



CITY OF WESTMINSTER

MINUTES

Planning (Major Applications) Sub-Committee

MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Planning (Major Applications) Sub-Committee** held on **Tuesday 17th December, 2019**, Rooms 18.01 & 18.03, 18th Floor, 64 Victoria Street, London, SW1E 6QP.

Members Present: Councillors Melvyn Caplan (Chairman), Jim Glen, Elizabeth Hitchcock, Robert Rigby, Guthrie McKie and Geoff Barraclough

Also, Present: Councillor Tim Mitchell (Item 1) addressed the Sub-Committee in his capacity as Ward Councillor in objection to the application.

1 MEMBERSHIP

- 1.1 It was noted that Councillor Peter Freeman had replaced Councillor Jim Glen and that Councillor Guthrie McKie had replaced Councillor Davod Boothroyd.

2 DECLARATIONS OF INTEREST

- 2.1 The Chairman explained that a week before the meeting, all six 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 emails 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 MINUTES

3.1 RESOLVED:

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

4 PLANNING APPLICATIONS

1 5 STRAND LONDON WC2N 5HR

Demolition of existing building and redevelopment to provide new hotel (Class C1) and restaurant (Class A3) floorspace across two basements, lower ground, ground floor and 11 upper floors together with other associated and enabling works.

A late representation was received from DP9 (11.12.19).

The presenting officer tabled the following amendment to the recommendation highlighted in bold:

- 1) That subject to referral to the Mayor of London, conditional permission be granted subject to a S106 legal agreement to secure the following:
 - i. All highway works immediately surrounding the site required for the development to occur **(including dedication of land), review of highway restrictions around the site** and any associated alterations to the public realm including necessary changes to footway levels, on-street restrictions, removal of bollards, relocation of the Transport for London cycle hire docking station and associated work (legal, administrative and physical);

The presenting officer also tabled the following additional condition and informative:

“39. You must apply to us for approval of a travel plan. You must not occupy the development until we have approved what you have sent us.

The travel plan shall be followed for the life of the development.”

An additional informative will be added reminding the applicant of the need to engage with Network Rail regarding protection of servicing access for Charing Cross and other matters during the construction period.

David Laycock addressed the Sub-Committee in support of the application.

David North addressed the Sub-Committee in objection to the application.

Richard Brown addressed the Sub-Committee in objection to the application.

Councillor Tim Mitchell addressed the Sub-Committee in his capacity as Ward Councillor in objection to the application.

RESOLVED UNANIMOUSLY:

- 1) That subject to referral to the Mayor of London, conditional permission, as amended, be granted subject to:
 - a) a S106 legal agreement to secure the following:

- i. All highway works immediately surrounding the site required for the development to occur (including dedication of land), review of highway restrictions around the site and any associated alterations to the public realm including necessary changes to footway levels, on-street restrictions, removal of bollards, relocation of the Transport for London cycle hire docking station and associated work (legal, administrative and physical);
 - ii. A financial contribution of £162,050 (index linked), payable on commencement of development towards the Westminster Employment Service;
 - iii. Provision of an Employment and Skills Plan for approval and adherence with the approved plan; and
 - iv. Monitoring costs of £500 for each of the above clauses
- b) The applicant submitting an appropriate robust Operational Management Plan within 6 months after the commencement of the development; which needed to mitigate the operation of the hotel on nearby residents in Craven Street, and this Operational Management Plan should be reported to the Planning (Major Applications) Sub-Committee.
- c) To mitigate the impact on residents' an additional condition be imposed requiring the applicant to submit a travel plan to reduce the potential for taxis and private hire vehicles to use Craven Street; and
- 2) If the legal agreement had not been completed within six weeks of the date of the Committee resolution, then:
- i. The Director of Place Shaping and Town Planning should consider whether the permission can be issued with additional conditions attached to secure the benefits listed above. If this was possible and appropriate, the Director was authorised to determine and issue such a decision under Delegated Powers; however, if not
 - ii. The Director of Place Shaping and Town Planning should consider whether permission should be refused on the grounds that it had not proved possible to complete an agreement within the appropriate timescale, and that the proposals were unacceptable in the absence of the benefits that would have been secured; if so, the Director was authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.
- 3) That Committee authorised the making of a draft order pursuant to s247 of the Town and Country Planning Act 1990 for the stopping up of parts of the public highway and creation of new public highway to enable this development to take place.

- 4) That the Director of Place Shaping and Town Planning, Executive Director of City Management and Communities, or other such proper officer of the City Council responsible for highway functions, be authorised to take all necessary procedural steps in conjunction with the making of the orders and to make the orders as proposed if there were no unresolved objections to the draft orders.

2 ST ALBANS HOUSE 7-60 HAYMARKET LONDON SW1Y 4QX

Application 1

Complete demolition of St Albans House and Samuel House and demolition behind remodelled facades of Greener House and 13-16 Charles II Street to enable the comprehensive redevelopment of the site to provide a single new building comprising basements, ground and mezzanine floors and 7 upper floors, retained and remodelled facades at Greener House and 13-16 Charles II Street for use for Class A1 and/or A3 and/or A4, Class D2 and Class B1 office. Basement tunnel link to 11-12 Charles II Street, associated public realm and highway works and other associated works. Alterations to the facade of the Carlton Cinema [Site includes 57-60, 62 - 65 Haymarket and 71 -99 Haymarket, 6 St Alban's Street and 13-16 Charles II Street]

Application 2

Cleaning of the facade, removal of the advertising hoarding, removal of ground floor canopy and re-instatement of replica of original canopy, ground floor alterations, removal of existing roof level plant and installation of new plant and set back extension, taking down and rebuilding of the parapet, and other associated works.

Additional representations were received from Westminster City Council Building Control (04.12.19), Westminster City Council Tree Section (24.07.19), WYG (10.12.19), The Residents' Society of Mayfair & St James's (11.12.19) and The Crown Estate (11.12.19).

The presenting officer tabled the following amendment in bold to recommendation 1(vi) for Application 1:

“A financial contribution of £25,000 towards updating Legible London signage payable on commencement.”

Matthew Giles addressed the Sub-Committee in support of the application.

RESOLVED UNANIMOUSLY:

Application 1

1. That conditional permission, as amended, be granted subject to the views of the Mayor and subject to a S106 legal agreement to secure the following:

- i. Not to commence development at St James's Market Phase 2 prior to commencement of the planning application at 33 Vauxhall Bridge Road (RN/19/04881/FULL)
 - ii. Not to occupy more than 14,044sqm (GIA) B1 office accommodation at St James's Market Phase 2 until the residential units at 33 Vauxhall Bridge Road have been constructed to practical completion and made ready for occupation.
 - iii. A financial contribution towards the Westminster Employment Service of £224,860.58 (index linked) payable on commencement of development.
 - iv. A financial contribution of £60,000 (index linked) payable on commencement of development to enable the relocation of the existing cycle hire docking station on Charles II Street and to enable the provision of 10 additional docking points.
 - v. All highway works immediately surrounding the site required for the development to occur, including any necessary changes to foot way levels, on-street restrictions, (legal, administrative and physical).
 - vi. A financial contribution of £25,000 towards updating Legible London signage payable on commencement.
 - vii. Wayleave for street lighting.
 - viii. Monitoring costs of £500 for each of the above clauses.
- 2) If the legal agreement had not been completed within six weeks of the date of the Committee resolution, then:
- a) The Director of Place Shaping and Town Planning should consider whether the permission can be issued with additional conditions attached to secure the benefits listed above. If this was possible and appropriate, the Director of Place Shaping and Town Planning was authorised to determine and issue such a decision under Delegated Powers; however, if not
 - b) The Director of Place Shaping and Town Planning should consider whether permission should be refused on the grounds that it had not proved possible to complete an agreement within the appropriate timescale, and that the proposals were unacceptable in the absence of the benefits that would have been secured; if so, the Director of Place Shaping and Town Planning was authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

Application 2

- 1) That conditional listed building consent be granted.

- 2) That the reasons for granting listed building consent as set out in Informative 1 on the draft decision letter be agreed.

3 33 VAUXHALL BRIDGE ROAD LONDON SW1V 2TB

Use of building as residential flats (Class C3); external works including: new entrance doors; creation of 5 new windows; replacement double glazed windows; infill of sunken steps; creation of gardens and access doors; new louvres within the roof; and associated plant and works.

Late representations were received from Westminster City Council's Environmental Sciences (12.12.19) and Westminster City Council's Head of Affordable Housing (17.12.19).

The presenting officer tabled the following additions to recommendation 1:

- c) *Air Quality Neutral Assessment mitigation payment of £1,411 (index linked) and payable on prior to occupation;*
- d) *The 14 car parking spaces allocated for residential use to be provided at nil cost to the Registered Provider; and*
- e) *Monitoring Costs of £500 for each of the above obligations.*

The presenting officer also tabled the following revised and additional conditions:

Revised Condition 2 planning permission

The residential accommodation hereby approved is for 30 units as shown on the approved plans and shall only be used for affordable housing.

Additional Condition on the listed building consent

You must apply to us for full details of all proposed works to Horrobin metalwork, including decorative handrails. The details should include a strategy for re-positioning of any metalwork where relocation is approved by this consent. You must not start any work to the metalwork until we have approved what you have sent us. You must then carry out the work according to the approved details.

Matthew Giles addressed the Sub-Committee in support of the application.

RESOLVED (For - Councillors Caplan, Freeman, Hitchcock and Glen. Against – Councillors Barraclough and McKie)

- 1) That conditional permission, as amended, be granted subject to a S106 legal agreement to secure the following:
 - a) The provision of 3,400sqm (GIA) of residential accommodation to be used for affordable housing purposes.

- b) That following practical completion and transfer to a Registered Provider, 2217sqm (GIA) of residential accommodation can be used to address Westminster's mixed-use policy requirements that may arise from future commercial development schemes (effectively an affordable housing 'credit') subject to the following parameters (to be set out in a memorandum of understanding within the agreement):
- i. It would be used only in connection with commercial developments in which The Crown Estate, or a subsidiary company, is the applicant, either alone or with a joint venture partner.
 - ii. Use of the offset provision would not be traded, or otherwise made available by The Crown Estate to third-party developers otherwise unconnected with The Crown Estate.
 - iii. The offset provision would be linked to no more than five future The Crown Estate developments.
 - iv. The use of the offset provision would be on a floorspace (GIA sqm) basis only
 - v. The Crown Estate would not request that the cost to it of the creation of the credits was considered in any subsequent discussion of financial viability or commercial deliverability.
 - vi. Any planning application proposing the use/draw down of the offset floorspace would be required to be submitted to the City Council within three years of the practical completion of the affordable housing floorspace at 33 Vauxhall Bridge Road.
 - vii. Once assigned to that commercial proposal, the offset provision would not be available to be used in connection with an alternative commercial proposal unless The Crown Estate notified the City Council that it no longer intended to proceed with that option.
 - viii. Any offset provision not linked to a future development within three years of completion of 33 Vauxhall Bridge Road would no longer be capable of being linked to future The Crown Estate developments.
 - ix. The offset provision would be linked to The Crown Estate development proposals in West End and St James's Wards unless otherwise agreed by both parties.
 - x. As well as the residential affordable housing credit to offset commercial increases elsewhere, and only following the practical completion and transfer to a Registered Provider of 2217sqm (GIA) of residential floorspace, the Council will factor the proposed loss of 2,214sqm of office accommodation at 33

Vauxhall Bridge Road into any calculations that establish a residential requirement arising from other commercial developments. The use of the commercial offset provision would be subject to the same parameters set out in i-ix. above.

- c) Air Quality Neutral Assessment mitigation payment of £1,411 (index linked) and payable on prior to occupation;
 - d) The 14 car parking spaces allocated for residential use to be provided at nil cost to the Registered Provider; and
 - e) Monitoring Costs of £500 for each of the above obligations.
- 2) That if the legal agreement had not been completed within six weeks of the date of the Committee resolution, then:
- a) The Director of Place Shaping and Town Planning should consider whether the permission can be issued with additional conditions attached to secure the benefits listed above. If this was possible and appropriate, the Director of Place Shaping and Town Planning was authorised to determine and issue such a decision under Delegated Powers; however, if not
 - b) The Director of Place Shaping and Town Planning should consider whether permission should be refused on the grounds that it had not proved possible to complete an agreement within the appropriate timescale, and that the proposals were unacceptable in the absence of the benefits that would have been secured; if so, the Director of Place Shaping and Town Planning was authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.
- 3) That conditional listed building consent be granted.
- 4) That the reasons for granting conditional listed consent as set out in Informative 1 on the draft decision letter be agreed.

The Meeting ended at 8.59 pm

CHAIRMAN: _____

DATE _____