesigning the internal layout of the application site in order to improve the level of natural light to the proposed flats, in particular those facing the internal lightwell and those affected by the staircase link situated over the lightwell;
- ii) To address concerns raised by Environmental Health regarding inadequate means of escape in case of a fire; and
- iii) To improve the quality of the residential accommodation provided.

4 14-16 GREAT PORTLAND STREET, LONDON, W1W 8QW

Erection of an additional storey at fourth floor level at the rear on the Margaret Court frontage and widening of the link building within the central lightwell at first to fourth

floor levels to extend existing office (Class B1) floorspace. External alterations including the creation of terraces at second, third, fourth and roof levels (all for use in association with enlarged office (Class B1) floorspace). Installation of screened plant at new roof level and creation of a new frontage and pedestrian access onto Margaret Court. Use of basement and rear ground floor unit as a restaurant (Class A3).

RESOLVED UNANIMOUSLY:

That conditional permission be granted subject to:

- i) Condition 18 being amended to specify the hours for deliveries and waste collections; and
- ii) An additional condition to secure an operational management plan for the Class A3 use.

5 10 DUCHESS STREET, LONDON, W1G 9AB

Variation of conditions 12, 14, 15, and 22 of planning permission dated 25 July 2015 (RN: 15/06130/FULL) for the 'use for a temporary period of 16 years as a school (Class D1), installation of 2 No. louvres within existing window openings in east elevation and internal alterations' - NAMELY, to allow the reduction of the number of teachers at the entrance from 2 to 1, to extend the age range of pupils by including the 'senior' years from the junior school at 36 Portland Place, increase the number of pupils from 175 to a maximum of 210, extending the time the school is used in evenings, Saturdays and outside term time, and allowing a corresponding increase in the hours that plant serving the louvres can be used.

An additional representation was received from EIFA International School London (01/10/18).

The presenting officer tabled the following amendments to the conditions:

~~20. Within three months of the start of the first school term, you must apply to us for approval of details of a supplementary acoustic report demonstrating that the premises are sufficiently insulated to comply with the Council's noise criteria as set out in Condition 5 of this permission, or including details of remedial measures that are required to ensure compliance. In the event that additional insulation remedial measures are required, they must be implemented within three months of the Council's approval of the supplementary acoustic report, with written confirmation of this within one month of completion of the remedial measures. At the end of the first, third and fifth school years, following the commencement of the use, you must apply to us for approval of reports monitoring the effectiveness of the sound insulation and setting out any changes you propose to make to the Plan to overcome any identified problems, which again must be implemented within three months of the Council's approval of those details, with written confirmation provided within one month of completion of those measures. After that you must submit reports monitoring the effectiveness of the sound insulation every three years, including details of any remedial measures which are required, such measures to be implemented within three months of the Council's approval of the monitoring report.~~

(No change to the reason.)

24. You must apply to us for approval of details of a supplementary acoustic report demonstrating that the plant will comply with the Council's noise criteria as set out in Condition 8 of this permission during the extended hours the plant is allowed to operate as set out in condition 22, namely between 19.00 and 21.30 hours Mondays to Fridays and between 07.30 and 13.30 hours on Saturdays. You must not use the plant for these extended hours until we have approved what you have sent us.

(No change to the reason.)

RESOLVED UNANIMOUSLY:

That conditional permission, as amended, be granted subject to an additional informative advising that the school cannot be used for social/party events.

6 2-5 HERTFORD STREET, LONDON, W1J 7RW

Variation of Condition 10 of planning permission dated 9 May 2017 (RN: 16/04002) (which itself was a variation of planning permission dated 3 March 2016 (RN: 14/12430/FULL)) for, 'Use of part first floors, second and third floors as a private members club use in connection with the existing private members club (sui generis). Alterations to the fenestration of the property to include the introduction of new window openings; creation of new plant areas at second and third floor levels; alterations to the roof form and installation of an awning over the terrace at third floor level. Internal alterations at all floor levels'; NAMELY, to allow the third floor terrace to be open to customers between the hours of 07.00 and 00.30 daily.

An additional representation was received from 5 Hertford Street (01/10/18).

RESOLVED UNANIMOUSLY:

1. That conditional permission be granted subject to the completion of a deed of variation to the original legal agreement dated 3 March 2016; and
2. If the S106 legal agreement had not been completed within six weeks of the date of this resolution then:
 - a) The Director of Planning should consider whether it would be possible or appropriate to issue the permission with additional conditions attached to secure the benefits listed above. If so, the Director of Planning was authorised to determine and issue the decision under Delegated Powers; however, if not;
 - b) The Director of Planning should consider whether the permission should be refused on the grounds that the proposals were unacceptable in the absence of benefits which would have been secured; if so, the Director of Planning was authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

7 1-4 GLOUCESTER MEWS WEST, LONDON, W2 6DY

Erection of a roof extension to Nos.1-4 Gloucester Mews West to enlarge four existing dwellinghouses.

A late representation was received from the South East Bayswater Residents Association (06.10.18).

The presenting officer tabled the following amended reason for refusal, which had been amended to reflect the harm that would be caused to the setting of the neighbouring listed buildings, which was identified on page 172 of the committee agenda but not included in the reason for refusal set out in page 181:

Amended Reason for Refusal

Because of its height, location, bulk and detailed design the roof level extension to the four dwellinghouses would harm the appearance of these buildings, fail to maintain or improve (preserve or enhance) the character and appearance of the Bayswater Conservation Area harm the setting of the neighbouring grade II listed buildings to the south and west of the site in Chilworth Street and Cleveland Square. This would not meet S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 6, DES 10(D) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2017.

RESOLVED UNANIMOUSLY:

That the application be refused on the grounds detailed in the amended reason for refusal tabled above. The Sub-Committee agreed to add an informative that if a revised proposal was submitted for the whole terrace, the principle of a roof extension would be considered subject to alterations to the detailed design.

8 55 BLOMFIELD ROAD, LONDON, W9 2PD

Amalgamation of 4 flats into a single-family dwellinghouse, demolition of existing two storey infill rear extension and erection of replacement two storey rear extension at lower ground and ground floor levels, alterations to existing half width rear extension, alterations to windows and doors and associated internal alterations to all floor levels.

RESOLVED: (Grant – Councillors Bott, Harvey and Short; Refuse – Councillor Barraclough)

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

The Meeting ended at 8.30 pm

CHAIRMAN: _____

DATE _____