



CITY OF WESTMINSTER

MINUTES

Planning Applications Sub-Committee (1)

MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Planning Applications Sub-Committee (1)** held on **Tuesday 12th March, 2019**, Rooms 18.01 & 18.03, 18th Floor, 64 Victoria Street, London, SW1E 6QP.

Members Present: Councillors Timothy Barnes, Susie Burbridge, Peter Freeman and Guthrie McKie

1 ELECTION OF CHAIR

- 1.1 Councillor Barnes was nominated and elected to chair the meeting.

2 MEMBERSHIP

- 2.1 It was noted that Councillor Freeman substituted for Councillor Devenish and Councillor McKie for Councillor Roca.

3 DECLARATIONS OF INTEREST

- 3.1 Councillor Robert Rigby 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.
- 3.2 There were no declarations of interests.

4 MINUTES

- 4.1 **RESOLVED:**

That the minutes of the meeting held on 12 February 2019 be signed by the Chairman as a correct record of proceedings.

5 PLANNING APPLICATIONS

The Chairman explained that any deputations received, should relate to material planning issues. He advised that the time allocated for each deputation was a total of 3 minutes and after all speakers had finished speaking and officers had responded to any new issues raised, Members would debate the Application before a vote was taken.

1 9 HOLLES STREET, LONDON, W1G 0BN

Use of the part ground, first and second floor as a food court (sui generis) comprising elements of restaurant, bar and hot food takeaway, use of part ground floor as a gym (Class D2), external alterations at second floor level to include a retractable roof, installation of plant at roof level and associated works.

Additional representations were received from Councillor Jonathan Glanz (05.03.19) Memorandum from Premises Management Environmental Services (04.03.19)

The Presenting Officer tabled the following amended conditions and informative:

Revised Condition 11

You must apply to us for approval of a management plan to show how you will prevent customers who are **entering and** leaving the building from causing nuisance for people in the area, including people who live in nearby buildings. You must not start the food court, comprising elements of restaurant, bar and hot food takeaway until we have approved what you have sent us. You must then carry out the measures included in the management plan at all times that the food court, comprising elements of retail, restaurant, bar and hot food takeaway is in use.

Revised Condition 13

~~No goods, including fuel, delivered or collected by vehicles arriving at or departing from the building shall be accepted or despatched if unloaded or loaded on the public highway. You may accept or despatch such goods only if they are unloaded or loaded within the curtilage of the building.~~

All servicing (for the food court and gym use) must take place off-street.

Revised Condition 15

You must not operate a delivery service from the premises **food court** even as an ancillary part of the use.

Revised Condition 16

You must apply to us for approval of details of secure cycle storage for the food court use **(23)** and secure cycle storage for the gym use **(2)**. You must not start any work on this part of the development until we have approved what you have sent us. You must then provide the cycle storage in line with the approved details prior to occupation. You must not use the cycle storage for any other purpose.

New Condition 20

You must use the part ground floor (highlighted pink on plan 3439-FBA-00-00-DR-A-00_00-001 P9) only for gym purposes. You must not use it for any other purpose, including any within Class D2 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).

RESOLVED UNANIMOUSLY:

That conditional permission be granted subject to additional condition to reserve further details of servicing. Officers to check whether glass compactor is included as part of the refuse arrangements and if not, to include it by condition.

2 138 SHAFTESBURY AVENUE, LONDON, W1D 7EA

Variation of Condition 3 of planning permission dated 30 July 2018 (RN 18/05021/FULL) for the use of the ground, first and basement levels as restaurant (Class A3) and offices (Class B1) at second floor level including installation of plant and duct equipment at rear; NAMELY, to allow an ancillary delivery service for a temporary period of one year.

The Presenting Officer tabled the following Delivery Service Management Measures:

138 SHAFTESBURY AVENUE – TRANSPORT STATEMENT

5.0 DELIVERY SERVICE MANAGEMENT MEASURES

5.1 General

5.1.1. This section describes the management measures employed to ensure the Deliveroo riders who collect and deliver order from the restaurant are aware of the collection procedures, e.g. parking their motorcycles away from the site.

5.2 Rider Education

5.2.1. When a driver is instructed to undertake a collection of food from the restaurant, they will be told of the parking situation at the restaurant, this will ensure that they are aware they cannot leave their cycle or motor cycle on-street/footway adjacent to the site. As part of the information sent to them the nearby cycle and motorcycle parking opportunities shown in **Figure 2**.

5.2.2. All riders must follow the Deliveroo protocols and policies with regard to safe working, safe riding and customer awareness. This information is available through the Deliveroo online community at <https://roocommunity.com/rider-information/>. The information includes but is not limited to:

- Cycle Safety
- Scooter (motorcycle) safety
- Keeping safe on the road
- Signs and hazards

- Preparation for deliveries
- Cycle/motorcycle checks

5.3 Signage

5.3.1. Signage on the external frontage of the restaurant will indicate to the delivery rider that stopping on the adjacent highway/footway is not acceptable and the enforcement ramifications that could arise from doing so. The signage will include details of the nearest parking opportunities as shown in **Figure 2**, that are all accessible within a 2-minute walk from the site.

5.3.2. Additional signage and leaflets will be provided to riders when collecting the orders inside the restaurant, this will ensure that on repeat collections they will be aware of the parking locations nearby. Given the repeat nature of the Deliveroo business model, and the small areas in which riders operate, it is highly likely that the same riders will be utilised multiple times for collections from the restaurant, therefore it is expected that riders will know the situation and plan accordingly with regard to parking their cycle/motorcycle away from the restaurant and allowing a few extra minutes to park and walk to the restaurant before making a collection.

5.3.3. This information will also include details on the appropriate rider protocol with regard to using the public highway and how to appropriately, safely and securely lock a cycle/motorcycle; similar to the Deliveroo policies mentioned above.

5.4 Restaurant Staff

5.4.1. Restaurant staff will also be informed of the situation with regard to rider parking. Therefore, they will manage the riders arriving at the restaurant and check that they have parked appropriately, and not adjacent to the restaurant.

5.5 Restaurant Logistics

5.5.1. In order to minimise the time parked by riders, and ensure a short delivery cycle for customers, the internal layout of the restaurant will allow takeaway and delivery collections to queue and collect and order separately to those who are 'walk-in' customers. Therefore, the time spent queueing is more efficient, as an order for takeaway/delivery will also provide an expected collection time. A Wingstop specific 'Takeaway Management Plan' which was successfully submitted to vary previous conditions to allow the Takeaway function is included for reference at **Appendix B**.

The Presenting Officer also tabled the following amended conditions and informative:

Revised Condition 3

You must carry out the Delivery Service in accordance with the measures detailed in Section 5 of 138 Shaftesbury Avenue Transport Statement Prepared by Odyssey dated October 2018 at all times a delivery service is being operated from the restaurant.

Revised Condition 10

You must carry out the development in accordance with waste storage details approved on the 11 May 2018 (RN:18/02126) or in accordance with other waste

storage details submitted to and approved by the City Council prior to starting work on this part of the site. You must then clearly mark the waste store and make it available at all times to everyone using the premises. You must not use the waste store for any other purpose.

Revised Condition 11

You must carry out the development in accordance with cycle storage details approved on the 11 May 2018 (RN:18/02126) or in accordance with other cycle storage details submitted to and approved by the City Council. You must then provide the cycle storage in line with the approved details prior to occupation. You must not use the cycle storage for any other purpose.

Revised Condition 13

You must carry out the measures detailed in the Operational Management Plan approved on the 11 May 2018 (RN: 18/02126) or in accordance with another Operational Management Plan submitted to and approved by the City Council detailing points i, ii, iii, iv and v below at all times that the restaurant is in use.

- i) how you will prevent customers who are leaving the building from causing nuisance for people in the area;
- ii) prevent customers queuing on the street;
- iii) manage customers who wish to smoke,
- iv) prevent customers from taking their drinks outside, and
- v) ensure deliveries and refuse are not stored on the highway and are carried out in a sensitive manner to ensure noise is minimised within agreed hours

Revised Condition 15

You must carry out the development in accordance with the extract flue screen approved on the 11 May 2018 (RN:18/02126) or in accordance with other methods of visual screening of the extract flue submitted to and approved by the City Council prior to starting work on this part of the site.

Mr Tim Humphries addressed the Sub-Committee and spoke in support of the Application.

RESOLVED UNANIMOUSLY:

That conditional permission be granted for 6 months temporary period with amended conditions as tabled.

3 28 BLOMFIELD ROAD, LONDON, W9 1AA

The application was withdrawn from the agenda by officers – conflicting drawings in respect of the proposed rear extension.

4 FLAT 1 88 SUTHERLAND AVENUE, LONDON, W9 2QR

Erection of single storey rear extension at lower ground floor level and use of roof as a terrace with associated screening/trellis; installation of stair from rear upper ground to garden level; alteration to front windows; erection of garden shed.

RESOLVED UNANIMOUSLY:

That conditional permission be granted.

5 380-384 HARROW ROAD, LONDON, W9 2HU

Variation of Condition 1 of planning permission dated 21 May 2014 (RN: 13/09224/FULL) for the 'Redevelopment of the rear of 380-384 Harrow Road (Nos. 16-22 Chippenham Mews) to provide 4x3 bedroom three storey dwelling houses (Class C3) with basement floors (to Nos.16, 18 and 20 only) and ground floor garages'. NAMELY, to amend the detailed design of the front elevations including alterations to window proportions, entrances, garages, party wall upstands, dormer cladding, soldier course and Juliet balconies and amendments to ground levels within the garages of No's 16,18 and 20 Chippenham Mews.

RESOLVED UNANIMOUSLY:

That conditional permission be refused on grounds of the three integral garages not being readily accessible, thereby leading to a loss of off-street residential parking and a reduction in highways safety.

The Meeting ended at: 7:45pm

CHAIRMAN: _____

DATE _____