



CITY OF WESTMINSTER

MINUTES

Planning Applications Sub-Committee (1)

MINUTES OF PROCEEDINGS

Minutes of a virtual meeting of the **Planning Applications Sub-Committee (1)** held on **Tuesday 24th November, 2020**.

Members Present: Councillors Robert Rigby (Chairman), Mark Shearer, Selina Short and Geoff Barraclough

Also Present: Councillor Tim Roca (Item 4)

1 MEMBERSHIP

1.1 It was noted that Councillor Geoff Barraclough had replaced Councillor Tim Roca.

1.1 **RESOLVED:** That Councillor Mark Shearer be elected as the substitute Chairman for the meeting in the event that the Chairman loses connection or needs to stand down for an item.

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 Mark Shearer declared in respect of Item 4 - that he previously retained David Coffey Lyons to undertake a review for his property company, Sandford Capital. In addition, he has an outstanding review on another property - of which Fleurets are the arbitrator. He retains various agencies for my property company.

With regards to Item 6 – he declared that he is a Trustee of CGAT. He had not voiced any opinion on this planning matter within any CGAT meetings Whilst he believed he could objectively judge this application - in terms of perception, he decided to stand down from the Committee during its consideration.

2.3 Councillor Robert Rigby declared in respect of Item 3 – that he had sat on the Sub-Committee that had considered the original application some years ago.

2.4 Councillor Geoff Barraclough declared in respect of Item 4 – that the site is located not far from his Ward. He had visited the pub on previous occasions. He further declared that he knows some of the objectors and supporters to the application but that he had not spoken to any of the latter. He had not received any representations directly from either parties, only those that had been included in the member pack. He had objected to the previous application but this was quite different to the current one.

He declared in respect of Item 6 – that the minority group on the Council had attended a meeting with CAPCO on the 27 September to discuss issues around the general economy and had not discussed this particular matter.

3 MINUTES

3.1 **RESOLVED:** That, with the consent of the members present, the Chairman signed the minutes of the meeting held on 29 September 2020 as a correct record of proceedings.

4 TREE PRESERVATION ORDER NO. 664 - 30 CLIFTON HILL LONDON, NW8 0QG

4.1 Tree Preservation Order No. 664 – 30 Clifton Hill, London, NW8 0QG

4.2 **RESOLVED UNANIMOUSLY:** That Tree Preservation Order No. 664 (2020) be confirmed without modification with permanent effect.

5 PLANNING APPLICATIONS

1 7 - 8 CONDUIT STREET, LONDON, W1S 2XF

1.1 Demolition of existing building, excavation to provide an additional basement level and redevelopment to replacement building over sub-basement, basement, ground and six upper floors as use as offices (Class B1) over part ground and first to sixth floor levels, retail (Class A1) at basement and part ground floor levels and shared ancillary facilities at sub-basement level.

1.2 Blythe Dunk addressed the Sub-Committee in support of the application.

1.3 **RESOLVED UNANIMOUSLY:**

1. That conditional permission be granted subject to a legal agreement to secure the following:
 - a) A contribution to the City Council's Affordable Housing Fund of £687,000 (index linked), payable prior to commencement of development.
 - b) A Carbon Offset Contribution of £76,000 (index linked), payable prior to commencement of development.
 - c) The costs of monitoring the S106 legal agreement.
2. If the S106 legal agreement has not been completed within six weeks of the date of this resolution then:
 - a) The Director of Place Shaping and Planning shall consider whether it will be possible or appropriate to issue the permission with additional conditions attached to secure the benefits listed above. If so, the Director of Place Shaping and Planning is authorised to determine and issue the decision under Delegated Powers; however, if not;
 - b) The Director of Place Shaping and Planning shall consider whether the 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 Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

2 7-9 BALFOUR MEWS, LONDON, W1K 2BF

- 2.1 Use of the lower ground and part ground floor as an interior design studio and showroom (Sui Generis), replacement of the existing roller shutter at front ground floor level with partially glazed timber doors, installation of Crittal style glazed screen and pavement lights at ground floor front elevation, installation of new and replacement windows and doors to rear light well at lower ground and ground floor level and internal alterations.
- 2.2 An additional representation was received from the occupier of Vine House, 11 Balfour Mews, W1 (18.11.20).
- 2.3 Late representations were received from Hereward and Co Solicitors (22.11.20; 24.11.20), Councillor Tim Barnes (23.11.20) and Gerald Eve (24.11.20).
- 2.4 Henry Hunter and Clemence Pirajean addressed the Sub-Committee in support of the application.

- 2.5 James Adam and Christine Hereward addressed the Sub-Committee in objection to the application.

RESOLVED: (For: Councillor Barraclough; Against Councillors Rigby, Shearer and Short)

1. That planning permission be refused against officer recommendation on the grounds that the purposed use is not appropriate in terms of its scale and its intensity, and character and function of this residential area contrary to POLICY S18 of the CITY PLAN.

RESOLVED: UNANIMOUSLY

2. That conditional listed building consent be granted with an informative advising that the external works cannot be undertaken without planning permission.

3 34 GROSVENOR SQUARE, LONDON W1K 2HD

3.1 Application 1:

Alterations including the construction of platform within lightwell fronting South Audley Street to provide space for tables and chairs for use in association with restaurant (Class A3).

3.2 Application 2:

Variation of Condition 2 of planning permission dated 01 September 2015 (RN: 15/05750/FULL) for, 'Use of first floor as restaurant (Class A3) in connection with the existing restaurant at basement and ground floor and new plant at roof level'. NAMELY, to allow the increase the capacity of the restaurant from 168 to 194.

3.3 A late representation was received from Councillor Tim Barnes (23.11.20).

3.4 The presenting officer tabled the following amendments to the draft decision letters:

Application 1

Condition 4

- 3.5 You must reinstate the railings and plinth and complete any making good to match existing in materials, design and finished appearance and remove the platform from the lightwell in its entirety within 13 months of the first use of the platform.

[No change to reason for condition]

Application 2

Condition 5

~~The restaurant use of the basement and ground and floors shall not open outside the hours of 08.00 to 01.00 the following morning for a temporary period of 1 year from the date of the decision. The restaurant use of the first floor shall not open outside the following times: Monday to Thursday and Sunday 08.00 to 23.30, Friday and Saturday 08.00 to 00.30. Thereafter~~ ~~†~~The restaurant use on all floors shall not open outside the following times: Monday to Thursday and Sunday 08.00 to 23.30, Friday and Saturday 08.00 to 00.30 the following morning.

[No change to reason for condition]

Condition 6

~~The plant and machinery hereby permitted shall not be operated outside the hours of 08.00 to 01.00 the following morning for a temporary period of 1 year from the date of the decision. Thereafter~~ ~~†~~The plant and machinery hereby permitted shall not be operated except between 08.00 - 23.30 Sunday to Thursday and 08.00 to 00.30 the following morning on Friday and Saturday.

[No change to reason for condition]

Delete Condition 8

~~You must demonstrate compliance with the management plan each year for a period of 4 years from the date of this permission.~~

RESOLVED UNANIMOUSLY:

1. That conditional temporary permission be granted subject to:
 - a) an additional informative for the applicant to explore the installation of sound attenuation within the canopy.
 - b) the amendment to condition 4 as tabled as set out above.
2. That conditional temporary permission be granted subject to the changes to conditions 5 and 6 and deletion of condition 8 as tabled and set out above.

4 46 CHIPPENHAM ROAD, LONDON, W9 2AF

- 4.1 Change of use of the ground floor and basement from a Public House to a Pharmacy, alterations to ground floor fenestration, and the creation of secondary entrance on Elgin Avenue.
- 4.2 Additional representations were received from Pharmacy Advice & Consultancy Services Ltd (16.11.20), the occupiers of 35 Hornead Road, W9 (undated), Basement Flat, 62 Walton Road, W9 (undated), Flat 29, 79 Fermoy Road, W9 (undated), 80 Wentworth Rd, Hounslow UB2 5TT (undated), 2 Winter Hill Lane, Rotherham S61 2HY (undated), 366 Harrow Rd, W9 (undated), 9 Bryan Avenue, W10 2AA (undated), 127 West End Lane, NW6 (undated), and Flat 2, 264 Kilburn Lane, W10 (12.10.20).
- 4.3 Late representations were received from Morgan and Clarke Chartered Surveyors (15.11.20), Planning4Pubs (17.5.19), Fleurets (23.11.20), Councillor Tim Roca (20.11.20), Applicant (20.11.20), Davis Coffey Lyons (23.11.20) and Maiden Hill Neighbourhood Forum (24.11.20).
- 4.4 Samruti Patel and Ajay Walia addressed the Sub-Committee in support of the application.
- 4.5 Richard Webster and the Rev Jackie Barry addressed the Sub-Committee in objection to the application.
- 4.6 Dafydd Ellis addressed the Sub-Committee on behalf of the Maiden Hill Neighbourhood Forum in objection to the application.
- 4.7 Councillor Tim Roca addressed the Sub-Committee on behalf of his ward colleagues in objection to the application.

RESOLVED: For: Councillors Rigby, Shearer and Short; Against: Councillor Barraclough

- 4.8 That conditional permission be granted.

5 52 ACACIA ROAD, LONDON, NW8 6AL

- 5.1 Demolition of existing dwellinghouse, detached garage and boundary wall, excavation to create single storey basement, and erection of new two storey plus mansard roof accommodation dwelling house (Class C3) with integrated garage, new boundary wall/gates and associated hard and soft landscaping works.
- 5.2 Late representations were received from 1 Acacia Place, NW8 (undated), 50 Acacia Road, NW8 (20.11.20), 8 Acacia Road, NW8 (undated), David Pugh on behalf of the applicant (23.11.20), the St John's Wood Society (24.11.20) and Lichfield (24.11.20).

- 5.3 Sophie Caton addressed the Sub-Committee in support of the application.
- 5.4 Henry Ejdelbaum addressed the Sub-Committee in objection to the application.
- 5.5 The presenting officer tabled the following changes:
1. Amendment to drawing numbers. 3.200.203 replaced to read 3.200.203 R2 and 3.200.204 added.
 2. Condition 8 to read: Notwithstanding details shown on the approved drawings the new windows and external doors shall be formed in glazing and white painted timber framing and the bottom half of the windows in the rear elevation (except the staircase) at 1st floor and mansard roof level shall be obscure glazed.
- 5.6 **RESOLVED: (For: Councillors Rigby, Shearer and Short; Against Councillor Barraclough)**
- 5.7 That conditional permission be granted subject to the changes to the wording of condition 8 as tabled and set out above and an additional condition requiring the bay windows facing number 50 to be made obscure.
- 6 35 THE MARKET, COVENT GARDEN, LONDON, WC2E 8RF**
- 6.1 Use of an area measuring 6.5m x 10.5m for the installation of 26 tables, 52 chairs, 10 stools, 13 planters, 2 parasols, external bar area, service station and associated works including installation of new services below existing cobbles and pavement cover in connection with Sushi Samba.
- 6.2 Having declared an interest, Councillor Shearer left the meeting during the consideration of the meeting.
- 6.3 A late representation was received from the Covent Garden Area Trust (23.11.20)
- 6.4 The presenting officer tabled the following changes to the draft decision letter:
- Additional condition 6.
- 6.5 You must apply to us for approval of details of the following parts of the development:
- 6.6 Out of hours bar covering and method to make secure.
- 6.7 You must not start any work on these parts of the development until we have approved what you have sent us.
- 6.8 You must then carry out the work according to these details. (C26DB)

Reason:

- 6.9 To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Covent Garden Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)
- 6.10 Andrew Hicks addressed the Sub-Committee in support of the application.
- 6.11 **RESOLVED: (For: Councillors Rigby, Barraclough and Short)**
- 6.12 That conditional planning permission be granted subject to the additional condition as tabled and set out above and a condition to ensure no amplified music.
- 7 27 WILTON PLACE, LONDON SW1X 8RL**
- 7.1 1 x London plane (rear): fell
- 7.2 **RESOLVED UNANIMOUSLY:**
- 7.3 That consent be refused due to the impact on the amenity and character and appearance of the conservation area.

The Meeting ended at 10.12 pm

CHAIRMAN: _____

DATE _____