



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 27th October, 2020**, This meeting took place virtually.

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

#### **1 MEMBERSHIP**

1.1 There were no changes to the membership,

#### **2 DECLARATIONS OF INTEREST**

2.1 Councillor Jim Glen explained that a week before the meeting, all four Members of the Sub-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 Sub-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 Sub-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 Guthrie McKie declared that in respect of item 5, he lives in the Ward and knows the address of the site, but has not been contacted by any parties regarding the application,

2.3 Councillor Eoghain Murphy declared that in respect of item 2, he lives in the Ward, but that he has not been contacted by any parties regarding the application.

### 3 MINUTES

#### 3.1 RESOLVED:

That the minutes of the meeting held on 1 September 2020 be signed by the Chairman as a correct record of proceedings.

### 4 PLANNING APPLICATIONS

#### 1 GARAGES AT ADPAR STREET LONDON

Demolition of existing car park and redevelopment to provide a 4-storey block of sheltered residential dwellings (Use Class C3) and other associated works, including amenity space, car parking, cycle parking, refuse storage, and landscaping improvement works.

The presenting officer tabled the following amendments:

Pre-Commencement Condition (bat emergence survey)

Prior to any demolition taking place, a further bat emergence/re-entry survey must be carried out in accordance with the recommendations set out in the approved Ecology Report. The results of this survey shall be submitted to approved by the local planning authority before any demolition works take place.

Reason

The Ecology Report identifies that the car park building has low potential for roosting bats, and a further survey is required to ensure that there are no bats roosting in the building in accordance with the Conservation of Habitats and Species Regulations 2010 (as amended) and the Wildlife and Countryside Act 1981.

Provide Bird and Bat Boxes

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.

A condition requiring a detailed lighting strategy is also recommended.

**DELETE** Condition 24 and **AMEND** condition 6 as follows: You must apply to us for approval of detailed sections at 1:10 of the following parts of the development: a) garage doors/**gates** and b) gates. You must not start 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.

Reason:

**To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area, and make sure**

**that a safe and secure environment is provided. This is as set out in S28 and S29 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD).**

**RESOLVED (Councillors Jim Glen, Elizabeth Hitchcock and Eoghain Murphy for, Councillor Guthrie McKie abstains):**

1. That conditional permission be granted under Regulation 3 of the Town and Country Planning General Regulations 1992 subject amendments to conditions and additional conditions as set out above, and to the completion of a unilateral undertaking to secure the following planning obligations:
  - i. Provision of all units as affordable housing for nominated residents over the age of 60
  - ii. A financial contribution of £13,522 to the Carbon Offset Fund (payable on commencement of development and index linked)
  - ii. Provision and adherence to a car parking strategy.
  - iv. Provision of lifetime (25 year) car club membership for all residential units.
  - v. Provision of highway works in Adpar Street and Hall Place to provide access to the development. vi. Costs of monitoring the agreement (£500 per head of terms).
  
2. That If the Unilateral Undertaking has not been completed within 12 weeks from the date of the Committee's resolution, then:
  - a) The Director of Place Shaping and Town Planning shall consider 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 the Sub-Committee for a decision.

## **2 JOHN LEWIS, 278-306 OXFORD STREET, LONDON W1C 1DX**

Dual/alternative use of part sub-basement, part ground, third, fourth, fifth, sixth, seventh and eighth floors for either continued retail (Class A1) and/or office use (Class B1). External alterations including the installation of a new office entrance to the corner of Holles Street and Cavendish Square elevations and installation of a lift over-run at roof level.

An additional representation was received from John Lewis Partnership (undated).

A late representation was received from Councillor Timothy Barnes (27.10.2020).

The Committee's legal representative read out the written submission from David Wood in support of the application.

**RESOLVED UNANIMOUSLY:**

That conditional permission be granted.

**3 7 - 8 CONDUIT STREET LONDON W1S 2XF**

Demolition of existing building, excavation to provide an additional basement level and redevelopment to replacement building over subbasement, 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.

Application withdrawn by officers.

**4 33 ST JAMES'S SQUARE LONDON SW1Y 4LB**

Partial demolition and reconstruction of enlarged rear extension with additional storey; formation of terraces at ground, fourth, fifth and sixth floor levels; excavation to extend existing basement level; installation of plant machinery and associated external alterations in connection with increase in office floorspace (Class B1). Internal alterations including installation of new grand stair.

Additional representations were received from Harwood Management Limited (23.10.2020) and Calvam Management Limited (21.10.2020).

Late representations were received from Harwood Management Limited (23.10.2020).

The presenting officer tabled the following amendments:

**Revised condition 11**

You must not use the roof of any part of the building for sitting out or for any other purpose other than the indicated terrace areas shown blue on the following drawings 12200 PL02 (Ground floor), 12204 PLO2 (Fourth floor), 12205 PL02 (Fifth floor) and 12206 PL02 (Sixth floor) You can however use any roof to escape in an emergency.

**Revised condition 16**

Notwithstanding the submitted Operational Management Plan for External Spaces, you must apply to us for approval of an Operational Management Plan for External Spaces. You must not use any part of the roof of the building as a terrace until we have approved what you have sent us. The approved Operational Management Plan must thereafter be followed by the occupants for the life of the development at all times that the building is in use, unless a revised Operational Management Plan for external spaces is submitted for approval by the City Council.

### **Revised condition 23**

Within 6 months of practical completion, you must provide the following:

- a copy of a Building Research Establishment (or equivalent independent assessment) issued Final Post Construction Stage Assessment and Certification, confirming that the development has achieved a BREEAM NC Offices 2018 rating of Very Good.

### **Revised condition 24**

The external terraces at ground, fourth, fifth and sixth floor levels and indicated on drawings 12200 PL02, 12204 PLO2, 12205 PL02 and 12206 PL02 can only be used between the hours of 0800 to 2000 Monday to Friday and 0900 to 1800 on a Saturday and not at all on Sundays, public holidays and bank holidays

Neil McLeod addressed the Committee in support of the application.

### **RESOLVED UNANIMOUSLY:**

1. That conditional permission and conditional listed building consent be granted, subject to amendments to conditions 11, 16, 23 and 24 to the planning permission as set out above.
- .2. That the reasons for granting conditional listed building consent as set out in Informative 1 of the draft decision letter be agreed.

### **5 108 CHEPSTOW ROAD LONDON W2 5QS**

Use of the basement and ground floor as mixed use restaurant and hot food take-away (Sui Generis) and installation of flue to the rear.

A late representation was received from South East Bayswater Residents' Association (undated).

The presenting officer tabled the following additional conditions:

ADD condition 12 – hours of operation of plant equipment

The mechanical ventilation plant equipment must not operate before 09:00 or after 2300 on Monday to Saturday (not including bank holidays and public holidays) and before 10:00 or after 20:00 on Sundays, bank holidays and public holidays.

REASON: To protect the environment of people in neighbouring properties as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7, ENV13 and TACE 9 of our Unitary Development Plan that we adopted in January 2007.

ADD condition 13 – flues painted black

The external ventilation flues to the rear shall be black and maintained that colour.

REASON: 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 Westbourne 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).

**RESOLVED UNANIMOUSLY:**

That conditional permission be granted, subject to additional conditions 12 and 13 as set out above.

**6 90-104 BERWICK STREET LONDON W1F 0QB**

Details pursuant to condition 23 of planning permission dated 4 October 2016 (RN:15/06792/FULL) for partial demolition and rebuilding of existing podium levels with additional part single and part two storey extensions; front extension of part of the west elevation to Hopkins Street; replacement facades and new shopfronts; all in association with continued use of parts of the basement and ground floor on Berwick Street for shops (Class A1), financial and professional services (Class A2) and food and drink (Class A3) and new retail unit at northern end of Hopkins Street, use of remainder of podium (as extended) for hotel (Class C1) and residential (Class C3) purposes together with associated roof terraces (including for use by existing Kemp House residents); green roofs, landscaping, car and cycle parking, servicing, plant and ancillary works, namely the submission of a Service Management Strategy..

An additional representation was received from Rolfe Judd (20.10.2020).

Late representations were received from KHRA (26.10.2020) and the applicant (27.10.2020).

Ed Jones addressed the Committee in support of the application.

The Highways Transportation Officer addressed the Committee to advise on Highways issues.

**RESOLVED UNANIMOUSLY:**

That the details be approved.

The Meeting ended at 8.41 pm.

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

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