



CITY OF WESTMINSTER

MINUTES

Planning Applications Sub-Committee (2)

MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Planning Applications Sub-Committee (2)** Committee held on **Tuesday 6th August, 2019**, Rooms 18.01 - 18.03, 18th Floor, 64 Victoria Street, London, SW1E 6QP.

Members Present: Councillors Robert Rigby (Chairman), Louise Hyams, James Spencer and Matt Noble

1 MEMBERSHIP

1.1 There were no changes to the membership.

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.

3 MINUTES

3.1 That the minutes of the meeting held on 16th July 2019 be signed by the Chairman as a correct record of proceedings.

4 PLANNING APPLICATIONS

1 DEVELOPMENT SITE AT 29, 31, 33, 35, 37, 39, 41 AND 43 OXFORD STREET AND 16, 17-19 SOHO SQUARE, LONDON W1D 2DR

Part demolition of Nos 29, 31, 33, 37, 39 Oxford Street and demolition 41 and 43 Oxford Street and 17-19 Soho Square and redevelopment of the site, including retention of facades of Nos 29, 31, 33, 37 and 39 Oxford Street, retention of 35 Oxford Street with alterations and alterations to the ground floor level and basement level of No. 16 Soho Square to provide a new building comprising 2 basement levels, ground and 6 upper floor levels plus a plant level and a level for a rooftop pavilion. Use of building for retail (Class A1) at basement level 2, basement level 1, part ground floor level and part first floor level; café (Class A3) at part ground floor level and part rooftop level; flexible office or retail (Class A1 or Class B1) at second floor level; office (Class B1) at part first floor level, and third to sixth floor levels; and associated works including plant, cycle storage and associated facilities at basement level 2 and the provision of a roof garden at roof and plant levels; and other works associated with the development.

Additional representations were received from Development Planning in the form of draft decision letters in relation to the planning application and listed building consent.

Late representations were received from Historic England (5.3.2019) and the Soho Society (5.8.2019).

The presenting officer circulated an addendum note regarding the legal and policy background in relation to preserving the listed buildings and the character and appearance of the Soho Conservation Area and the public benefits of the scheme.

The presenting also tabled the following changes to the draft decision letter:

Condition 22 is amended to read

Customers shall not be permitted within the cafe at ground floor level before 09.00 or after 21.00 hours each day.

Additional condition No 25

Customers shall not be permitted within the cafe at roof level or on the roof garden before 10.00 or after 19.00 hours each day.

Reason

To make sure that the use will not cause nuisance for people in the area. This is as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and TACE 9 and ENV 6 of our Unitary Development Plan that we adopted in January 2007.

Additional condition 26

The development shall achieve Secure by Design standards to the satisfaction of the Metropolitan Police, details of which shall be submitted to the Local Planning Authority. You must not allow public access to the roof gardens until we have approved what you have sent us. Access to the roof gardens must thereafter be in accordance with these approved details.

Reason

To reduce the chances of crime without harming the appearance of the building as set out in S29 of Westminster's City Plan (November 2016) and DES 1 (B) of our Unitary Development Plan that we adopted in January 2007.

Nick Cullen addressed the Sub-Committee in support of the application.

RESOLVED UNANIMOUSLY:

1. That conditional permission be granted subject to:
 - (A) Referral to the Mayor of London and subject to:
 - (B) A S106 legal agreement to secure:
 - i) The re-provision of two residential units (Class C3) at 98 New Bond Street or in another site in the vicinity of the site to prior to the occupation of any of the office floorspace on site.
 - ii) costs relating to highways works around the site to facilitate the development
 - iii) the applicant pays the City Council's reasonable costs of making and consulting on an Order pursuant to Section 247 of the Town and Country Planning Act (1990) (as amended) to 'stop-up' an area of public highway.
 - iv) A financial contribution towards employment, training and skills of £ 129,802.04 (index linked) payable on commencement of development.
 - v) An access management plan for the roof garden
 - vi) The costs of monitoring the S106 legal agreement.
 - (C) The change to condition 22 and the additional condition 25 not being accepted. Condition 22 would remain as per the draft decision notice. Condition 26 tabled (secure by design) – will therefore be condition 25 on the revised decision notice.

- (D) To ensuring by condition that the use of the roof garden is free and not just membership to it.
 - (E) The ceramic facing material of the new building No 41-43 Oxford Street should be a light stone colour rather than the light blue option.
2. If the S106 legal agreement has not been completed within six weeks of the date of the Committee resolution then: a. The Director of 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 Planning is authorised to determine and issue such a decision under Delegated Powers; however, if not b. The Director of Planning shall consider whether 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 Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.
 3. The Committee authorises the making of a draft order pursuant to Section 247 of the Town and Country Planning Act 1990 for the stopping up of the highway required to enable the development to take place.
 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 letter be agreed.

2 CAR PARK, 12 - 13 WELLS MEWS, LONDON, W1T 3HE

Erection of a single storey extension at fourth floor and single storey extension at part fifth floor level, including external plant and taller lift over-run. Infill of existing internal lightwell, installation of new ground floor frontage, creation of a terrace at fifth floor level overlooking Wells Mews, use of existing flat area at rear third floor and fourth floors as terraces, all in connection with the use of the ground and upper floors for office (Class B1) purposes.

An additional representation was received from the applicants in the form of a brochure in relation to the proposals.

A late representations was received from Highways Planning (15.5.2019).

RESOLVED UNANIMOUSLY:

That conditional permission be granted.

3 FLAT 7, 52 QUEEN'S GARDENS, BAYSWATER, LONDON, W2 3AA

Erection of a rear mansard roof extension at first floor level, amalgamation of flat 7 and closet wing storerooms, and associated works.

RESOLVED UNANIMOUSLY:

1. That conditional permission and conditional listed building consent be granted.
2. That the reasons for granting listed building consent as set out in Informative 1 of the draft decision letter be agreed.

4 15 WARWICK WAY, LONDON, SW1V 1QT

Use of part ground, first, second and third floors as two residential units (Class C3); erection of extensions at rear second floor and main roof level and external alterations to front and rear.

An additional representation was received on behalf of the applicants from Davis Brown in the form of a feasibility report on the letability of the retail unit on the proposed development (29.7.2019).

Stephanie Gray addressed the Sub-committee in support of the application.

RESOLVED UNANIMOUSLY:

That conditional permission be granted.

5 FLAT 4, 149 CAMBRIDGE STREET, LONDON, W1V 4QB

Erection of extension at rear second-floor level with rooflights above; new steel balustrade to existing terrace and replacement of existing window with French doors, in connection with the enlargement of Flat 4.

Late representations were received from the occupier of first floor flat, 70 Charlwood Street (6.8.2019) and Flat 2, 70 Charlwood Street (6.8.2019)

RESOLVED UNANIMOUSLY:

That conditional permission be granted.

The Meeting ended at 8.07 pm

CHAIRMAN: _____

DATE _____