



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 19th March, 2024**, Rooms 18.01 - 18.03 - 18th Floor, 64 Victoria Street, London, SW1E 6QP.

**Members Present:** Councillors Nafsika Butler-Thalassis (Chair), Patrick Lilley, Ryan Jude and Rachael Robathan

**Also Present:** Councillors Barbara Arzymanow and Mark Shearer.

#### 1 MEMBERSHIP

1.1 There were no changes to the Sub-Committee's Membership.

#### 2 DECLARATIONS OF INTEREST

2.1 The Chair explained that a week before the meeting, all 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 emails 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 would have read about the issue and comments made by correspondents in the papers read prior to the meeting.

2.2. Councillor Robathan declared a non-pecuniary interest in agenda item 3 as her husband was a serving officer and son a current officer based at Wellington Barracks. Councillor Robathan also noted that Item 4 is located within her ward but confirmed she had no dealings with the application. Councillor Robathan also noted a non-pecuniary interest in agenda item 5 in that she was a Director of the Knightsbridge Neighbourhood Forum. She remained in the room for agenda item 3 and 4, and recused herself from the discussion and the vote for agenda item 5.

### **3 MINUTES**

- 3.1 **RESOLVED:** That the minutes of the meeting held on 23 January 2024 be signed by the Chair as a correct record of proceedings.

### **4 TREE PRESERVATION ORDER TPO 699 - 34 MARLBOROUGH PLACE, LONDON, NW8 0PD**

To confirm, or not confirm, Tree Preservation Order No. 699.

#### **RESOLVED UNANIMOUSLY:**

**That Tree Preservation Order No. 699 be confirmed.**

### **5 TREE PRESERVATION ORDER TPO 700 - 162 WESTBOURNE GROVE, LONDON, W11 2RW**

To confirm, or not confirm, Tree Preservation Order No. 700.

#### **RESOLVED UNANIMOUSLY:**

**That Tree Preservation Order No. 700 be confirmed.**

### **6 PLANNING APPLICATIONS**

The Sub-Committee heard the applications in the following order: 2, 1, 4, 3 & 5.

#### **1 13 SALISBURY PLACE, LONDON, W1G 1FJ**

Use of part of ground and first floors (rear building) as offices, social support facilities for those in need, facilities for volunteers including temporary sleeping accommodation and for associated ancillary activities (Sui Generis).

Additional representations were received from Treanor Consulting on behalf of the Applicant (12.03.24), from an Interested Party (07.03.24), from the Metropolitan Police Service (15.03.24), from a local resident (07.03.24) and from the Applicant (15.03.24).

Heather Barker addressed the Sub-Committee on behalf of the Applicant in support of the application.

Tim Dawes addressed the Sub-Committee in objection to the application.

Councillor Barbara Arzymanow addressed the Sub-Committee in objection to the application as Ward Councillor for Marylebone.

#### **RESOLVED UNANIMOUSLY:**

- 1. That conditional planning permission be granted.**

2. That a condition be added with regard to strengthening the Operational Management Plan on the grounds of four matters:
  - (i) That a contact telephone number be provided for nearby residents;
  - (ii) That the access gates to the site are to be fitted with a secure access system;
  - (iii) That outdoor security lighting is cowled and does not lead to excess lighting pollution; and,
  - (iv) If other parties use the premises, the maximum capacity shall be restricted to 30 persons.

## 2 11 STRAND, LONDON, WC2N 5HR

### **Application 1: 23/02207/FULL**

Use of upper ground and lower ground floor as a public house with food provision (Sui Generis) and installation of mechanical plant equipment with associated enclosure on a platform within side courtyard and one air conditioning unit at rear lower ground floor level.

### **Application 2: 23/02248/TCH**

Use of an area of the public highway measuring 1.2m x 11.4m to Charing Cross Station forecourt frontage for the placing of 5 tables, 10 chairs and one planter and two additional planters to undercroft in connection with the ground floor use.

Additional representations were received from the Applicant (January 2024), from a local resident (14.03.24) and from a further local resident (15.03.24).

Matthew Mortonson addressed the Sub-Committee in support of the application.

David North addressed the Sub-Committee in objection to the application.

Martin Deutz addressed the Sub-Committee in objection to the application.

Elizabeth Bax addressed the Sub-Committee in objection to the application and on behalf of the Covent Garden Community Association amenity society.

Councillor Mark Shearer addressed the Sub-Committee in objection to the application as Ward Councillor for St. James's.

### **RESOLVED UNANIMOUSLY:**

#### **Application 1**

**That the application be refused.**

#### **Application 2**

**That the application be refused.**

## 3 WELLINGTON BARRACKS, BIRDCAGE WALK, LONDON, SW1E 6HQ

Redevelopment of band practice facilities including demolition of existing rehearsal halls and erection of new extension to provide larger rehearsal halls, including reconfiguration at basement level to provide new band practice, changing and storage facilities for the bands of the Foot Guards.

Additional representations were received from the Presenting Officer (15.03.24). The representation included the following additional conditions and informatives:

**Conditions:**

18. {b Pre Commencement Condition}. No demolition shall take place until the results of a bat emergence/re-entry surveys have been submitted to and approved by the City Council as local planning authority in consultation with Natural England.

If the results of the surveys show that no roosting bats are present, works can commence on site.

If the results show the presence of roosting bats, no demolition works shall take place until the applicant obtains a Licence from Natural England and details of the proposed mitigation measures. A copy of this Licence must be submitted to the City Council before any demolition takes place and the development must be carried out in accordance with this Licence at all times.

**Reason:**

The submitted ecological report has identified One building on site and three buildings beyond (but adjacent to) to the site as having moderate potential for roosting bats and therefore emergence/ re-entry surveys are required to demonstrate whether bats are present. Bats are protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 and to ensure that the development complies with Policy 34 of the City Plan 2019- 2040 April 2021).

19. The development shall be carried out in accordance with the recommended enhancements for biodiversity set out in the approved ecological report. Details of the proposed bird and bat boxes and the creation of new habitats shall be submitted to and approved by the City Council as local planning authority before any construction works commence. The development shall be carried out in accordance with these approved details prior to the use of the building.

**Reason:**

To reduce the impact of the proposed development on biodiversity and to secure improvements for biodiversity as set out in Policy 34 of the City Plan 2019-2040 (April 2021).

**Informatives:**

13. You are advised that demolition and vegetation removal activities should be restricted to between late August and mid-February, which is

outside the nesting season for most UK bird species. If this is not possible, a check for nesting birds must be conducted (by a suitably qualified ecologist) prior (within 48 hours) to works commencing. This is to ensure no offences are committed under the Wildlife and Countryside Act 1981 (as amended).

14. The Ecological Assessment recommends that an ecologist be involved in the detailed design of any landscape planting proposals for the proposed development to maximise the value of this planting for wildlife.

The Presenting Officer tabled the following revision to the recommendations:

Revised Recommendations:

1. Grant conditional permission;
2. Authorise 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 this development to take place.
3. Authorise the Director of City Highways, Executive Director of Environment, Climate and Public Protection, or other such proper officer of the Council responsible for highway functions, to take all necessary procedural steps in conjunction with the making of the Order and to make the Order as proposed if there are no unresolved objections to the draft Order.

**RESOLVED UNANIMOUSLY:**

- 1. That conditional planning permission be granted.**
- 2. That the Committee authorised 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 this development to take place.**
- 3. That the Committee authorised the Director of City Highways, Executive Director of Environment, Climate and Public Protection, or other such proper officer of the Council responsible for highway functions, to take all necessary procedural steps in conjunction with the making of the Order and to make the Order as proposed if there are no unresolved objections to the draft Order.**
- 4. That an informative be added requesting that replacement trees are of a similar stature to the trees being replaced.**
- 5. That a Condition be added requiring the green roof to be provided, maintained, and retained.**

#### **4 42 BOSCOBEL PLACE, LONDON, SW1W 9PE**

Excavation of a basement beneath the footprint of the dwelling, alterations to fenestration on front elevation, and raising the rear wall at second-floor level.

Late representations were received from a local resident (18.03.24).

The Presenting Officer tabled the following additions and revisions to the proposed conditions:

#### Revised Condition 5

You must apply to us for approval of detailed drawings at 1:10 and sections at 1:5 (specifying finished appearance) of the following parts of the development:

- (i) Front entrance door and surround;
- (ii) New windows;
- (iii) French doors and balconies (including railings);
- ~~(iv) New roof lantern and roof light;~~
- (v) Garage door

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.

#### Additional Condition 6

Notwithstanding what is indicatively shown on the approved drawings, this decision does not permit alterations to the existing roof lantern, or the retention or alteration of the roof top air conditioning unit, which has not been expressly applied for in the description of development for this application, and was confirmed to be indicatively shown on the approved drawings in the email by Christopher David dated 19 March 2024.

#### 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 Belgravia Conservation Area. This is set out in Policies 38, 39 and 40 of the City Plan 2019 – 2040 (April 2021).

#### Additional Informative 11

The roof top air conditioning unit, which was confirmed to be indicatively shown on the approved drawings in the email by Christopher David dated 19 March 2024, does not appear to benefit from planning permission. We may take legal action to have the work removed and the building restored to how it was.

Keith Cunningham addressed the Sub-Committee in support of the application.

#### **RESOLVED UNANIMOUSLY:**

- 1. That conditional planning permission be granted.**
- 2. That an informative be added advising that any future applications should demonstrate that they have taken into account principles of sustainable design.**

**5 90 BROMPTON ROAD, LONDON, SW3 1ER**

Display of seven internally illuminated window signs at first floor level measuring 74.5 cm x 188.5 cm; one internally illuminated fascia sign at ground floor level measuring 87 cm x 200 cm; and one internally illuminated projecting sign at ground floor level measuring 77.3 cm x 68.3 cm.

Late representations were received from Camberwell & Metropolitan on behalf of the Applicant (18.03.24).

Councillor Rachael Robathan, having declared an interest in this item, recused herself from the room and did not take part in the discussion or the vote.

Jason Leech addressed the Sub-Committee in support of the application.

Simon Birkett addressed the Sub-Committee on behalf of the Knightsbridge Neighbourhood Forum.

Upon a vote, two Members voted in favour of the Officer's recommendation, with one Member abstaining.

**RESOLVED:**

**That conditional advertisement consent be granted.**

The Meeting ended at 9.46 pm

**CHAIR:** \_\_\_\_\_

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