



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 9th January, 2024**, 18th Floor, 64 Victoria Street, London, SW1E 6QP.

**Members Present:** Councillors Jason Williams, Nafsika Butler-Thalassis, Robert Rigby, Paul Fisher and Jim Glen

#### **1 MEMBERSHIP**

- 1.1 It was noted that Councillor Bush had given her apologies for the meeting.
- 1.2 A Councillor was required to Chair the evening's meeting. Councillor Jason Williams was nominated and seconded.

#### **RESOLVED:**

- 1.3 **That Councillor Jason Williams be elected Chair of the Planning (Major Applications) Sub-Committee for the evening's meeting.**

#### **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 There were no declarations of interest.

### **3 MINUTES**

#### **RESOLVED:**

- 3.1 That the minutes of the meeting held on 17 October 2023 be signed by the Chair as a correct record of proceedings.**

### **4 PLANNING APPLICATIONS**

- 4.1 The Sub-Committee heard the applications in the following order: 1, 2.

#### **1 10-11 LANCASTER GATE, LONDON, W2 3LH**

Change of use from hotel to residential use (Class C3) with associated internal alterations to create 11 new units and external alterations comprising reconfiguration and recladding of the rear extension and restoration of the existing building. (Linked to 23/04045/LBC).

Additional representations were received from Kanda Consulting on behalf of the applicant (04.01.24).

Late representations were received from Councillor Laila Cunningham (03.01.24), the Health and Safety Executive (04.01.24), and a memo from the Presenting Officer (08.01.24).

The Presenting Officer tabled an amendment to condition 14 of the planning application draft decision letter to replace the number 10 with '11' Lancaster Gate.

The Presenting Officer tabled an additional informative to the listed building consent draft decision letter to explain in detail the requirements of condition 16 in relation to internal plasterwork:

*With regards to condition 16, you are advised of the following:*

- *On point A), to floor levels where either plain lath and plaster, modern plaster, or currently no plaster exists, then an approach to clarifying both the existing and proposed situation could be for the use of floorplan drawings with appropriate annotation (supported by cross-referenced photographs as appropriate) showing the situation in coloured lines (e.g. Red for lath and plaster, blue for plasterboard, green for lath and plaster missing, black for lath and plaster to be restored etc. etc.) with annotations included to describe the ceilings. In rooms to ground to second floors retaining decorative plasterwork then a more detailed approach to the inclusion of drawings would appear likely to be required.*
- *On point B), consideration could be given to an existing room by room series of photographs (should there not currently be any plaster in place) cross referenced to a plan drawing for clarity on those situations to describe those situations where new plaster is required to restore areas currently missing plaster, or with alternatively more detail (photos and a*

*written description) being required in those more limited areas where lath and plaster remains but is proposed nonetheless for removal.*

- *On point C) you are advised that the wall and ceiling internal elevation/reflected ceiling drawings would principally be required in any detail only to those rooms at ground to second floor levels where decorative plasterwork remains, as otherwise an annotated floorplan along the lines of that suggested in A) may suffice if only plain lath and plaster, plasterboard, or where no plaster currently remains in place.*
- *On point D) you are advised that the anticipation would be that one generic set of details likely to apply to the building generally showing an appropriate traditional lath and plaster composition and approach to its application/installation would appear required for the lath and plaster finishes, and a separate one detailing the approach to the formation of areas of decorative plasterwork.*

Anthony Jaff addressed the Sub-Committee in support of the application.

#### **RESOLVED UNANIMOUSLY:**

- 1. That conditional planning permission be granted, inclusive of the amendments tabled by officers, subject to a s106 legal agreement to secure the following planning obligations:**
  - a. A financial contribution of £1,421,858 (index linked) towards the provision of Affordable Housing (payable on commencement & associated early and late-stage reviews.**
  - b. A financial contribution of £43,653 (index linked) towards the Carbon Off Set Fund (payable prior to the commencement of the development).**
  - c. 'Be Seen' monitoring and reporting on the actual operational energy performance of the building, including as-built and in-use stage data.**
  - d. A financial contribution of £3,300.00 (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).**
  - e. Provision of lifetime car club membership (minimum 25 years) for all 11 flats.**
  - f. The costs of monitoring the S106 agreement.**
- 2. That if the legal agreement has not been completed within 3 months of the date of the Committee resolution, then:**
  - a. The Director of Town Planning and Building Control 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 Town Planning and Building Control is**

authorised to determine and issue such a decision under Delegated Powers; however, if not,

- b. The Director of Town Planning and Building Control 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 Town Planning and Building Control is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

3. That conditional listed building consent be granted.

4. That the reasons for granting conditional listed building consent as set out in the informative on the draft listed building consent decision letter be agreed.

## **2 LUXBOROUGH TOWERS, LUXBOROUGH STREET, LONDON, W1U 5BW**

Variation of Conditions 1, 7, 8, 14, 15, 17 and 30 of planning permission dated 19 November 2020 (Ref: 19/06451/COFUL) for: 'Redevelopment of existing play space to provide a new building comprising a flexible Class D1 (non-residential institutions) use at ground floor level, 14 x affordable house units (7 x 1-bed and 7 x 2-bed) on first to fifth floors with associated terraces/balconies (Class C3); associated access and other works including a subterranean rainwater harvesting tank; new plant, cycle parking, refuse storage and landscaping. Removal of existing boundary railings and brick wall base adjoining Paddington Street Gardens North and construction of new boundary wall. (Council's Own Development)'; NAMELY, to allow the installation of 1.1m guard railings to all flat roofs; repairs to existing dwarf wall with metal railing and inclusion of a screen; introduction of metal artwork panels (public art) on the rear boundary wall; relocation of emergency exit from Paddington Street Gardens boundary wall to Luxborough Tower gardens wall; replacement of gas boilers with 16x ASHPs at main roof level; installation of privacy screens to rear balconies at 3rd 4th and 5th floor levels; reconfiguration of residential entrance door including a glazed panel to enable further daylight into the communal entrance hallway; relocation of ground floor vents; relocation of the community space kitchen extract duct at top roof level; reduction in height of the lift overrun and increase in height of smoke vent by 500mm; and tenure -social rent introduced. (Application under Section 73 of the Act).

Annie Taylor addressed the Sub-Committee in support of the application.

### **RESOLVED UNANIMOUSLY:**

1. That conditional planning permission, under Regulation 3 of the Town and Country Planning General Regulations 1992, be granted subject to a S106 legal agreement to secure the following:
  - a. the provision of 7 intermediate affordable housing units and 7 social rented housing units.

- b. The provision of Lifetime car membership (minimum 25 years) in association with each of the proposed prior to first occupation.
  - c. A carbon offset contribution of £10,152 to address the shortfall in carbon savings.
  - d. Cost associated with the replacement of two street trees outside the site on Luxborough Street (5,000 per tree).
  - e. Highway works.
  - f. S106 monitoring costs.
2. That if the S106 legal agreement has not been completed within 3 months from the date of the Committee's resolution then:
- a. The Director of Town Planning & Building Control 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 Town Planning & Building Control is authorised to determine and issue such a decision under Delegated Powers; however, if not,
  - b. The Director of Town Planning & Building Control 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 Town Planning & Building Control is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.
3. That condition 37 be amended to require submission of a post-commissioning acoustic report when the air source heat pumps are operational, and then again two years after that date.

The Meeting ended at 7:49 pm

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

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