



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 12th May, 2020**, Please note that this will be a virtual meeting..

Members Present: Councillors Jim Glen (Chairman), Eoghain Murphy, Guthrie McKie and Elizabeth Hitchcock

Also Present: Councillors Pappya Qureshi and Geoff Barraclough,

1 MEMBERSHIP

1.1 Membership

There were no changes to the membership

1.2 Election of Deputy Chairman

The Chairmen proposed that Councillor Elizabeth Hitchcock be appointed as Deputy Chairman for the duration of the Meeting. There being no other nominations it was

RESOLVED:

That Councillor Elizabeth Hitchcock be appointed as Deputy Chairman for the duration of the Meeting.

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 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.

- 2.2 Councillor Jim Glen declared that in respect of Items 1 and 2 he was the Deputy Cabinet Member for Housing Services and informed that no discussions had been held on either Applications.
- 2.3 He further declared in respect of Item 2 that he was a Trustee of the Westminster Tree Trust.
- 2.4 Councillor Elizabeth Hitchcock declared in respect of Item 4 the Application site was located in her Ward and that she had no prior dealings with the applicant.

3 MINUTES

- 3.1 That the minutes of the meeting held on the 10 March 2020 be signed by the Chairman as a correct record of proceedings.

4 PLANNING APPLICATIONS

1 TORRIDON HOUSE CAR PARK, RANDOLPH GARDENS, LONDON NW6 5HP

Demolition of existing structures including storage sheds and redevelopment of existing car park to provide two blocks of three and five storeys providing a total of 21 x Use Class C3 (residential) units and other associated works, including the provision of storage units, car and cycle parking, landscaping, access gates and boundary treatment.

Additional Representations were received from Stantec (04.05.20) & (06.05.20), Westminster City Council City Management and Communities Services (07.05.20) and Naima JPS (06.05.20) & (07.05.20),

Late Representations were received from Councillor Geoff Barraclough (11.05.20), local resident (11.05.20), (07.05.20) & (07.05.20), Gerald Eve LLP (11.05.20) & (12.05.20), local resident (08.05.20), Torridon house Residents, (12.05.20), local resident (11.05.20), local resident (11.05.20), local resident (11.05.20), local resident (12.05.20), local resident (08.05.20), Levy Capital Partners LLP (08.05.20), Naima JPS (11.05.20),

Councillor Geoff Barraclough addressed the Sub-Committee in his capacity as Ward Councillor.

The presenting officer tabled the following amendment to the Recommendation and Draft Decision Notice.

Item 1 – Torridon House Car Park

Amendments to Recommendation and Draft Decision Notice.

Amendment of recommendation wording (amended or additional working in **bold**)

1. Grant conditional permission under Regulation 3 of the Town and Country Planning General Regulations 1992 subject to the completion of a unilateral undertaking to secure the following planning obligations:
 - i. Affordable housing 60% social Rented and 40% intermediate rent
 - ii. A Carbon offset payment of **£1,680** (index linked and payable on commencement of the development)
 - iii. Lifetime car club membership for all residents
 - iv) Monitoring costs of the undertaking
2. If the Unilateral Undertaking has not been completed within 3 months from 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) If it has not been possible to complete the Unilateral Undertaking within an appropriate timescale, the application shall be reported back to Sub-Committee for a decision.

The following conditions and reasons are proposed to be added to the decision notice

Condition

You must provide details of bat and bird boxes to be erected at the site prior to occupation of the 21 units.

Reason

To improve the appearance of the development and its contribution to biodiversity and the local environment, as set out in S38 of Westminster's City Plan (November 2016) and ENV 16, ENV 17 and DES 1 (A) of our Unitary Development Plan that we adopted in January 2007. (R30AC)

Condition

During construction, delivery vehicles must not arrive at or depart the site between the hours of 08:00 – 09:30 and 15:00 – 16:30 Monday to Friday during school term times.

Reason

To protect the safety of children attending the surrounding schools during drop off and pick up times

Condition

You must apply to the City Council providing details of green roofs to be installed surrounding the PV cells on the roofs of the flats and houses.

Reason

To improve the appearance of the development and its contribution to biodiversity and the local environment, as set out in S38 of Westminster's City Plan (November 2016) and ENV 16, ENV 17 and DES 1 (A) of our Unitary Development Plan that we adopted in January 2007. (R30AC)

Amendments to condition 9. Amendment in **bold**

You must provide each cycle parking space shown **for the new flats and houses** on the approved drawings prior to occupation. Thereafter the cycle spaces must be retained and the space used for no other purpose without the prior written consent of the local planning authority.

Amendments to condition 12. Amendment in **bold**

You must provide each car parking space shown on the approved drawings prior to occupation of the new dwellings and each car parking space shall only be used for the **parking of vehicles of existing licence holders of the adjoining Naima School and Torridon House.**

Reason

To provide parking spaces for people living in the residential part of the development as set out in STRA 25 and TRANS 23 of our Unitary Development Plan that we adopted in January 2007. (R22BB)

Removal of Informative 14

Under Condition 10 you are strongly encouraged to incorporate informal play equipment into the approved communal landscaped area.

Amendment to Informative 15. Amendment in **Bold**

This permission is governed by a Unilateral Undertaking from the applicant under Section 106 of the Town and Country Planning Act 1990. The Undertaking relates to: **Affordable housing 60% social Rented and 40% intermediate rent ii. A Carbon offset payment of £1,680 (index linked and payable on commencement of the development) iii. Lifetime car club membership for all residents iv) Monitoring costs of the undertaking**

RESOLVED UNANIMOUSLY:

1. That conditional permission as amended and subject to additional Conditions as set out above be granted under Regulation 3 of the Town and Country Planning General Regulations 1992 subject to the completion of a unilateral undertaking to secure the following planning obligations:
 - i. Affordable housing 60% social Rented and 40% intermediate rent
 - ii. A Carbon offset payment of £16,805 (index linked and payable on commencement of the development)

- iii. Lifetime car club membership for all residents
 - iv) Monitoring costs of the undertaking
2. That If the Unilateral Undertaking has not been completed within 3 months from 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) If it has not been possible to complete the Unilateral Undertaking within an appropriate timescale, the application shall be reported back to Sub-Committee for a decision.
 3. That Conditions which prohibits construction delivery times between 08:00 – 09:30 & 15:00 to 16:30 during term time, car parking, additional biodiversity measures (bird/ bat boxes), green roofs, securing PV cells on the roof, removal of the permitted development rights to the town houses, provision of the accessible flats be agreed in consultation with the chair and under delegated powers

2 300 HARROW ROAD LONDON W2 5HG

Demolition of existing community centre (Use Class D1) and nursery (Use Class D1) buildings and associated structures and replacement with three blocks (Blocks A, B and C) to create residential dwellings (Use Class C3), office floorspace (Use Class B1), cafe (Use Class A1 A3), replacement community space (Use Class D1) and replacement nursery (Use Class D1). Landscaping and public realm alterations (including to the base of Wilmcote House); provision of car parking and cycle parking, refuse storage; provision of new boundary treatment; alterations to services; plant and associated works.

Late Representations were received from Westminster City Council Affordable Housing and Partnerships (11.05.20) & (24.04.20), Councillor Adam Hug (10.05.20) and a local resident (12.05.20)

The presenting officer tabled the following amendment to the Recommendation and Draft Decision Notice.

Item 2 – 300 Harrow Road

Amendments to Recommendation and Draft Decision Notice.

Amend description of development (amendment in **bold**)

Demolition of existing community centre (Use Class D1) and nursery (Use Class D1) buildings and associated structures and replacement with three blocks (Blocks A, B and C) to create residential dwellings (Use Class C3), office floorspace (Use Class

B1), cafe (Use Class A3 **A1**), replacement community space (Use Class D1) and replacement nursery (Use Class D1). Landscaping and public realm alterations (including to the base of Wilmcote House); provision of car parking and cycle parking, refuse storage; provision of new boundary treatment; alterations to services; plant and associated works.

Amendment of recommendation wording (amended or additional working in **bold**)

xi. Agreement that the nursery will not be demolished prior to a replacement temporary facility being ~~operational~~ **available for occupation**.

xiii. Removal of the fencing between the canal towpath and the application site, to be removed prior to the occupation of the residential part of the site.

Amend condition 17 (additional wording in bold)

There shall be no primary cooking within the non C3 parts of the development, such that you must not cook raw or fresh food on the premises **unless detailed drawings of the design, construction and insulation of a suitable ventilation system and any associated equipment have been submitted and approved by the Local Planning Authority. You must then carry out the work according to the approved details. You must not change them without our permission.**

Amend condition 38 from:

Customers shall not be permitted within the community centre or cafe premises before 7am or after 11pm each day. (C12AD)

To:

Customers shall not be permitted within the community centre before 6am or after 11pm each day or within the cafe premises before 7am or after 10pm each day.

Amend condition 40 (additional working in **bold**):

Prior to ~~the occupation~~ **any construction works above ground floor level of Block A**, a fire strategy shall be submitted to and approved by the Local Planning Authority **and utilised thereafter, unless otherwise agreed first in writing by the LPA.**

Additional condition 42:

Prior to the occupation of any of the residential flats, you must submit to the Local Planning Authority for approval, details of wayfinding and public art to be placed within the public realm and how they will be maintained. The wayfinding and public art shall then be installed and maintained in accordance with these details, within 6 months of any flats being first occupied, unless an alternative timeframe is agreed first in writing by the LPA.

Reason:

To make sure the art and wayfinding is provided for the public and to make sure that its appearance is suitable. This is as set out in DES 7 (A) of our Unitary Development Plan that we adopted in January 2007.

Additional condition 43:

Prior to the occupation of any of the residential flats, you must submit to the Local Planning Authority for approval, details of bird and bat boxes. The boxes shall then

be installed and maintained in accordance with these details prior to the occupation of the flats, unless otherwise agreed first in writing by the LPA.

Reason:

To increase the biodiversity of the environment, as set out in S38 of Westminster's City Plan (November 2016) and ENV 17 of our Unitary Development Plan that we adopted in January 2007.

RESOLVED UNANIMOUSLY:

1. That conditional permission as amended and subject to the additional Conditions as set out above be granted under Regulation 3 of the Town and Country Planning General Regulations 1992, subject to referral to the Mayor of London, and subject to the completion of a Unilateral Undertaken to secure the following obligations:
 - i. Provision of affordable housing equating to 50% of the habitable rooms prior to the occupation of any of the market housing.
 - ii. Submission of an early viability review if the works have not been substantially implemented within 24 months of permission being granted.
 - iii. Provision of affordable business space to shell and core, prior to occupation of any market flats.
 - iv. A financial contribution of £130,161 towards Carbon Offset Payments (index linked and payable on commencement).
 - i. A financial contribution of £27,159.58 towards Westminster Employment Service (index linked and payable on commencement of development).
 - vi. Lifetime Car Club membership for the self-contained residential units.
 - vii. Highways works to facilitate the proposed development and including vehicular crossovers, reinstatement of redundant crossovers and paving.
 - viii. Allow public access to the public realm areas via a walkways agreement that shall be submitted and agreed prior to the occupation of the market flats.
 - ix. Dedication of the highway prior to the occupation of the market housing.

- x. Provision of an Employment training, skills and apprenticeships opportunities for residents of Westminster. In relation to construction submitted and agreed prior to commencement and in relation to the new commercial uses, prior to occupation of the market residential.
 - xi. Agreement that the nursery will not be demolished prior to a replacement temporary facility ~~being operational~~ available for occupation.
 - xii. Removal of the fencing between the canal towpath and the application site, to be removed prior to the occupation of the residential part of the site.
 - xiii The costs of monitoring the legal agreement.
2. That If the Unilateral Undertaking has not been completed within 3 months from 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) If it has not been possible to complete the Unilateral Undertaking within an appropriate timescale, the application shall be reported back to Sub-Committee.
- 3 That the Sub-Committee authorises 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 to enable this development to take place.
4. That the Director of Place Shaping and Town Planning, or other such proper officer of the City Council responsible for highway functions, be authorised to take all necessary procedural steps in connection with the making of the orders and to make the orders as proposed if there are no unresolved objections to the draft orders. The applicant is to cover all costs of the Council in progressing the stopping up orders.

3 KINGS COURT 31 PRINCE ALBERT ROAD, LONDON, NW8 7LT

Demolition and redevelopment of the existing Porters Lodge to provide a replacement single dwelling (Use Class C3); erection of extension to the rear of

Kings Court; facade alterations, including provision of balconies at ground and first floor level to the front elevation of Kings Court, restoration of the existing brickwork and addition of limestone cladding, upgrades to the fenestration; landscaping of the site; provision of terraces to the rear and side of Kings Court.

An Additional Representation was received from Frogour Limited (Unknown)

Late Representations were received from Councilor Robert Rigby (11.05.20), Sparcstudio (11.05.20), local resident (07.05.20), Winckworth Sherwood (10.05.20) and Constantine Architects (12.05.20)

RESOLVED UNANIMOUSLY:

That conditional permission be granted subject to an additional condition which require that all the works to the facades of Kings Court are completed prior to the occupation of the new house.

4 43 WILLIAM MEWS, LONDON, SW1X 9HQ

Demolition of the existing building and replacement with a new mews house, comprising basement, ground and first floors.

RESOLVED UNANIMOUSLY:

That conditional permission be granted.

5 69C GLOUCESTER STREET, LONDON, SW1V 4EA

Installation of new windows and a replacement door within the lightwell, in connection with the amalgamation of the front vaults into existing lower ground floor flat.

Late Representations were received from FND Group (07.05.20), local resident (11.05.20), local resident (11.05.20), local resident (11.05.20), local resident (11.05.20), local resident (12.05.20), local resident (12.05.20), and a local resident (12.05.20),

The presenting officer tabled the following amendment to the Draft Decision Notice.

Item 5: 69C Gloucester Street

Removal of Condition 4 on Draft Decision Notice:

Condition 4 states:

You must apply to us for approval of detailed of the following parts of the

development –

- a. High level window (sections and elevations scaled at 1:10)*
- b. New vent in the lightwell (sections and elevations scaled at 1:10 or 1:20)*

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 detailed drawings. (C26DB)

Condition 4 is removed from the Draft Decision Notice as the applicant provided the detailed drawings it requests after the committee report was published. We consider these drawings are acceptable and so the condition is no longer required. The remaining conditions are renumbered accordingly.

The drawings are appended to this memo.

Update Drawings Numbers on Draft Decision Notice:

To reflect the fact the new drawings are submitted, the drawings numbers are updated as follows:

Site Location Plan; AP100 rev 00; AP110 rev 00; AP111 rev R00; AP121 rev R00; AP200D rev R01; AP211D rev **R03**; AP213 rev **R1**; AP221D rev R0; AT500 rev R00; AT501 rev 00; **AT500 rev R0**; Design and Access Statement (dated Dec 2019); Cover Letter (dated 20 Dec 2019).

For Info Only:
Flood Risk Assessment (dated 25 March 2020).

RESOLVED: For: Councilors Glen, Hitchcock and Murphy: Against: Councilor McKie

That conditional permission be granted subject to the reinstatement of condition 4 to secure that the slot high level window to the gym is hinged to open inwards with a restrictor, the sash window to be fixed shut to the lower panel and for a restrictor to limit opening of top section of sash and for both windows to be obscured glazed

The Meeting ended at 9.40 pm

CHAIRMAN: _____

DATE _____