



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 9th July, 2019**, Rooms 18.01 & 18.03, 18th Floor, 64 Victoria Street, London, SW1E 6QP.

Members Present: Councillors Tony Devenish (Chairman), Peter Freeman, Tim Roca and Eoghain Murphy

1 MEMBERSHIP

- 1.1 It was noted that Councillor Eoghain Murphy had replaced Councillor Susie Burbridge.

2 DECLARATIONS OF INTEREST

- 2.1 Councillor Tony Devenish 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 MINUTES

That the minutes of the meeting held on 11 June 2019 be signed by the Chairman as a correct record of proceedings.

4 PLANNING APPLICATIONS

1 DORA HOUSE, 60 ST JOHN'S WOOD ROAD, LONDON, NW8 7HN

Demolition of the existing building and redevelopment to provide two buildings: Building 1 comprising one basement level, ground and thirteen upper floors containing car parking, plant, affordable sheltered accommodation and market

sheltered accommodation (Class C3), ancillary communal areas; Building 2 comprising sub-basement, two basement levels, ground and eleven upper floors containing plant, car parking, residential accommodation (Class C3) and ancillary leisure; reconfigured vehicular and pedestrian access together with landscaping and other works in association with the development.

Additional representations were received from C&C Regal London in the form of a brochure of the proposals (undated) and DP9 (4.7.2019).

Late representations were received from Central & Cecil (5.7.2019), Building Control Surveyor (4.7.2019) and Arboricultural Officer (26.6.2019).

The presenting officer tabled the following amendments to the draft decision letter:

- Structural report and tree and landscaping details/drawings added/revised.
- Delete condition 26 (tree protection). Protection of street trees outside of the application site to be secured under the S106 legal agreement.
- Additional Informative (3) *For the avoidance of doubt the tree protection methodology and tree surgery in that document are not approved. Tree protection methodology including details of arboricultural supervision and monitoring will need to be dealt with via the section 106 legal agreement.*

The presenting officer also tabled a revised officer recommendation as follows:

Subject to any views of the Mayor of London, grant conditional permission, subject to a Section 106 legal agreement to secure the following:

- a)
 - i) Provision of affordable housing in the form of 153 units of sheltered accommodation for the elderly (Class C3) (3 studios, 146 one bedroom, 4 two bedroom) within floors ground to nine of building 1, in perpetuity and at charges made to residents at no higher than target rent levels **or London affordable rent.**
 - ii) option for previous/existing residents to return to building 1 as a first option subject to their needs being met by the new development.
 - iii) 100% nomination rights on first occupancy of the affordable housing units and to all true voids arising after first occupancy.
- b) Early and Late Stage viability reviews
- c) ~~Not to occupy building 2 until practical completion of building.~~
Not to occupy more than 25% of Building 2, before practical completion of Building 1. Not to occupy the remainder of Building 2 until legal transfer of Building 1 to Central & Cecil
- d) Highways works to Lodge Road and St John's Wood Road to facilitate the proposed development and including vehicular crossovers and paving.

- e)
 - i) Car park strategy for building 1 to provide 33 car parking spaces on an unallocated basis.
 - ii) Car park strategy for building 2 to provide 78 car parking spaces on an unallocated basis and to carry out the development in accordance with a car lift maintenance and management plan.
- f) A financial contribution of £20,000 towards tree planting to Lodge Road (index linked and payable on commencement of development).
- g) Lifetime Car club membership for the occupiers of Building 1.
- h) Provision of Public Art to a minimum value of £60,000
- i) Carbon Off-set payment £ 268,493.40
- j) Tree protection methodology including details of arboricultural supervision and monitoring to off site trees.
- k) The costs of monitoring the S106 agreement

All figures are to be index linked and paid on commencement of development.

3. If the S106 legal agreement has not been completed within six weeks from of the date of the Committee's resolution then:
 - a) The Director of Place Shaping and Town Planning shall consider whether the permission can be issued with additional conditions attached to secure the benefits listed above. If this is possible and appropriate, the Director of Place Shaping and Town Planning is authorised to determine and issue such a decision under Delegated Powers; however, if not
 - b) The Director of Place Shaping and Town Planning shall consider whether permission should be refused on the grounds that it has not proved possible to complete an agreement within an appropriate timescale, and that the proposals are unacceptable in the absence of the benefits that would have been secured; if so the Director of Place Shaping and Town Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

Jim Pool (DP9) addressed the Committee in support of the application on behalf of the applicant.

RESOLVED UNANIMOUSLY:

1. That conditional permission be granted subject to any views of the Mayor of London and
2. Subject to a Section 106 legal agreement to secure the following:

- a) i) Provision of affordable housing in the form of 153 units of sheltered accommodation for the elderly (Class C3) (3 studios, 146 one bedroom, 4 two bedroom) within floors ground to nine of building 1, in perpetuity and at charges made to residents at no higher than target rent levels or London affordable rent.
 - ii) option for previous/existing residents to return to building 1 as a first option subject to their needs being met by the new development.
 - iii) 100% nomination rights on first occupancy of the affordable housing units and to all true voids arising after first occupancy.
 - b) Early and Late Stage viability reviews
 - c) Not to occupy more than 25% of Building 2, before practical completion of Building 1. Not to occupy the remainder of Building 2 until legal transfer of Building 1 to Central & Cecil.
 - d) Highways works to Lodge Road and St John's Wood Road to facilitate the proposed development and including vehicular crossovers and paving.
 - e) i) Car park strategy for building 1 to provide 33 car parking spaces on an unallocated basis.
 - ii) Car park strategy for building 2 to provide 78 car parking spaces on an unallocated basis and to carry out the development in accordance with a car lift maintenance and management plan.
 - f) A financial contribution of £20,000 towards tree planting to Lodge Road (index linked and payable on commencement of development).
 - g) Lifetime Car club membership for the occupiers of Building 1.
 - h) Provision of Public Art to a minimum value of £60,000
 - i) Carbon Off-set payment £ 268,493.40
 - j) Tree protection methodology including details of arboricultural supervision and monitoring to off site trees.
 - k) The costs of monitoring the S106 agreement All figures are to be index linked and paid on commencement of development.
3. The revisions to the draft decision letter as tabled and set out above.
4. If the S106 legal agreement has not been completed within six weeks from of the date of the Committee's resolution then:
- a) The Director of Place Shaping and Town Planning shall consider whether the permission can be issued with additional conditions attached to secure the benefits listed above. If this is possible and appropriate, the Director of

Place Shaping and Town Planning is authorised to determine and issue such a decision under Delegated Powers; however, if not

- b) The Director of Place Shaping and Town Planning shall consider whether permission should be refused on the grounds that it has not proved possible to complete an agreement within an appropriate timescale, and that the proposals are unacceptable in the absence of the benefits that would have been secured; if so the Director of Place Shaping and Town Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

2 388-396 OXFORD STREET, LONDON, W1C 1JU

Erection of a single storey roof extension to the Oxford Street frontage and a single storey roof extension to the Duke Street frontage, recladding of all the facades on Oxford Street, Duke Street and Bird Street, in connection with reconfigured retail floorspace (Class A1) over basement, ground and first floor levels, office floorspace at second to seventh floor levels. Increase in height of the existing plant rooms, creation of a terrace at fifth floor level (on Duke Street), installation of new plant and associated works.

Guy Bransby addressed the Sub-Committee in support of the application.

George Jackson addressed the Sub-Committee in objection of the application.

RESOLVED: (For: Councillors Devenish, Freeman and Murphy; Against: Councillor Roca)

That conditional permission be granted.

3 222 STRAND, LONDON, WC2R 1BA

Use of sub basement to mezzanine floor levels as Public House (Use Class A4), installation of air conditioning units within existing plant enclosure at roof level, installation of ducts to lightwell, and associated external alterations.

The application was withdrawn from the Agenda by officers prior to the meeting.

4 74 - 76 PRINCE'S SQUARE, LONDON, W2 4NY

Use of the building as a 35 room elderly care facility specialising in dementia (Use Class C2), creation of balcony on the rear elevation at first floor level, alterations to the fenestration to match the new internal floor levels, the installation of ramp from the ground floor to the garden. Alterations to roof including insertion of kitchen extract. Installation of a new refuse store, plant enclosure, and bicycle store in the rear garden, new hard and soft landscaping to the garden and all other associated works. Insertion of louvres on front elevation at basement level to serve plant equipment.

An additional representation was received from Innovative Aged Care (3.7.2019).

Late representations were received from Councillor Andrew Smith (9.7.2019), Councillor Margot Bright (9.7.2019), SEBRA (6.7.2019) and Bayswater Residents Association (6.7.2019)

James Cook addressed the Sub-Committee in support of the application.

RESOLVED UNANIMOUSLY:

That conditional permission be granted.

5 76-82 BENTINCK CLOSE, PRINCE ALBERT ROAD, LONDON, NW8 7RY

Variation of condition 1 of planning permission dated 01 December 2015 (RN: 15/00496/FULL) for the Roof extension to provide four new residential (Class C3) units (3x3 bed and 1x4 bed) with external terraces and planters. NAMELY, to allow design changes, including changes to flat layout, partial omission of louvres, additional shade structures, changes to cladding and fenestration, removal of planters, installation of green roof, alterations to rooflights, additional air-conditioning plant and addition of lift overruns.

Late representations were received from the owner of Apartment 36 Bentinck Close (8.7.2019 x2)

Pippa Nisbet addressed the Sub-Committee in support of the application.

RESOLVED:

That conditional permission be granted.

6 PADDINGTON BOWLING & SPORTS CLUB, CASTELLAIN ROAD, LONDON, W9 1HQ

Installation of new floodlighting to two existing outdoor tennis courts (courts 4 and 5 adjacent to the Club House) with the installation of new perimeter and division fencing.

Councillor Geoff Barraclough addressed the Sub-Committee in his capacity as one of the Ward Councillors and in support of the application.

Emily Mackay and Christopher Osborne addressed the Sub-Committee in support of the application.

RESOLVED UNANIMOUSLY

That conditional permission be granted.

7 90-91 BERWICK STREET, LONDON, W1F 0QB

Details pursuant to Condition 23 of planning permission dated 4 October 2016 (RN: 15/06792/FULL), namely the submission of a Servicing Management Strategy.

The application was withdrawn from the Agenda by officers prior to the meeting.

The Meeting ended at 7.50 pm

CHAIRMAN: _____

DATE _____