



CITY OF WESTMINSTER

# MINUTES

## Planning (Major Applications) Sub-Committee

### MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Planning (Major Applications) Sub-Committee** held on **Tuesday 3rd August, 2021**, 18th Floor, 64 Victoria Street, London, SW1E 6QP.

**Members Present:** Councillors Robert Rigby (Chairman), David Boothroyd, Geoff Barraclough, Jim Glen, Louise Hyams and James Spencer

#### **1 MEMBERSHIP**

1.1 There were no changes to the membership.

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

2.1 Councillor Robert Rigby explained that a week before the meeting, all six 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.

In respect of Item 1, he had attended a site visit with the other Members of the Planning Major Applications Sub-Committee. The same declarations were made by Councillors Jim Glen, Louise Hyams, James spencer, David Boothroyd and Geoff Barraclough.

In respect of Items 2 and 3 he had attended a pre-application meetings with the Applicants and Officers.

2.2 Councillor David Boothroyd declared he was Head of Research and Psephology for Thorncliffe, whose clients were companies applying for planning permission from various local authorities. He was precluded from working on any scheme in Westminster under the company's code of conduct.

JLL, Gerald Eve and DP9 are planning consultants for some Thorncliffe clients and were also acting for applicants at the meeting. He did not deal directly with clients or other members of project teams, and planning consultants were not themselves clients.

In respect of item 1, Councillor Pancho Lewis had made a representation and was a friend.

- 2.3 Councillor Louise Hyams declared in respect of Item 2, the application site was in her Ward and advised that she had received a briefing with other Ward Councillors about the Application. Councillor Hyams advised that she had not expressed any views about the Application nor held any discussions and would approach the Application with an open mind.

### **3 MINUTES**

#### **3.1 RESOLVED:**

That the minutes of the meetings held on 8 June 2021 be signed by the Chair as a correct record of proceedings.

### **4 PLANNING APPLICATIONS**

#### **1 LECONFIELD HOUSE CURZON STREET LONDON W1J 5JB**

Replacement of existing 7th floor level and roof plant area, excavation of three new basement levels, infilling of windows at the rear, replacement windows and doors at ground and first floor level, new loading doors onto Chesterfield Gardens and refurbishment works, all for use of the building as a 60 to 70 bedroom hotel and private members' club including restaurants, spa/wellness centre and retail (sui generis use), with plant at 6th, 7th floor, roof level and basement level 3 and roof terraces at seventh floor level.

Additional Representations were received from Grade Planning (03.06.21), local resident (30.07.21) and Councillor Timothy Barnes (30.07.21).

Late Representations were received from Leconfield House Limited (30.07.21) & (02.08.21), Jones Lang LaSalle Ltd (05.05.21) & (30.07.21), local resident (02.08.21). local resident (30.07.21) and Chesterfield House Management Ltd (03.08.21).

Charles Streeten addressed the Sub-Committee in support of the application.

Mr R Goddard addressed the Sub-Committee in objection to the application.

#### **RESOLVED UNANIMOUSLY:**

That conditional permission be refused and that an additional reason for grounds of refusal be added.

## Reason

Insufficient information submitted to justify loss of Class E use to hotel and private members' club use within the CAZ.

## Additional Reason

The basement excavation and associated construction would unacceptably impact on adjoining residents.

## **2 WESTMINSTER HOUSE 7 MILLBANK LONDON SW1P 3JA**

Demolition of existing office building, including dismantling of the facades to Millbank, Dean Stanley Street and Smith Square; erection of new nine storey building using new and reclaimed materials for commercial business and service use (Class E); extension to Smith Square; excavation of new subbasement; formation of external terraces at sixth, seventh and eighth floor levels; new main entrance to Dean Stanley Street with secondary and servicing entrances to Smith Square; installation of plant and associated works.

An Additional Representation was received from Old Park Lane Management Limited (Unknown)

Late Representations were received from Councillor Danny Chalkley (03.08.21) and Building Control Westminster City Council (03.08.21), (03.08.21), (26.07.21) & (22.07.21).

The presenting officer tabled the following additional Condition.

### **PLANNING APPLICATIONS SUB-COMMITTEE (1)**

#### Item 2: Westminster House 7 Millbank London SW1P 3JA

#### **New condition 47**

##### {b Pre Commencement Condition}.

No development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest, a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

- a. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- b. Where appropriate, details of a programme for delivering related positive public benefits
- c. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Tim Sketchley addressed the Sub-Committee in support of the application.

**RESOLVED UNANIMOUSLY:**

1. That subject to the views of the Mayor of London, conditional permission, as amended, be granted subject to a legal agreement to secure the following:
  - a) Highways works necessary for the development to proceed;
  - b) A payment of £115,541.65 (index linked) to support the Westminster Employment Service (payable on commencement of development);
  - c) A payment of £354,043 (index linked) to the City Council's Carbon Offset Fund (payable on commencement of development);
  - d) A payment of £250,000 (index linked) towards TfL's Lambeth Bridge North scheme (payable on commencement of development);
  - e) London Plan 'Be Seen' energy monitoring obligation; and
  - f) The City Council's S106 monitoring costs
2. If the legal agreement has not been completed within six weeks of the date of the Committee resolution, then:
  - a) The Director of Place Shaping and Town 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 Place Shaping and Town Planning is authorised to determine and issue such a decision under Delegated Powers; however, if not
  - b) The Director of Place Shaping and Town Planning shall consider whether permission should be refused on the grounds that it has not proved possible to complete an agreement within the 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 Town Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.
3. The Director of Place Shaping and Town Planning authorises the making of a draft order pursuant to s247 of the Town and Country Planning Act 1990 for

the stopping up of parts of the public highway to enable the Development to be undertaken and

4. That additional informatives relating to minimising light pollution and coordination of construction management/CoCP with the UKHMLC if necessary be added.

### **3 180 PICCADILLY AND 48-50 JERMYN STREET LONDON W1J 9BA**

#### Application 1

Demolition of existing buildings and redevelopment of the site to create a Class E use building, including basement plant and cycle parking facilities, installation of roof top plant and all other works incidental to the proposals.

#### Application 2

Alterations and supporting works to the Piccadilly Arcade party wall, in order to facilitate planning application (RN: 21/01138/FULL).

An Additional Representation was received from David Cooper & Co (28.07.21)

Late Representations were received from Place Shaping & Town Planning (03.08.21) and Great Portland Street Estates (03.08.21)

The presenting officer tabled the following amendments on page 189, under Section 8.12 of the Report.

### **PLANNING (MAJOR APPLICATIONS) SUB-COMMITTEE – 3 August 2021**

#### Item 3: 189 Piccadilly and 48-50 Jermyn Street

Report Amendment On page 189, under section 8.12, of the published Agenda Reports Package the estimated Community Infrastructure Levy (CIL) payment is incorrect.

Replace:

The estimated CIL payment is: Mayor CIL: £1,818,550 Westminster CIL: £1,966,000.

With:

The estimated CIL payment is: Mayor CIL: £491,752 Westminster CIL: £659,586.

### **RESOLVED UNANIMOUSLY:**

#### Application 1

1. That Subject to the views of the Mayor of London, conditional permission, as amended, be granted subject to a legal agreement to secure the following:

- a) Undertaking of all highways works immediately surrounding the site required for the development to occur to the City Council's specification and at the full cost to the developer. Highway works to have been agreed prior to commencement of the development;
  - b) The areas where the proposed building line is to be set back from existing, namely at the corners of Piccadilly/ Duke Street and Jermyn Street/ Duke Street, are to be dedicated as public highway prior to the occupation of the development and at no cost to the City Council;
  - c) A financial contribution of £154,500 (index linked) towards the City Council's Carbon Off Set fund (payable prior to the commencement of the development);
  - d) Monitoring and reporting and on the actual operational energy performance of the building, including as-built and in-use stage data;
  - e) A financial contribution of £86,178 (index linked) towards initiatives that provide local employment, training opportunities and skills development and supporting the Westminster Employment Service (payable prior to the commencement of the development); and
  - f) The costs of monitoring the S106 agreement.
2. If the legal agreement has not been completed within six weeks of the date of the Committee resolution, then:
- a) The Director of Place Shaping and Town 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 Place Shaping and Town Planning is authorised to determine and issue such a decision under Delegated Powers; however, if not
  - b) The Director of Place Shaping and Town Planning shall consider whether permission should be refused on the grounds that it has not proved possible to complete an agreement within the 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 Town Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.
3. That Committee authorises the making of a draft agreement pursuant to s38 of the Highways Act 1980 for the dedication of land at the corners of Piccadilly/ Duke Street and Jermyn Street/ Duke Street to enable this development to take place. That the Director of Place Shaping and Town Planning, Executive Director of City Management, or other such proper officer of the City Council responsible for highway functions, be authorised to take all necessary procedural steps in conjunction with the dedication and to make the final agreement. The applicant will be required to cover all costs of the City Council in progressing the agreement.

4. That Condition 13 be amended to require the commercial unit on Jermyn Street to be retail only and an additional Informative requesting the Applicant to liaise with the St. James's Conservation Trust and local stakeholders, most notably for highways and St. James's Church's regeneration plans for local employment, training, and skills.

Application 2

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

The Meeting ended at 9.00 pm

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

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