



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 20th July, 2021**, Rooms 18.01 & 18.03, 18th Floor, 64 Victoria Street, London, SW1E 6QP.

Members Present: Councillors Jim Glen (Chairman), Eoghain Murphy, Selina Short and Guthrie McKie

1 MEMBERSHIP

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

2 DECLARATIONS OF INTEREST

- 2.1 Councillor 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 Short declared that in respect of item 1 the application site was situated on the border of her ward. With other Councillors and Council officers she had attended a meeting with the developer regarding the application, but she had held no discussions regarding it with any parties.
- 2.3 Councillor Glen advised Councillor Bott had an interest in respect of Item 5 on the agenda. In line with guidance agreed by the City Council's Standards Committee the Majority party members sitting on the Sub-Committee declared that they only know Councillor Bott through their membership of the Majority party and saw him at Council and related events.

3 MINUTES

3.1 RESOLVED:

That the minutes of the meeting held on 25 May 2021 be signed by the Chair as a correct record of proceedings.

4 TREE PRESERVATION ORDER NO. 676 - 63 CARLTON HILL, LONDON, NW8 0EN

On 17 February 2021 the City Council made a provisional Tree Preservation Order (TPO) to protect four London plane trees (labelled T1-T4 on the TPO plan) located at 63 Carlton Hill, London, NW8 0EN (the Property). The TPO was provisionally effective for a period of six months from the date it was made (17 February 2021) during which time it may be confirmed with or without modification. If not confirmed, the TPO would lapse after 17 August 2021. The TPO was made because the trees made a valuable contribution to public amenity, to the outlook from nearby properties and to the character and appearance of the St John's Wood Conservation Area.

The TPO was made following receipt of six weeks' notice of intent (a S211 notification) to remove London plane (T1) from the rear garden of 63 Carlton Hill. The tree was protected by virtue of its location within the St John's Wood conservation area. The reason given for the proposed removal of the tree was to prevent ongoing damage to property at 65 Carlton Hill, alleged to be caused by roots from the London plane. The City Council considered it expedient and in the interests of amenity that a TPO was made, in order to safeguard its preservation and future management.

In general terms the confirmation of a provisional TPO did not preclude the appropriate management or removal of the protected trees in the future, subject to the merits of a TPO application.

An objection to the TPO had been received from the Owner of 40 Blenheim Terrace, London NW8 0EG.

RESOLVED UNANIMOUSLY:

That the Tree Preservation Order No. 676 (20201) be confirmed without modification with permanent effect.

5 PLANNING APPLICATIONS

Before consideration of the planning applications, the presiding officer informed the Committee that the Government had updated the National Planning Policy Framework (NPPF) today and all the Committee reports referred to the previous guidance. All applications had been re-assessed in the light of the new NPPF.

1 PREMIER HOUSE 10 GREYCOAT PLACE LONDON SW1P 1SB

Partial demolition and remodelling of the principal facades and fifth floor of the building; addition of two storeys for office use and provision of retail, restaurant and gym uses at ground and basement levels. Formation of terraces on sixth and seventh floors for office use and associated plant and cycle parking.

An updated drawing of the proposed front (south) elevation had been circulated to the Sub-Committee.

The presenting officer tabled the following additional conditions:

34. The development shall achieve an 'Excellent' rating under the BREEAM New Construction (2011 edition) (or any such national measure of sustainability for house design that replaces that scheme of the same standard).

Reason: To make sure that the development affects the environment as little as possible, as set out in Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021).

35. The BREEAM assessment required by condition 34 must be completed and certified by the Building Research Establishment and a copy of the certificate detailing the award score for the building shall be submitted to us within 16 weeks of first occupation. In the event that this fails to meet the proposed 'Excellent' rating or minimum score (or equivalent) a full schedule of costs and works to achieve such a rating shall be submitted at the same time. In the event that the Council considers it is practicable and reasonable to require the implementation of these remedial works to achieve such a rating such measures, or alternatives to secure off site remedial actions, shall be carried out within six months of any such determination.

Reason: To make sure that the development affects the environment as little as possible, as set out in Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021).

The planning officer tabled the following amended condition 32:

32. You must apply to us for approval of a servicing management plan for the retail, restaurant and gym within Class E (a) (retail), (b) (café/restaurant), (c)(i), (c)(ii), (c)(iii), (financial and professional services) and (d) (indoor sport/fitness) hereby approved. The plan must identify the process, internal storage locations, scheduling of deliveries and staffing arrangements, as well as how delivery vehicle size will be managed and how the time the delivered times spend on the highway will be minimised. You must not use this part of the development for the Class E uses hereby approved until we have approved what you have sent us. Thereafter you must carry out the servicing according to the approved plan and for the life of the development.

Rory Joyce addressed the Sub-Committee in support of the application.

Trevor Morriss addressed the Sub-Committee in support of the application.

Stewart Marshall addressed the Sub-Committee in objection to the application.

RESOLVED UNANIMOUSLY:

- 1) That conditional permission, as amended, be granted, subject to:
 - a) the completion of a S106 legal agreement to secure:
 - i) payment for all the highway works immediately surrounding the site required for the development to occur, including reinstatement of the redundant crossovers and associated work to be carried out prior to occupation;
 - ii) a financial contribution of £40,058.75 (index linked and payable of commencement) to Westminster employment Service;
 - iii) a Carbon Offset Contribution of £283,575 (index linked) payable prior to the commencement of development, and
 - iv) cost of monitoring.
 - b) the following additional informatives:
 - i) the applicant be encouraged to organise a residents liaison group during the construction period, and
 - ii) WCC to investigate as part of the highways works to see if it would be possible to incorporate street tree planting (subject to services under the footway).
- 2) If the legal agreement had not been completed within six weeks of the date of the Committee resolution, then:
 - a) The Director of Place Shaping and Town Planning should consider whether the permission can be issued with additional conditions attached to secure the benefits listed above. If this was possible and appropriate, the Director of Place Shaping and Town Planning was authorised to determine and issue such a decision under Delegated Powers; however, if not

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

2 LORDS VIEW ONE, LORDS VIEW LONDON NW8 7HJ

Erection of 2 storey extension to provide residential (Class C3) accommodation including terraces and green roofs. Associated works to include refurbishment of the existing exterior and landscaping in connection with the provision of additional parking spaces.

Lance Routh addressed the Sub-Committee in support of the application.

RESOLVED UNANIMOUSLY:

That conditional permission be granted subject to an additional condition requiring electronic charging points to be installed in all new seven parking spaces.

3 2 - 8 RUTLAND GATE LONDON SW7 1AY

Partial demolition of existing building; remodelling of fourth floor and roof levels including openable glass roof; alterations to rear terraces at ground and fourth floor level and creation of terrace at fifth floor level; changes to fenestration; installation of plant machinery at basement, lower-ground and main roof levels; excavation to extend basement level 2; and associated external alterations.

A clarification on the floor space and on the name of the property had been circulated to the Sub-Committee by the planning officer.

An additional representation had been received from Councill Rachael Robathan (14.07.21).

A late representation was received from the owner of 2-8 Rutland Gate (undated).

The presenting officer tabled the following amended condition 5:

Condition 5:

You must apply to use for approval of details of the following part of the development:

-Light fittings, glare shields, cowls and blinds at 6th floor level to the glass roof.

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 details.

Justin Black addressed the Sub-Committee in support of the application.

Simon Birkett addressed the Sub-Committee in support of the application.

RESOLVED UNANIMOUSLY:

That conditional permission, as amended, be granted subject to an additional condition prohibiting the use of the green roof as a terrace area.

4 BOURNE HOUSE ST VINCENT STREET LONDON W1U 4DB

Erection of a new roof pavilion and roof terrace space on Bourne House for use in connection with the office use (Class E) at 1 St. Vincent Street.

An additional representation had been received from the Howard de Walden Estate (15.07.21).

Late representations were received from St. Vincents Rc Primary School (undated), five local residents (undated), the Marylebone Association (undated), Councillor Karen Scarborough (18.04.21 and 19.07.21) and Environmental Health (26.05.21) as the original comments included in the Green Representations related to the previous refused application, although all the comments had been correctly set out in the consultation section of the Sub-Committee report and addressed in the report.

RESOLVED UNANIMOUSLY:

That conditional permission be granted subject to condition 7 being amended so that the terrace could only be used between 0900 and 2000 hours on Monday to Friday only.

5 37 GLOUCESTER MEWS LONDON W2 3HE

Variation of condition 1 and variation of conditions 4 and 8 of planning permission dated 28 January 2020 (RN 19/08415/FULL); and also Variation of condition 1 of the listed building consent dated 28 January 2020 (RN: 19/08416/LBC: for the extension to rear courtyard at lower ground floor level, replacement of lower ground floor external windows and doors, NAMELY, to amend the design of the windows and doors including the incorporation of

double glazing, replace the courtyard tiling, and provide details of waste storage areas.

The presenting officer tabled a minor alteration to the description of the application which should have stated conditions 4 and 8 were being varied not removed.

RESOLVED UNANIMOUSLY:

- 1) That conditional permission be granted.
- 2) That conditional listed building consent be granted.
- 3) That the reasons for granting conditional listed building consent as set out in Informative 1 attached to the draft decision letter be agreed.

6 23-25 BROOK STREET MAYFAIR LONDON W1K 4HB

Reopening of the front lightwell and reinstatement of the railings at 25 Brook Street, with new access ramp to ground floor entrance.

An additional representation had been received from Handel & Hendrix (15.07.21).

Alex Homfray addressed the Sub-Committee in support of the application.

RESOLVED UNANIMOUSLY:

- 1) That conditional permission be granted.
- 2) That the making of a draft Order pursuant to Section 247 of The Town and Country Planning Act (1990) (as amended) for the stopping up of parts of the public highway to enable the development to take place be authorised.
- 3) That the Director of City Highways, Executive Director of City Management and Communities, or other such proper officer of the Council responsible for highway functions, be authorised to take all necessary procedural steps in conjunction with the making of the Order and to make the Order as proposed if there were no unresolved objections to the draft Order.
- 4) That conditional listed building consent be granted.
- 5) That the reasons for granting listed building consent as set out in Informative 1 of the draft decision notice be agreed.

The Meeting ended at 9.32 pm

CHAIRMAN: _____

DATE _____