

Planning and Development Control Committee Minutes

Tuesday 21 July 2020

1. **APOLOGIES FOR ABSENCE**

There were no apologies for absence.

2. **ROLL-CALL AND DECLARATION OF INTERESTS**

PRESENT: Councillors Colin Aherne, Wesley Harcourt, Alex Karmel, Rachel Leighton (Chair), Natalia Perez, Asif Siddique, Matt Thorley and Matt Uberoi.

Cllr Harcourt declared a non-pecuniary interest in respect of Bishop's Park Tennis Court (2020/01261/FUL), as he was the Cabinet Member responsible for the Environment. He confirmed he would leave the meeting for the item and not vote on the application.

Cllr Karmel declared a non-pecuniary interest in respect of Bishop's Park Tennis Court (2020/01261/FUL), as his daughter had received coaching there and the school she attends uses the facilities. As he considered this would not prejudice his vote, he remained in the meeting and voted on the item.

Councillor Matt Uberoi declared a non-pecuniary interest in respect of Bishop's Park Tennis Court (2020/01261/FUL), as he knew one of the objectors. As he had not discussed the application with them, he considered this would not prejudice his vote, he remained in the meeting and voted on the item.

3. **MINUTES**

The minutes of the meeting held on 7 July 2020 were agreed.

4. **DECISION TO CHANGE THE ORDER OF THE AGENDA**

In view of the number of registered speakers on some items, the Chair proposed that the running order of the agenda be changed to: West London Magistrate's Court, Bishop's Park Tennis Court, Unit 0000C Westfield's Shopping Centre followed by Adjacent to Cairns House. This was agreed by the Committee.

5. WEST LONDON MAGISTRATES COURT, 181 TALGARTH ROAD, LONDON, W6 8DN, HAMMERSMITH BROADWAY, 2019/00915/FUL

Please see the Addendum attached to the minutes which amended the report.

The Committee heard representations from two residents in objection to the application.

The Committee heard representations from representatives of the Applicant in support of the application.

The Committee heard representations from Councillor PJ Murphy, Ward Councillor and Andrew Slaughter MP in objection to the application.

In the course of discussions, Councillor Wesley Harcourt proposed the amendment, that should the application be approved, the construction and logistics plan for the application should come back to the committee for oversight and approval. This was seconded by Councillor Asif Siddique.

The Committee voted on the proposed amendment for application 2019/00915/FUL as follows:

For:
8
Against:
0
Not Voting:
0

The Committee voted on the recommendations for application 2019/00915/FUL as follows:

Officer Recommendation 1

For:
6
Against:
2
Not Voting:
0

Officer Recommendation 2

For:
7
Against:
0
Not Voting:
1

RESOLVED THAT:

Planning Application 2019/00915/FUL be approved, subject to:

1. Subject to there being no contrary direction from the Mayor for London that the Chief Planning Officer be authorised to grant planning permission upon the completion of a satisfactory legal agreement and subject to the conditions listed below.
2. That the Chief Planning Officer after consultation with the Head of Law and the Chair of the Planning and Development Control Committee be authorised to make any minor changes to the proposed Heads of Terms of the legal agreement or conditions, which may include the variation, addition or deletion of conditions, any such changes shall be within their discretion.

6. BISHOP'S PARK TENNIS COURTS, BISHOP'S AVENUE, LONDON, PALACE RIVERSIDE, 2020/01261/FUL

Please see the Addendum attached to the minutes which amended the report.

Cllr Harcourt declared a non-pecuniary interest in respect of Bishop's Park Tennis Court (2020/01261/FUL), as he was the Cabinet Member responsible for the Environment. He confirmed he would leave the meeting for the item and not vote on the application.

Cllr Karmel declared a non-pecuniary interest in respect of Bishop's Park Tennis Court (2020/01261/FUL), as his daughter had received coaching there and the school she attends uses the facilities. As he considered this would not prejudice his vote, he remained in the meeting and voted on the item.

Councillor Matt Uberoi declared a non-pecuniary interest in respect of Bishop's Park Tennis Court (2020/01261/FUL), as he knew one of the objectors. As he had not discussed the application with them, he considered this would not prejudice his vote, he remained in the meeting and voted on the item.

The Committee heard a representation from a resident in objection to the application on behalf of residents of Bishops Mansions.

The Committee heard representations from the Applicant and a resident in support of the application.

In the course of discussions, Councillor Matt Thorley proposed three amendments as follows:

1. That a new noise impact assessment be conducted, with the remit to be agreed with officers beforehand.
2. That temporary use be granted for one year and
3. That the hours of operation of the application match those of the existing tennis courts.

This was seconded by Councillor Alex Karmel.

The Committee voted on the proposed amendments for application 2020/01261/FUL as follows:

Amendment 1

For:
2
Against:
5
Not Voting:
0

Amendment 2

For:
2
Against:
5
Not Voting:
0

Amendment 3

For:
2
Against:
5
Not Voting:
0

The proposed amendments were refused.

The Committee voted on the recommendation for application 2020/01261/FUL as follows:

Officer Recommendation 1

For:
5
Against:
2
Not Voting:
0

RESOLVED THAT:

Planning Application 2020/01261 be refused, subject to:

1. That the application be refused for the following reason(s):

1) The proposal is considered unacceptable on the grounds of visual amenity. More particularly, the addition of enclosures to the padel court perimeter fence by virtue of their design, scale, obscure materials with advertisement signage introduce a discordant feature which has an adverse impact on the visual permeability of this open space (Metropolitan Open Land) and would fail to preserve or enhance the Bishops Park Conservation Area. In this respect, the proposal is contrary to Policies DC1, DC8, OS1, OS2, RTC3, of the Local Plan (2018) and Key Principles AH1, AH2 and CAG3 of the Planning Guidance Supplementary Planning Document (2018).

2) The proposal is unacceptable on the grounds of residential amenity. The application site is in close proximity to nearby residential properties at Bishops Mansions in Bishop Park Road and it is considered that the existing use has a harmful impact in terms of nuisance, noise and disturbance. The Noise Impact Assessment does not include sufficient information to draw robust conclusions regarding the regular use of the padel courts. The proposal is contrary to Policies DC1, CF3, CC11, CC13 of the Local Plan (2018) and Key Principle NN1 and NN2 of the Planning Guidance Supplementary Planning Document (2018).

7. UNIT 0000C, WESTFIELD LONDON SHOPPING CENTRE ARIEL WAY, LONDON W12 7GA, SHEPHERD'S BUSH GREEN, 2020/00795/FUL

Please see the Addendum attached to the minutes which amended the report.

The Committee heard a representation from the Applicant in support of the application.

The Committee voted on the recommendations for application 2020/00795/FUL as follows:

Officer Recommendation 1

For:

8

Against:

0

Not Voting:

0

Officer Recommendation 2

For:

8

Against:

0

Not Voting:

0

RESOLVED THAT:

Planning Application 2020/00795/FUL be approved, subject to:

1. That the Committee resolve that the Chief Planning Officer be authorised to grant planning permission upon the completion of a satisfactory legal agreement and subject to the conditions listed below;
2. To authorise that the Chief Planning Officer after consultation with the Head of Law and the Chair of the Planning and Development Control Committee be authorised to make any minor changes to the proposed Heads of Terms of the legal agreement or conditions, which may include the variation, addition or deletion of conditions, any such changes shall be within their discretion.

8. ADJACENT TO CAIRNS HOUSE, 291 WANDSWORTH BRIDGE ROAD, LONDON SW6 2NX, SANDS END, 2020/00153/ADV

Please see the Addendum attached to the minutes which amended the report.

The Committee voted on the recommendations for application 2020/00153/ADV as follows:

Officer Recommendation 1

For:

7

Against:

0

Not Voting:

1

Officer Recommendation 2

For:

8

Against:

0

Not Voting:

0

RESOLVED THAT:

Planning Application 2020/00153/ADV be approved, subject to:

1. That the Chief Planning Officer be authorised to grant advertisement consent subject to the conditions below:

2. That the Chief Planning Officer after consultation with the Head of Law and the Chair of the Planning and Development Control Committee be authorised to make any minor changes to the conditions, which may include the variation, addition or deletion of conditions, any such changes shall be within their discretion.

9. ADDENDUM

Meeting started: 6:30 pm
Meeting ended: 10:19 pm

Chair

Contact officer: Charles Francis
Committee Co-ordinator
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Minute Item 9

PLANNING AND DEVELOPMENT CONTROL COMMITTEE
Addendum 21.07.2020

REG REF.	ADDRESS	WARD	PAGE
2020/00915/FUL	Magistrate's Court 181 Talgarth Road	Hammersmith Broadway	8
Page 10	Reg.No change to '2020/00915/FUL'; Committee date change to '2020'		
Page 13	Condition 1 Time Limit change from 3 to 5 years		
Page 15	Condition 5 and Condition 7 delete 'basement'		
Page 16	Condition 8 delete 'basement'		
Page 24	Delete Condition 27 – subsequent conditions re-numbered accordingly upon decision		
Page 28	Condition 44 – move '(in a manner that will take into account the privacy and amenity of residential premises overlooked by the development)' to beginning after '...of all the materials to be used....'		
Page 30	Condition 49 delete 'basement'		
Page 36	Condition 71 delete 'including details of the loading lifts to the basement levels'		
Page 37	Informative first bullet point list of conditions to read: 'Conditions 4,5, 7, 8, 16, 17, 22, 26, 32, 34-37, 42-44, 46, 47, 52, 57, 59, and 65-67.'		
Page 48	Para 2.15 penultimate sentence add after 'Margravine Gardens' 'and St Dunstan's Road'; Para 2.17 delete first word 'An'		
Page 82	Replace title above para 5.3.58 'Barons Court, Hammersmith Cemetery and Yeldham/Biscay/Beryl Road views' with 'Barons Court and Hammersmith Cemetery Views'		
Page 82	Above para 5.3.62 insert title "Yeldham/Biscay/Beryl Road, Margravine Gardens/St Dunstans Road views'. At the end of para 5.3.62 add: 'Within Margravine Gardens, the development would, in-part have some inter-visibility within this setting; (as described in section 5.3.59 above), the site within a cluster of taller buildings within the town centre; this would be a major but beneficial change within this setting; identifying the town centre to the north. In St Dunstan's Road, the development would largely be screened by existing terraces; and having some visibility within gaps in the block form. The development would have prominence as a new backdrop to William Morris School. In this setting, the development would have a similar relationship to that of the Ark and existing residential terraces; and generally, would result in neutral/moderate change overall.'		
Page 85	at the end of para 5.3.80 add: 'The development would result in some harm to the setting of William Morris School, particularly when viewed from the corner of St Dunstan's Road/Beryl Road, again this harm would be the lower-end of the scale of less than substantial harm.'		
Page 105	Para 5.7.8 delete 'basement' from penultimate sentence		
Page 112	Para 5.14.3 delete 'the basement and'		
Page 114	Para 7.3 delete 'affordable workspace and meeting rooms, publicly accessible roof top bar and garden space and a basement cultural facility.'		
2020/00795/FUL	Westfield	Shepherd's Bush Green	120
Page 125	Condition 7 delete '(including inside windows or on the Olympia Estate)'		
Page 130	Add para number '3.2' before 'In support....', bullet point 'Transport Assessment' replace with 'Transport Statement'		
Page 139	para 6.48 bullet 4 add '...and the council'.		
Page 144	Para 7.5 add 'and the council' after 'to be decided by the developer' in bullet 5 Affordable workspace. Ass new heading 'Highways' and bullet point 'Travel Plan – years 1,3,5 for each use (2) uses - £18,000 in total.'		
2020/00153/ADV	Adj to Cairns House	Sands End	147
Page 148	Delete Condition 2 replace with: The advertisements hereby approved shall be erected and displayed only in accordance with the approved drawings shall thereafter be retained in this form. In order to ensure full compliance with the advertisement consent application hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with policies DC1 and DC9 of the Local Plan (2018).		

Page 149	<p>After condition 8, add 2 new 9) and 10) conditions:</p> <p>9) The advertisements hereby approved shall not display sequential advertisements that change more frequently than every 10 seconds and the change between advertisements will take place over a period no greater than one second.</p> <p>To ensure that the amenity of occupiers of surrounding premises is not adversely affected by artificial lighting, and in the interest of highways safety and visual amenity, in accordance with policies DC1 and DC9 of the Local Plan (2018).</p> <p>10) Any illumination shall not be intermittent and there shall be no changing light patterns.</p> <p>An intermittent illumination would be unacceptable in the interests of public safety as it is likely to distract the attention of drivers of vehicles, in accordance with Policy DC9 of the Local Plan (2018).</p>
Page 153	Para 4.11, delete 'and recognised as part of TfL's Strategic Road Network'
2020/01261/FUL	Bishops Park (Tennis) Palace Riverside 157
Page 158	<p>Officer Recommendation, replace with 'That the application be refused for the following reason(s):</p> <p>Refusal Reason 2, replace 'NN1 and NN2' with 'NN4 and NN5'</p>
Page 167	<p>Para 4.2, at the beginning at 'The NPPF (Section 8) promotes healthy and safe communities. London Plan 2016 Policy 3.19 aims to increase participation in sport and physical activity. In line with this, Emerging London Plan Policy S5 seeks to ensure a sufficient supply of good quality sports facilities, increase or enhance as well as maximise multiple use of such facilities.</p>
Page 168	<p>Para 4.6, at the end, add new sentence: 'Amongst other things, Policy CAG3 of the SPD advises that alterations should be sympathetic to the architectural character of the built context and should not have a harmful impact on the character and appearance of the conservation area.'</p> <p>Para 4.10, replace last sentence with: 'The padel courts include a metal framed enclosure which incorporates a mesh surround and glass screens at each end of the courts which wrap around each corner and extend partly along the side of the courts.'</p>
Page 169	<p>Para 4.13, replace 'English Heritage' with Historic England</p> <p>Para 4.16, replace 'less than significant' with less than substantial</p>
Page 170	<p>Para 4.18 and 4.21, replace 'NN1 and NN2' with 'NN4 and NN5'</p> <p>Para 4.21, replace CC12 with CC13</p>