



CITY OF WESTMINSTER

# MINUTES

## PLANNING AND CITY DEVELOPMENT COMMITTEE MONDAY 20 JUNE 2011

### MINUTES OF PROCEEDINGS

At the meeting of the **Planning and City Development Committee** on Monday 20<sup>th</sup> June 2011 at 6.30pm, Westminster City Hall, 64 Victoria Street, London, SW1E 6QP

**Present:** Councillors Alastair Moss (Chairman), Audrey Lewis, Heather Acton, Angela Harvey, Louise Hyams and Barbara Grahame.

**Also present:** Councillors Nick Yarker and Andrew Havery (Item 1).

#### 1. MEMBERSHIP

- 1.1 It was noted that Councillors Angela Harvey, Audrey Lewis and Louise Hyams had replaced Councillors Robert Rigby, Christabel Flight and Andrew Smith respectively.

#### 2. DECLARATIONS OF INTEREST

- 2.1 The Chairman, Councillor Alastair Moss, made the following declarations:

In respect of Item 1, Councillor Moss attended a site visit with other Members the week prior to the Committee meeting. The Chairman further declared that he has had meetings relating to the application over the last few years with other Members, the applicants, advisers to the applicants, various residents groups and ex-servicemen's charities in his role as a Reserve Forces and Cadets Association representative. At none of those meetings did the Chairman express any predetermined view about the application or his feelings towards it.

- 2.2 Councillor Audrey Lewis declared that she had attended the site visit for Item 1.
- 2.3 Councillor Heather Acton declared that she had attended the site visit for Item 1.

- 2.4 Councillor Barbara Grahame declared that she had attended the site visit for Item 1.
- 2.5 Councillor Angela Harvey declared that she had attended the site visit for Item 1 and had sat on the Committee which considered the original scheme. In respect of Item 2, Councillor Harvey declared that her husband, Councillor David Harvey, is Chairman of the Community Liaison Group. As such, Councillor Harvey considered this to be a prejudicial interest and withdrew from the Committee for the consideration of the application.
- 2.6 Councillor Louise Hyams declared that she had attended the site visit for Item 1.
- 2.7 In respect of Item 1, Councillor Nick Yarker declared that he has had meetings with various groups about the application for the last 5 years.

### **3. MINUTES**

- 3.1 The Chairman, with the consent of the Members present, signed the minutes of the meeting held on 3 February 2011.

### **4. PLANNING APPLICATIONS**

The Strategic Director Built Environment, submitted reports in relation to the following applications for determination by the Committee, copies of which are included in the register in the custody of the Head of Democratic and Legal Services.

#### **(1) CHELSEA BARRACKS, CHELSEA BRIDGE ROAD, SW1**

1. Demolition of existing former barracks buildings and warehouse (Dove Walk) in connection with the redevelopment of the site for mixed use purposes comprising residential (a maximum of 448 units), sports centre (Class D2), retail (flexible use within Class A1/A2/A3), health centre (Class D1), non-residential institution/leisure uses (flexible use within Classes D1 and/or D2); hard and soft landscaping and open space; reconfigured and new vehicular and pedestrian accesses and works to the public highway; together with all associated works including the construction of basement to provide ancillary vehicular and cycle parking, circulation, servicing and plant areas. Alterations to perimeter railings.

2. Alteration, restoration and reconfiguration of Grade II listed railings to facilitate pedestrian and vehicular access to the former Chelsea Barracks site.

Additional representations were received from Louise Francis – WCC Development Planning (17 June 2011), Jonathan Bore (17 June 2011), Georgine

Thorburn - CBAG (16 June 2011), Fergus Coleman – WCC Housing Development (14 June 2011), T.D. Jones – English Heritage London Region (2 June 2011) and Patricia Seth (16 June 2011).

Late representations were received from Steve McAdam – Chelsea Barracks Partnership (17 June 2011), Simon Davie, Georgine Thorburn and George Waite (20 June 2011), Louise Francis – WCC Development Planning (20 June 2011) and Georgine Thorburn (20 June 2011).

Councillors Nick Yarker and Andrew Havery addressed the Committee in their capacity as Churchill Ward Members. The Ward Members expressed their overall support for the application but also drew some key issues of concern to the Committee's attention – including the contentious heights of some of the buildings, the importance of adhering to the proposed Design Code, disruption to local residents through building works and the desire to use the affordable housing financial contribution to benefit the local area.

## **RESOLVED:**

1. The Committee considered that the provision of 123 units of affordable housing on site and a commuted sum of £78 million towards the City Council's affordable housing fund is sufficient to meet the City Council's expectation for the affordable housing requirement generated by this site.
2. Subject to 1 above and referral to the Mayor of London, that conditional permission be granted subject to the additional conditions tabled, the deletion of permitted development rights, the removal of Condition 38 and a S106 legal agreement to secure:
  - provision of affordable housing and a financial contribution of £78 million towards the affordable housing fund; with a memorandum of understanding to prescribe the spending parameters and accountability protocol of the affordable housing fund in which the monies will be held. £39m shall be paid to the Council prior to the commencement of any work with the remaining £39m being paid five years after the date of the first payment or upon commencement of phase 2 whichever is the sooner.
  - a bond from a UK clearing bank to secure the second half of the £78m financial contribution
  - provision of the sports centre fully fitted out with the benefit of a 125 year lease at a peppercorn rent for the benefit of the City Council or a party nominated by it;
  - provision of the health centre;
  - walkways agreement to provide pedestrian, cycle and vehicular access to the site;

- management of the public open space so that it is accessible to the public 24 hours a day every day of the year in respect of all the space other than the enclosed squares;
- provision of a financial contribution towards educational provision in accordance with the requirements of the City Council's Supplementary Planning Guidance on Planning Obligations;
- community use within the chapel, with at least £300 000 funding for a trust to administer the sum to secure appropriate on going community uses;
- a construction environmental management plan, residents' liaison group and a contribution to the Environmental Inspectorate;
- provision of public art;
- connection to the Pimlico District Heating Undertaking (PDHU);
- provision of highways works and transport related improvements including the provision of car club spaces, electric vehicle charging points, two TfL cycle hire docking stations, 'Legible London' signage, bus stop and bus service improvements, and other highways works in the vicinity of the site including the upgrading of junctions if deemed necessary;
- agreement that future residents of the development will be excluded from applying for parking permits within Controlled Parking Zone A;
- provision of employment, training and local procurement opportunities in respect of both the construction and the employment generating uses thereafter;
- provision of a financial contribution towards the establishment of an air quality monitoring station on or near the site;
- an advertisement and shopfront strategy.
- to achieve a Code for Sustainable Homes level 5 rating (or equivalent) in respect of all residential units unless persuasive evidence is provided prior to the commencement of each phase that one or more elements of the development are only capable of achieving level 4. In such instances the applicant will be required to demonstrate at each phase that he has made all reasonable endeavours to achieve level 5; anything less than level 4 will not be acceptable. The Council may require an independent assessment of any such case at the developer's expense.
- a feasibility report submitted for the Council's review regarding the practicality of the installation and use of ground source heat pumps in order to reduce or remove the roof top plant if it is proven to be practicable to do so which the applicant will then implement; this report will be subject to an independent assessment at the developer's expense and will be made available to the public.

3. If within three months of the resolution to grant conditional permission the S 106 legal agreement has not been completed and there is no immediate prospect of it being completed the application may be reported back to the Committee.

4. That conditional listed building consent be granted.
5. That the reasons for granting planning permission and listed building consent as set out in informative 1 of the draft decision letters be agreed.

**(2) LONDON UNDERGROUND VICTORIA STATION UPGRADE - TERMINUS PLACE, WILTON ROAD, BRESSENDEN PLACE, SW1 ALLINGTON STREET AND VAUXHALL BRIDGE ROAD, SW1**

Details of Site Environment Management Plan and Contaminated Land pursuant to Conditions 8 and 11 of the Secretary of State's letter dated 28 August 2009 granting deemed planning permission under section 90(2A) of the Town and Country Planning Act 1990 for the London Underground (Victoria Station Upgrade) Order 2009.

Additional representations were received from Taylor Wessing LLP (10 & 16 June 2011) and Pascal Bates – Victoria Interchange Group Limited (16 June 2011).

A late representation was received from Paul Humphrey (17 June 2011).

Councillor Angela Harvey withdrew from the consideration of the application.

**RESOLVED:**

The Committee noted that a contact email address should be made available to the public as part of the contact information displayed on hoardings (and included in all correspondence to local residents and businesses), in addition to the 24/7 helpline, for the purpose of complaints and feedback.

That the details be approved, subject to the additional contact information above.

**5. TERMINATION OF MEETING**

The meeting ended at 9:51pm.

CHAIRMAN \_\_\_\_\_

DATE \_\_\_\_\_