



# CITY OF WESTMINSTER

# MINUTES

## Planning Applications Sub-Committee (2)

### MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Planning Applications Sub-Committee (2)** held on **Tuesday 5th April, 2022**, Rooms 18.01 & 18.03, 18th Floor, 64 Victoria Street, London, SW1E 6QP.

**Members Present:** Councillors Robert Rigby (Chairman), Tony Devenish, Mark Shearer and Tim Roca

#### 1 MEMBERSHIP

1.1 It was noted that Councillor Robert Rigby had replaced Councillor Louise Hyams, Councillor Mark Shearer had replaced Councillor Antonia Cox and that Councillor Tim Roca had replaced Councillor Nafsika Butler-Thalassis.

1.2 There were no further changes to the Membership.

#### 2 DECLARATIONS OF INTEREST

2.1 Councillor Robert Rigby 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 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 Tony Devenish declared that in respect of Item 8 he had not been lobbied by Westminster City Council Corporate Property and highlighted that the Application was a Council's own scheme. Councillors Robert Rigby, Mark Shearer and Tim Roca made the same declaration.
- 2.3 Councillor Mark Shearer declared that in respect of Item 8 he was the Deputy Cabinet Member for City Management and lead on sports.

### **3 MINUTES**

#### **3.1 RESOLVED:**

That the minutes of the meeting held on 8 February 2022 be signed by the Chair as a correct record of proceedings.

#### **4 TREE PRESERVATION ORDER NO. 684 – ST GABRIEL'S CHURCH WARWICK SQUARE LONDON**

Tree Preservation Order No. 684 (2021) St Gabriel's Church Warwick Square London.

Ingrid Sternby addressed the Sub-Committee in support of the TPO being confirmed.

#### **RESOLVED UNANIMOUSLY**

That the Tree Preservation Order No. 684 (2021) be confirmed without modification with permanent effect.

### **5 PLANNING APPLICATIONS**

#### **1 12 SOHO SQUARE AND 3-7 SOHO STREET LONDON W1D 3QF**

Demolition of the existing buildings at 3-7 Soho Street and 12 Soho Square and redevelopment to create a new building, comprising

basement, ground and first to sixth floor levels with terraces at fifth and sixth floor levels and a plant room at sixth floor level; installation of green roof areas at third, fifth and sixth floor levels and photovoltaic panels at roof level. Use of part ground and lower ground floors as a retail unit (Class A1) fronting Soho Street and dual/alternative retail (Class A1) or restaurant unit (Class A3) fronting Soho Square with the remainder of the building in use as office accommodation (Class B1).

Additional representations were received from Lothbury Investment Management (28.03.22) & (04,04,22).

## **RESOLVED UNANIMOUSLY**

1. That conditional planning permission be granted subject to the completion of a S106 agreement to secure the following planning obligations:
  - a) A financial contribution of £55,804 (index linked and payable on commencement) to the Carbon Off1Setting Fund.
  - b) All highway works on Soho Street relating to the removal of the redundant vehicle crossover and associated work (legal, administrative and physical).
  - c) The costs of monitoring the agreement.
  
2. If the legal agreement has not been completed within 6 weeks of the date of the Sub-Committee meeting then:
  - a) The Director of Place Shaping and Town Planning shall consider whether it would be possible and appropriate to issue the permission with additional conditions attached to secure the benefits listed above. If so, 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 the proposals are unacceptable in the absence of the benefits which 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.

**2 30 SACKVILLE STREET LONDON W1S 3DY**

Internal and external alterations including the erection of a single storey conservatory extension at rear ground floor level for additional Class E floorspace (to be used in connection with the restaurant proposed in the main building), installation of plant, provision for cycle parking, landscaping and other associated works incidental to the application proposals.

Additional Representations were received from Raymond Estates (30.03.22) & (05.04.22)

A Late Representation was received from the Trustees of Albany (05.04.22)

The Presenting Officer tabled the following amendments to the Conditions

## **PLANNING APPLICATIONS SUB-COMMITTEE 5th April 2022**

### **Item 2: 30 Sackville Street, W1 (21/03068/FULL)**

In the verbal committee presentation, officers will refer to the following revised condition:

9. If you play live or recorded music in the property, the received music noise level in neighbouring residential habitable spaces must be 10 dB below the existing ambient and maximum noise levels in the residential habitable spaces when music is not playing, at the quietest time of day and night, measured over a period of 5 minutes and in the indices of Leq and LFmax in the octave bands 63 Hz and 125 Hz; The overall music noise level in terms of LAeq,5mins must be at least 10 dB below the existing background noise level in terms of dB LA90,5mins. No music must be played at all when windows are opened outside of operational hours, no music is to be played outside the building and no speakers must be fixed to the party walls.

Please also note that there were two conditions 23 – the second of these (cycle parking) is now condition 29.

Mark Quinn addressed the Sub-Committee in support of the application.

Sejal Patel addressed the Sub-Committee in objection to the application.

**RESOLVED UNANIMOUSLY:**

1. That conditional permission, as amended be granted.
2. That conditional listed building consent be granted
3. That the reasons for granting listed building consent as set out in Informative 1 of the draft decision notice be agreed.
4. That Condition 8 be amended so that the windows and doors can only be openable between 08:00 -10:00 each day or as required for necessary maintenance.
5. That Condition 28 be amended to restrict the LED lighting requiring them to be switched off by 21:00 rather than 23:00

### **3 ST MARKS COURT ABERCORN PLACE LONDON NW8 9AN**

Erection of single storey roof extension, four storey rear extension and new basement level to provide 5 new residential dwellings (Class C3), additional bay windows to the façade, new entrance to Abbey Road, additional cycle parking and landscaping and associated works.

An Additional Representation was received from St Mark's Court (01.04.22)

The Presenting Officer tabled the following minor amendments to the Officers Report.

#### **PLANNING APPLICATIONS SUB-COMMITTEE – 5 April 2022**

#### **ITEM 3 – St Marks Court, Abercorn Place, London, NW8 9AN**

Minor Amendment to Officers Report

ADD the following text to part 1 of the recommendation on page 113:

“c) the costs of monitoring the s106 obligations”

As is the City Council's standard practice, this amendment is required to ensure that the City Council's cost of monitoring the s106 agreement are recouped.

Stuart Goulds addressed the Sub-Committee in support of the Application.

**RESOLVED UNANIMOUSLY:**

1. That conditional permission be granted subject to a legal agreement to secure the following:
  - a) All highway works immediately surrounding the site required for the development to occur prior to occupation of the development, including alterations to the vehicle crossover and for it to be to the Council's specification, at full cost (administrative, legal and physical) of the developer
  - b) Provision of lifetime (25 year) car club membership for each new residential unit from first occupation of the development.
  - c) The costs of monitoring the agreement.
  
2. If the legal agreement has not been completed within 6 weeks of the date of the Sub-Committee meeting then:
  - a) The Director of Place Shaping and Town Planning shall consider whether it would be possible and appropriate to issue the permission with additional conditions attached to secure the benefits listed above. If so, 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 the proposals are unacceptable in the absence of the benefits which 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.

**4 12 MARYLEBONE MEWS LONDON W1G 8PX**

Installation of air source heat pump within acoustic enclosure to rear flat roof at second floor level; provision of new planter at second floor level; and associated works.

An Additional Representation was received from a local resident (27.03.22).

**RESOLVED UNANIMOUSLY:**

That conditional permission be granted.

**5 14 ST PETERSBURGH PLACE LONDON W2 4LB**

Erection of a mews building of basement, ground and two upper floors for use ancillary to main dwellinghouse; erection of a lower ground floor extension to the main house at lower ground floor in association with the use of the basement as an studio ancillary to the main dwellinghouse; installation of an air source heat pump at roof level; installation of replacement windows at ground and first floor levels to the main property and reduction of garden level.

An Additional Representation was received from a local resident (01.04.22)

Late Representations were received from a local resident (01.04.22), a local resident (01.04.22), Bayswater Residents Association (05.04.22) and South East Bayswater Residents Association (05.04.22)

Stephen Davies addressed the Sub-Committee in support of the application.

Sophie Massey-Cook addressed the Sub-Committee in objection of the application.

Peter Massey-Cook addressed the Sub-Committee in objection to the application.

**RESOLVED UNANIMOUSLY:**

That conditional permission be granted.

**6 23A WESTBOURNE PARK ROAD LONDON W2 5PX**

Excavation of rear basement incorporating rear lightwell with glazing above and new rooflight in connection with existing Flat A at basement and ground floor.

**RESOLVED UNANIMOUSLY:**

That conditional permission be granted.

## **7 2 ASHBRIDGE STREET LONDON NW8 8DS**

Erection of an electrical substation to rear of new building and associated works including protective fencing.

Charles Winch addressed the Sub-Committee in support of the Application.

**RESOLVED: (For Councillors Robert Rigby, Tony Devenish, Councillor Mark Shearer: Against Councillor Tim Roca)**

1. That conditional permission under Regulation 3 of the Town and Country Planning General Regulations 1992 be granted.
2. That an Informative be included which encourages the use of greening on the External Treatment.

## **8 PORCHESTER CENTRE, PORCHESTER ROAD, LONDON, W2 5HS**

Installation of two Air Source Heat Pumps and associated plant, within new louvred areas at rear roof level.

Late Representations were received from a local resident (12.01.22) & (03.04.22)

The Presenting Officer tabled the following minor amendments to the Officers Report.

### **PLANNING APPLICATIONS SUB-COMMITTEE – 5 APRIL 2022**

#### **ITEM 8 - Porchester Centre, Porchester Road, London, W2 5HS**

##### Minor Amendment to Officers Report

1. AMEND the first sentence of paragraph 8.11 to refer to the “NPPF 2021”, rather than the “NPPF 2019”, as the 2019 version of the NPPF was superseded in July 2021.

2. DELETE the draft decision notices on pages 269-274 and replace with the draft decision notices overleaf. This amendment is required as the originally published draft decision notices contained several formatting errors that made them difficult to read. The amended draft decision notices do not substantively change the conditions proposed but correct these formatting errors.

Robert Greenwood addressed the Sub-Committee in support of the Application.

**RESOLVED UNAMIOUSLY:**

1. That conditional permission under Regulation 3 of the Town and Country Planning General Regulations 1992. 2 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 of the draft decision letter be agreed.

The Meeting ended at 8.45 pm

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

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