



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 20th August, 2019**, Rooms 18.01 & 18.03, 18th Floor, 64 Victoria Street, London, SW1E 6QP.

**Members Present:** Councillors Tony Devenish (Chairman), Peter Freeman, Eoghain Murphy and Guthrie McKie

#### 1 MEMBERSHIP

- 1.1 It was noted that Councillor McKie had replaced Councillor Roca.

#### 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.
- 2.2 Councillors Devenish and McKie declared that they had sat on the Sub-Committee when it had previously considered the application.

#### 3 MINUTES

- 3.1 That the minutes of the meeting held on 30 July 2019 be signed by the Chairman as a correct record of proceedings.

## 4 PLANNING APPLICATIONS

### 1 4 - 5 BUCKINGHAM GATE, LONDON SW1E 6JP

Demolition behind the retained front and side facades on Buckingham Gate and redevelopment to provide a hotel (Class C1) comprising of 53 rooms and ancillary facilities. Excavation to provide a single-storey basement. External alterations to the building including raising of the boundary garden wall to the rear, alterations to windows and provision of mechanical plant at roof level and a pavilion at roof level. Provision of a terrace at rear second floor level within recessed part of the building and a terrace at roof level fronting Buckingham Gate. Public realm works to the cul-de-sac on Buckingham Gate and creation of a new on-street loading bay on Buckingham Gate.

The presenting officer tabled the following changes to the recommendation and to the draft decision letter:

1. Grant conditional permission subject to completion of a Section 106 Legal Agreement to secure the following:
  - i) Provision of all highway works immediately surrounding the site required for the development to occur, including provision of new on-street loading bay on Buckingham Gate, ~~reconfiguration~~ relocation of two of existing parking bays, public realm improvements to cul-de-sac (including between Buckingham Gate and Stafford Place), on-street restrictions and associated work at the applicant's expense prior to occupation;
  - ii) Provision of a financial contribution of £17,469 (index linked) to the Westminster Employment Service payable on commencement and provision of an Employment and Skills Plan; and
  - iii) Monitoring costs.
2. If the S106 legal agreement has not been completed within six weeks of the date of the Sub-Committee's resolution then:
  - a) The Director of Place Shaping and Town Planning shall consider whether it would be possible and appropriate to issue the permission with additional conditions attached to secure the benefits listed above. If so, the Director of Place Shaping and Town Planning is authorised to determine and issue the decision under Delegated Powers; however, if not;
  - b) The Director of Place Shaping and Town Planning shall consider whether the permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits which 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.
3. Grant conditional listed building consent.

Agree the reasons for granting listed building consent as set out in Informative 1 of the draft decision letter.

### **Additional condition**

New condition:

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(s) ^IN; of this permission. You must not start work on this part of the development until we have approved what you have sent us.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels.

### **Revised conditions**

Condition 10:

You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the balconies.

Condition 11:

All servicing and deliveries shall only use ~~must take place using~~ the dedicated loading bay on Buckingham Gate. No servicing or deliveries for the hotel use hereby approved must take place from the public highway along Stafford Place. All servicing must take place between 0830 and 1830 on Monday to Saturday. Servicing includes loading and unloading goods from vehicles and putting rubbish outside the building.

Condition 23:

~~You must keep to the terms set out in the operational management plan for the hotel~~ apply to us for approval of an Operational Management Plan prior to occupation. You must not commence the hotel use until we have approved what you have sent us. The Operational Management Plan must thereafter be maintained and followed by the occupants for the life of the development.

Condition 32:

You must apply to us for approval of detailed drawings of a ~~hard and soft~~ landscaping scheme which includes the number, size, species and position of trees and shrubs for the ~~cul de sac between Buckingham Gate and Salford Place~~ and the green roof to the extension to the rear on Stafford Place. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then carry out the works in accordance with the approved drawings. You must then carry out the landscaping and planting with one year of completing the development (or within any other time limit we agree to in writing).

~~If you remove any trees or find that they are dying, severely damaged or diseased within three years of planting them, you must replace them with trees of a similar size and species (C30CB).~~

(N.B landscaping works will be secured via the s106)

### **Deleted conditions**

Condition 12:

~~All servicing must take place between 0830 and 1830 on Monday to Saturday. Servicing includes loading and unloading goods from vehicles and putting rubbish outside the building.~~

Condition 12 has been merged with condition 11 – see revised condition 11

### **RESOLVED UNANIMOUSLY:**

1. That conditional permission be granted subject to:
  - (A) The completion of a Section 106 Legal Agreement to secure the following:
    - i. Provision of all highway works immediately surrounding the site required for the development to occur, including provision of new on-street loading bay on Buckingham Gate, relocation of two existing parking bays, public realm improvements to cul-de-sac (including between Buckingham Gate and Stafford Place) on-street restrictions and associated work at the applicant's expense prior to occupation;
    - ii. Provision of a financial contribution of £17,469 (index linked) to the Westminster Employment Service and provision of an Employment and Skills Plan.
    - iii. Costs of monitoring the agreement.
  - (B) The changes to the draft decision letter as tabled and set out above and further minor changes to the conditions and reasons for conditions. The latter to be determined by officers under delegated powers in consultation with the Chairman.
2. If the legal agreement has not been completed within 6 weeks of the date of the Sub-Committee's resolution then:
  - a) The Director of Place Shaping and Town Planning shall consider whether it would be possible and appropriate to issue the permission with additional conditions attached to secure the benefits listed above. If so, the Director of Place Shaping and Town Planning is authorised to determine and issue the decision under Delegated Powers; however, if not;

- b) The Director of Place Shaping and Town Planning shall consider whether the permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits which 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.

3. That Grant conditional listed building consent be granted.
4. That the reasons for granting conditional listed building consent as set out in Informative 1 of the draft decision letters be agreed.

**2 50 WEYMOUTH STREET, LONDON W1G 6NT, BLOCKS A-C ,OSSINGTON BUILDINGS LONDON W1U 4BG, OSBOURNE HOUSE, MOXON STREET, LONDON, W1U 4EZ**

Application 1: Erection of a mansard roof extension at rear second floor level on Beaumont Mews building to create a self-contained flat (Class C3).

Application 2: Alterations to existing roof to create 2 x self-contained flats (Class C3) including new dormer windows and conservation rooflights.

Application 3: Erection of rear single storey ground floor extension within rear lightwell of Moxon House and use of enlarged ground floor of both Osbourne House and Moxon House as four retail shop units (Class A1), installation of new shop fronts onto Moxon Street and Ossington Buildings and other minor external alterations.

Late representations were received from the Marylebone Association (undated), the Highways Planning Officer (8.3.2019), the occupier of Flat 4, 54 Weymouth Street, London (undated) and the occupier of Flat 3, 54 Weymouth Street, London (undated)

**RESOLVED UNANIMOUSLY:**

Application 1: That conditional permission be granted.

Application 2: That conditional permission be granted.

Application 3: That conditional permission be granted, subject to a Grampian condition to secure the replacement residential floorspace and units secured by Applications 1 and 2 prior to the commencement of development.

**3 83A PICCADILLY LONDON W1J 8JA**

Use of the ground floor and basement level for a car showroom use (sui generis) and alterations to shopfront to Clarges Street elevation to form vehicular entrance.

Late representations were received from British Land (14.8.2019), DP9 (15.8.2019), Waterman Infrastructure and Environment Ltd (12.7.2019) and the Occupier of 4 Connaught House, London (19.8.2019).

Michael Meadows addressed the Sub-Committee in support of the application.

**RESOLVED UNANIMOUSLY:**

1. That conditional planning permission be granted contrary to officer recommendation.
2. The Sub-Committee was satisfied that the undertakings put forward by the applicant in the operational management plan would mitigate any impact on pedestrian safety.
3. That the draft decision letter including conditions to be determined by officers under delegated powers. This to include a condition to ensure compliance with the submitted operational management plan and a further condition to prevent vehicular access to or egress from the unit outside the hours of 10.00 and 16.00 daily.

The Meeting ended at 7.15 pm

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

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