

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 22 August 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved West End	
Subject of Report	Washington House, 40-41 Conduit Street, London, W1S 2YQ,		
Proposal	Use of the building as a private members club (Sui Generis), dual alternative use of the ground floor as retail (Class A1), associated alterations including erection of a 6 th floor extension, a pergola at 4 th floor level roof top plant, external terraces at 3 rd , 4 th , 5 th and 6 th floor levels.		
Agent	Gerald Eve		
On behalf of	Lava Mayfair Limited		
Registered Number	17/04929/FULL	Date amended/ completed	5 June 2017
Date Application Received	5 June 2017		
Historic Building Grade	Unlisted		
Conservation Area	Mayfair		

1. RECOMMENDATION

Grant conditional permission

2. SUMMARY

Washington House, 40-41 Conduit Street is located on the southern side of Conduit Street. The basement and ground floor are currently vacant but were most recently used as ancillary restaurant and bar for the adjacent Westbury Hotel. The upper six floors are in use for office purposes. Permission is sought for the use of the building as a private members club (Sui Generis). The proposal scheme includes an option to use the ground floor as retail space (Class A1) independent the Members Club. The scheme includes a 6th floor roof extension and rooftop plant.

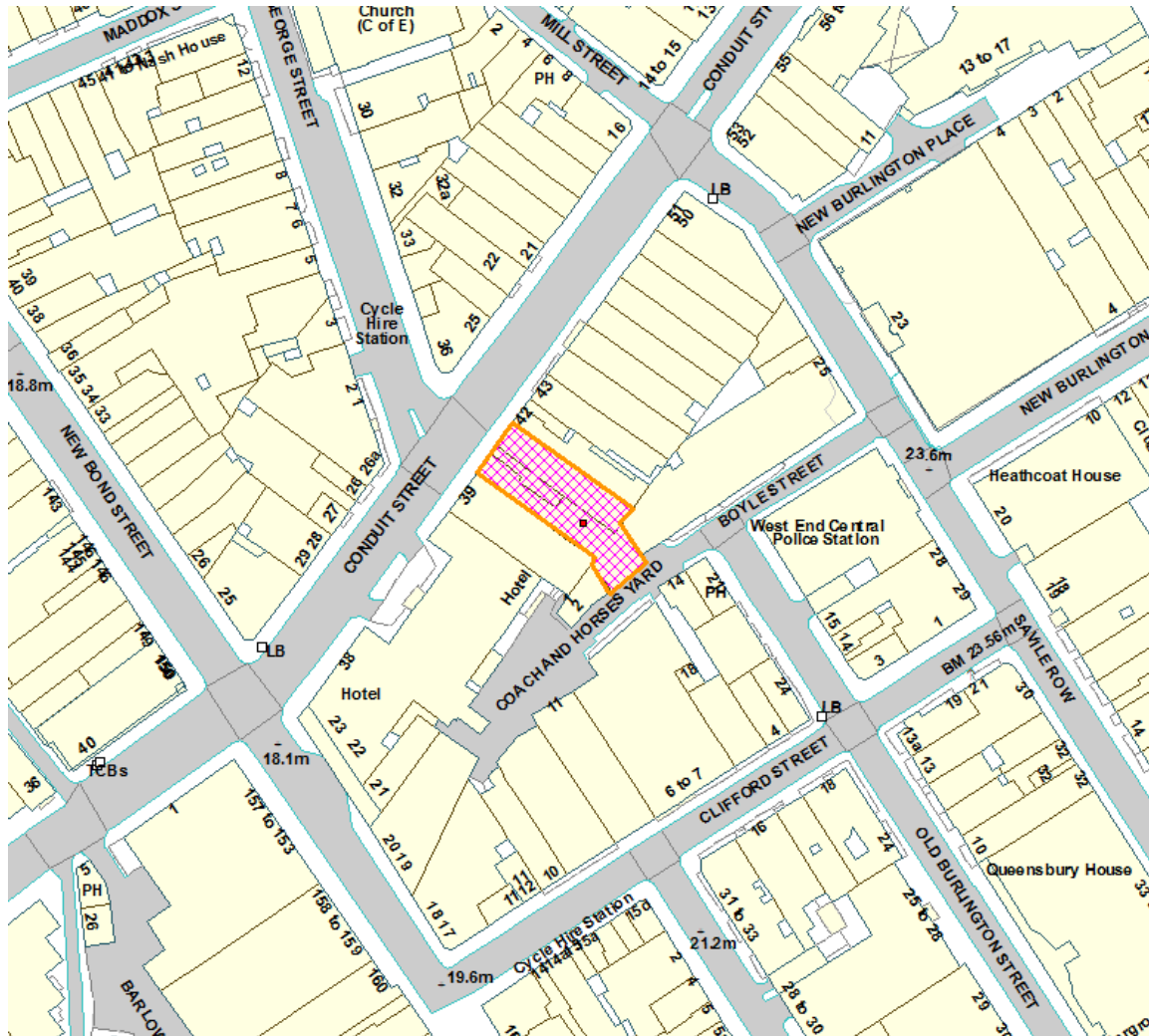
The key issues for consideration are:

- The land use implications regarding the loss of hotel floorspace at basement and ground floor levels and the impact of the proposed private members club on the character and function of this part of Mayfair;
- The impact of the extensions at sixth floor and roof level on the appearance of the building and the character and appearance of the Mayfair Conservation Area.

Subject to conditions the proposed private Members Club is considered an acceptable use,

appropriate to Mayfair. The extensions are considered to be acceptable in design terms. The proposal would comply with the Unitary Development Plan (UDP) and Westminster's City Plan (City Plan) policies. Accordingly the application is recommended for approval.

3. LOCATION PLAN



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4. PHOTOGRAPHS

Conduit Street elevation



Coach and Horse Yard elevation



5. CONSULTATIONS

RESIDENTS SOCIETY OF MAYFAIR & ST. JAMES'S

Objection that use of the terraces would result in noise nuisance and overlooking

DESIGNING OUT CRIME

No comment, application should be referred to the police licensing team.

ENVIRONMENTAL HEALTH

No objection

HIGHWAYS PLANNING MANAGER

No objection

CLEANSING

Request that refuse details are secured by condition

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 113

Total No. of replies: 1, letter received querying the address on the neighbour notification letter.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

Washington House comprises basement, ground and six upper floors, located on the south side of Conduit St, opposite the junction with St George Street. The building also has a frontage onto Coach and Horses Yard. The basement and ground floors are vacant, having last been used by The Westbury Hotel as a restaurant/bar. The upper floors are in use as offices (Class B1).

Coach and Horses Yard mainly functions as a service road for the Westbury Hotel adjacent to the application premises and other properties in Conduit Street. The area is mixed use in character comprising a significant amount of office (Class B1) floorspace. The nearest residential is at 14 Coach and Horses Yard.

The site lies within the Core CAZ but lies outside the West End Stress Area. The building is not listed but lies within the Mayfair Conservation Area.

6.2 Recent Relevant History

Permission was granted in December 2011 for the use of the third to sixth floors, as hotel bedroom accommodation in association with the Westbury Hotel. This permission was not implemented.

Permission was granted in November 2010 for the use of the basement and ground floors as a restaurant and bar for the adjacent Westbury Hotel. The permission was varied in September 2011 to allow the basement bar to be open to non-residents until 03.00 hours the following morning on Mondays to Saturdays.

7. THE PROPOSAL

Permission is sought to use the building as a private members club which will be operated by Lava Mayfair Club Ltd and will be known as 'The Conduit'. The scheme seeks to dual alternative use of the ground floor as either part of the private members club or as retail (Class A1) use, which would be independent from the proposed Members Club use.

The proposed club use would include a member's bar, with various uses on the first to sixth floors, including conference and meeting rooms, a gym and wellness centre, restaurant and bar area, co-working space and event space.

External alterations include the enlargement of a 6th floor extension and changes to the fenestration to match the lower floors. The roof top plant will be remodelled and will include a plant screen to all sides. A pergola is proposed at rear fourth floor level, this will include retractable screens to allow the terrace to be used in inclement weather, the pergola will also include planting.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The floorspace figures are set out in the table below :

	Existing GIA (sqm)	Proposed GIA (sqm)	+/-
Hotel	915	0	-915
Offices	2560	0	-2560
Retail	0	156	+156*
Private Members Club	0	3490 (3334 is retail is implemented)	+3490
Total	3475	3490	+15

* if retail space is implemented.

Loss of hotel floorspace

The basement and ground floors are currently vacant, previously having been used as a bar and restaurant in connection with the Westbury Hotel (Class C1) pursuant to permission granted in 2010.

UDP and City Plan policies seek to protect hotel floorspace. Even though the basement and ground floor were used as for ancillary purposes, there is a strong policy presumption to protect all hotel floorspace. UDP Policy TACE 1 states that 'The City Council will not grant planning permission for change of use from hotel use within the CAZ...unless such hotels cause traffic or amenity problems. City Plan policy S23 states that the loss of hotel uses within the Core CAZ will generally be resisted where they do not have significant adverse effects on residential amenity.

Council records indicate that there have been no complaints regarding the operation of the restaurant/bar use of the Westbury Hotel. Although the loss of the hotel floorspace is contrary to adopted policies there are however considered to be extenuating circumstances that would allow an exception to the policy, namely:

- The Hotel have vacated the premises and the floorspace is surplus to their requirements;
- the proposal does not result in the loss of hotel bedrooms as the floorspace was used for ancillary purpose;
- prior to use by the Westbury the lower floors were in retail use. The hotel use was not longstanding;
- loss of the hotel floorspace will not jeopardise the long term viability of the Westbury.

As the proposal will not adversely impact on the current operational activity of the hotel the loss of hotel floorspace is in this instance considered to be acceptable.

Loss of offices

The proposal will result in the loss of 2560sqm of office floorspace.

City Plan Policy S6 identifies the Core Central Activities Zone as an appropriate location for a range of commercial and cultural uses. There are no specific policies which prevent existing offices from changing to other commercial uses. The loss of the office floorspace is considered to be acceptable in land use terms.

Proposed Retail floorspace (Class A1)

As stated the ground floor was used for retail purposes prior to the last use as a hotel. The option to use the ground floor as retail is considered acceptable in accordance with City Plan policy City Plan Policy S21.

Proposed Private Members Club

The proposed private members club is considered to be a large-scale entertainment use (3490 m²). UDP Policy TACE10 applies where entertainment uses are over 500sqm which requires the City Council to consider carefully the potential impact on residential amenity and environmental quality, taking into account the cumulative impact with other nearby entertainment uses, and the effect on the character and function of the area. City Plan Policy S24 states that new large scale late night entertainment uses over 500m² will not generally be appropriate within Westminster.

The private members club; 'The Conduit' would include a variety of different uses, the disposition of these uses is as follows:

Basement – Members bar,

Ground floor –Events space,

1st floor – 2 x conference rooms and 3 x meeting rooms (with a combined capacity of 150 and 300 standing)

2nd floor – gym, wellness

3rd floor – kitchen and back of house

4th floor – dining restaurant with bar and lounge total 175 covers
5th floor – co working space, including Members Events space with a capacity of 203 seats
6th floor – bar and terraces –capacity 190.

An Operational Management Statement (OMS) has been submitted. The applicant advises that the membership would be from professionals and the creative sector who are committed to entrepreneurship and social enterprises. The OMS is included as a background paper to this report,

As set out in the OMS the intention is that the club would open at 6am daily and different floors would have staggered opening and closing times. The restaurant, co working, bar and café facilities would operate from 7am to 1am. The basement bar would operate from 7am to 3am. Although this is beyond the core operating hours for licensed premises as set out in the UDP, this is the same closing time permitted or the Westbury Hotel bar in 2011. The maximum capacity at any one time is 1,030.

The restaurant and bar elements at basement, fourth and sixth floor level will include seating areas, there will be some vertical drinking at basement and sixth floor level. There are existing terraces at rear fourth floor level and sixth floor level. It is proposed that these will be used for seating for the restaurant elements of the use. The Residents' Society of Mayfair and St James's has objected to the potential overlooking and noise and disturbance from the terraces. With regards to noise, given the proximity of the residential flats at No 14 Coach and Horses Yard, it is considered that the use of the rear terraces should be restricted to 22.30. With regards to the front sixth floor terrace, it is considered that due to the commercial nature of Conduit Street that the front part of the terrace at sixth floor level is acceptable until 01.00. It is recommended that the hours of use of the terraces are limited by condition.

All guests will use the main entrance on Conduit Street with servicing from Coach and Horse Yard.

There is a strong policy presumption **against** new large entertainment uses (over 500 M2) as proposed. However the basement and ground floors were previously in use as a nightclub and restaurant and a large entertainment use existed **on** part of the site. Furthermore there have been no objections to the principle of the proposed Members club. The area comprises primarily commercial uses with little residential in close proximity. In addition to this entertainment activities form only part of the proposed private Members Club use. On the basis that the use operates in accordance with the submitted OMS, which is **to be** secured by condition, it is considered appropriate to this part of Mayfair. In the circumstances the use is considered acceptable as it would be neither harmful to resident's amenities or the character and function of the area.

8.2 Townscape and Design

The application premises is an unlisted building located within the Mayfair Conservation Area. The adjacent buildings No's 42 and 43 are grade II listed buildings. Permission was granted on 14 December 2011 for a front extension at sixth storey level. The approved design did not extend across the full width of the frontage. Permission is now sought for a full width front extension with an additional plant storey at seventh storey level, the scheme also includes the installation of a rear pergola at fourth floor level and associated works.

Given that permission has previously been granted for a front extension, the principle of extending in this location has been established. It is considered that widening the proposed extension to the full width of the building will have a minimal additional impact on the character and appearance of the conservation area. The proposed scheme projects no further forward than that approved, and is set back from the front building line ensuring it does not appear dominant and minimising the impact on long views. It is also set away from the edge of the building and the adjacent listed building. Following negotiations, the applicant has retained the frontward extension at the same height as the approved scheme, to match that of the existing sixth storey. The principle of the extension is therefore considered acceptable in design terms. The proposed detailed design is considered an improvement to the approved scheme, consisting of a stone clad frontage with arched fenestration. Subject to conditions to secure details on the proposed fenestration and materials the extension is considered acceptable. The sixth floor barriers visible from the front of the site will consist of black metal railings, which are considered a suitable treatment for the front elevation.

The proposed enclosure although larger than previously permitted will project no further forward than the existing plant. Given the significant set back from the front building line, the wider and taller plant enclosure which includes a pitched screen to the front and rear, is considered acceptable in design terms. The plant will also extend to the rear building line, which it does not at present. However, given the limited design merit of the rear elevation, the impact of this proposal on the character and appearance of the conservation area is considered minimal.

Given the limited design merit of the rear elevation, the principal of installing a pergola to the rear flat roof at fourth floor level in this reasonably discreet position is considered acceptable, subject to the imposition of a condition requiring planting in order to minimise the visual impact of the structure.

Overall, the proposals are considered compliant with DES 5, DES 6 and DES 9 of the Council's Unitary Development Plan and will preserve (or enhance) the character and appearance of this part of the Mayfair Conservation Area and the setting of the adjacent listed buildings.

8.3 Residential Amenity (Daylight/ Sunlight/Sense of Enclosure/ Overlooking)

The nearest residential is at the rear of the site. The increased bulk and mass at roof level would not result in a material loss of light or sense of enclosure to any of the neighbouring properties.

Privacy

As stated the Residents' Society of Mayfair and St James's have objected on the basis that the terraces will result in overlooking and a loss of privacy. There are existing terraces at rear fourth floor level and sixth floor level and there is no control on how these are used. The terraces are higher than the existing residential windows within 14 Coach and Horses Yard, therefore the opportunity for overlooking is limited. It is considered that the use of the existing terraces in connection with the private members club is acceptable.

8.4 Transportation/Parking

The Highways Planning Manager has commented that it likely that the number of trips associated with the site will increase, but given the transport facilities in the area, it is unlikely that it will have a significant impact on the public highway.

There is no existing off-street servicing associated with the site and this is not proposed to change with the private members club use. It is considered that the proposal is broadly consistent with UDP Policy TRANS20 and a condition is recommended requiring the submission of a servicing management plan.

Eleven cycle space are proposed, however only six are shown on the proposed drawings. A condition to ensure that eleven spaces are provided is recommended.

A condition is recommended to ensure that adequate waste and recycling facilities are proposed for the private members club.

8.5 Economic Considerations

Any economic benefits created by the proposal are welcomed.

8.6 Access

Level access is provided at ground floor level and lift access is provided to all floors.

8.7 Other Issues

Plant

New plant is proposed at roof level, this will be contained within a screened enclosure. The extract duct for the third floor kitchen will be routed internally and discharge into this enclosure. Environmental Health has assessed the proposals and have no objection to the new plant. Subject to the imposition of the normal noise conditions controlling the operation of plant, this aspect of the application is considered acceptable.

8.8 London Plan

This application raises no strategic issues.

8.9 National Policy/Guidance Considerations

The City Plan and UDP policies referred to in the consideration of this application are considered to be consistent with the NPPF unless stated otherwise.

8.10 Planning Obligations

Planning obligations are not relevant in the determination of this application.

8.11 Environmental Impact Assessment

The proposal is of an insufficient scale to require an Environmental Impact Assessment.

9. BACKGROUND PAPERS

1. Application form and OMS dated 2 August 2017
2. Response from Environmental Health, dated 29 June 2017
3. Response from Residents Society Of Mayfair & St. James's, dated 4 July 2017
4. Response from Cleansing, dated 19 June 2017
5. Response from Highways Planning Manager, dated 27 June 2017
6. Letter from occupier of 44 Conduit Street, dated 20 June 2017

(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: MIKE WALTON BY EMAIL AT mwalton@westminster.gov.uk

10. KEY DRAWINGS

Existing and Proposed front elevation



1 EXISTING NORTH WEST ELEVATION 1
1:200 @ A3



3 PROPOSED NORTH WEST ELEVATION 1
1:100 @ A3



2 EXISTING NORTH WEST ELEVATION GROUND FLOOR
1:100 @ A3



4 PROPOSED NORTH WEST ELEVATION GROUND FLOOR
1:100 @ A3

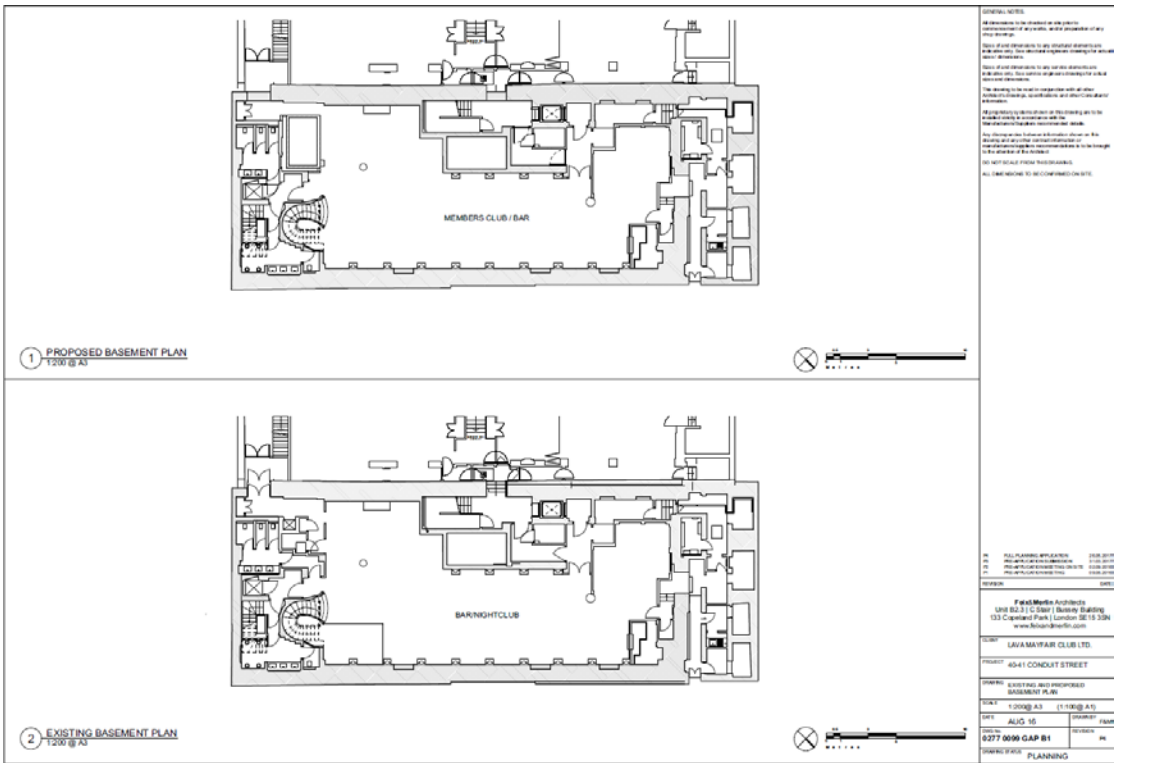
GENERAL NOTES:
 All dimensions to be checked on site prior to construction of any works, and the projection of any deep drainage.
 Size of and dimensions to any structural elements are indicated only. See structural engineer drawings for actual sizes and dimensions.
 Size of and dimensions to any other elements are indicated only. See services engineer drawings for actual sizes and dimensions.
 The drawing to be read in conjunction with all other drawings in this set, and in particular the structural and services drawings.
 All engineering specifications on this drawing are to be taken in accordance with the British Standards Institution (BSI) specifications.
 Any discrepancies between information shown on this drawing and the information on other drawings are to be brought to the attention of the architect.
 DO NOT SCALE FROM THIS DRAWING.

NOTES:



PL	FULL PLANNING APPLICATION	03.08.2017
PL	FULL PLANNING APPLICATION	08.08.2017
PL	PRE-APPLICATION SUBMISSION	31.03.2017
PL	PRE-APPLICATION SUBMISSION	03.08.2016
PL	PRE-APPLICATION MEETING	08.08.2016
REVISION	DATE	
	Felix Merlín Architects Unit B2.31 C-Store Building 133 Copeland Park London SE15 3SN www.felixmerlin.com	
CLIENT	LAVA MAYFAIR CLUB LTD.	
PROJECT	40-41 CONDUIT STREET	
DRAWN BY	EXISTING AND PROPOSED NORTH WEST ELEVATIONS	
SCALE	1:200@ A3 (1:100@ A1)	
DATE	AUG 16	DRAWN BY RBM
DATE	0277 0301 GE 01	REVISION P5
DRAWING OF A3	PLANNING	

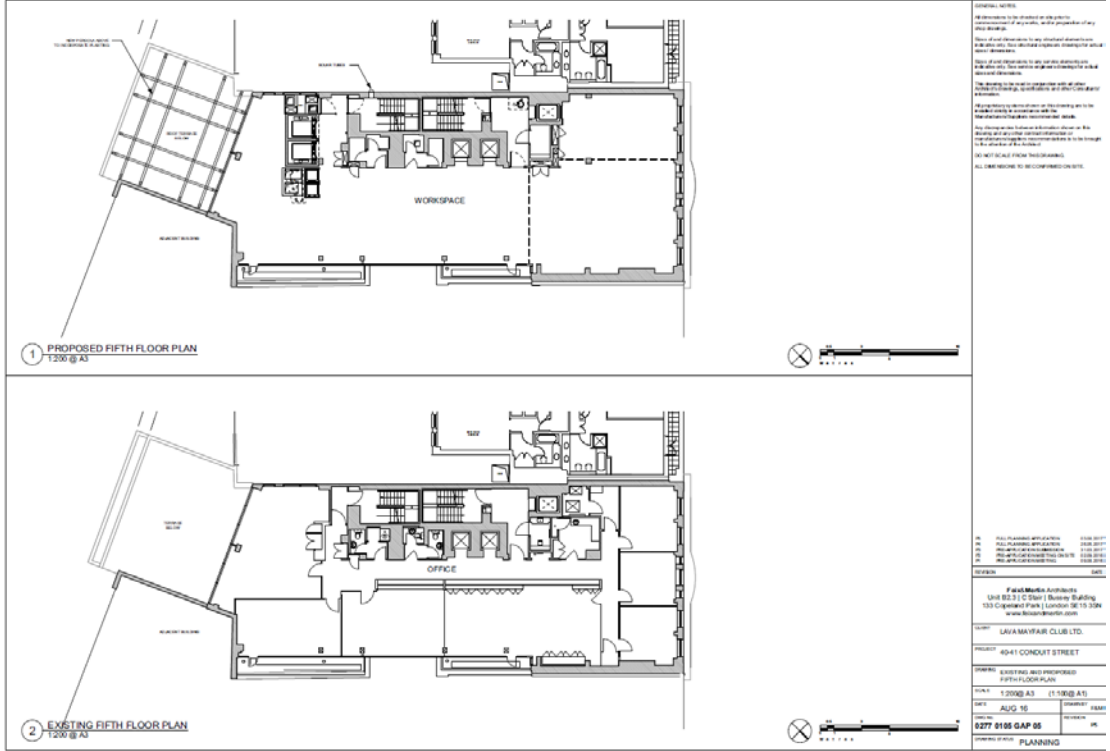
Existing and Proposed basement



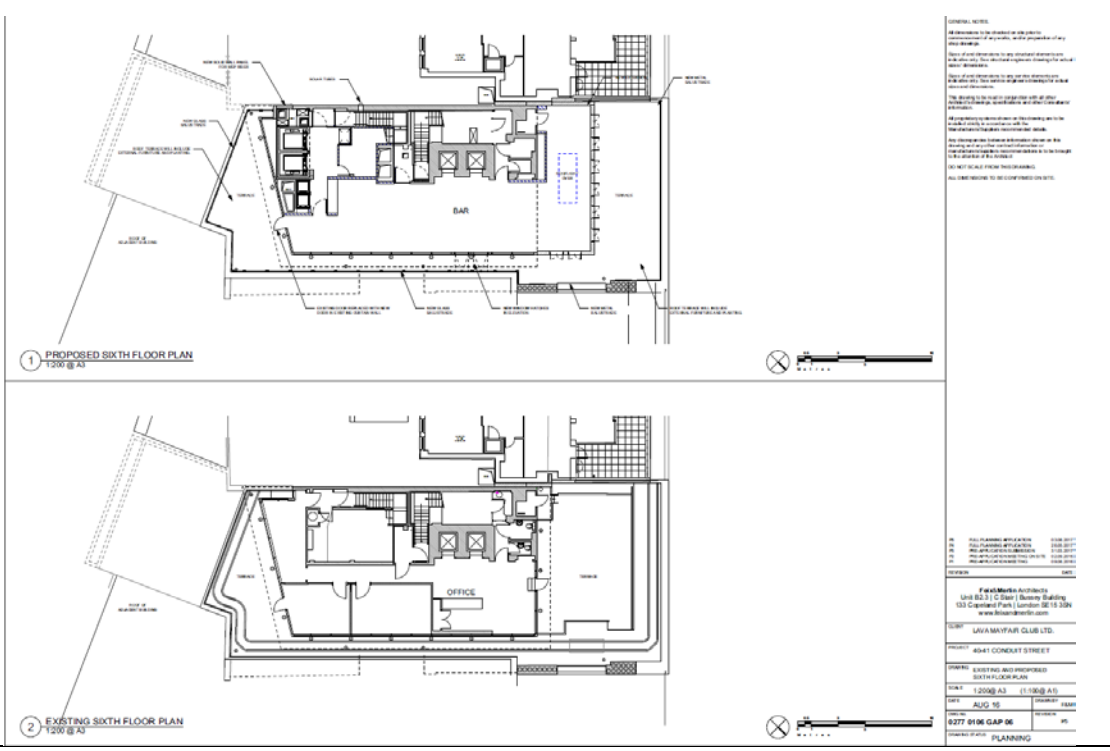
Existing and Proposed First Floor Plan



Existing and Proposed Fifth floor



Existing and Proposed Sixth floor



DRAFT DECISION LETTER

Address: Washington House, 40-41 Conduit Street, London, W1S 2YQ,

Proposal: Use of 40-41 Conduit Street as a private members club (sui generis) with external terraces provided at the third, fourth, fifth and sixth floors and either associated events space or retail (Class A1) use at ground floor; physical works including sixth floor extension, pergola at fourth floor terrace, roof plant enclosure and associated external alterations.

Reference: 17/04929/FULL

Plan Nos: 0277 0099 GAP B1 P4, 0277 0100 GAP 00 P4, 0277 0100M GAP MEZ P5, 0277 0101 GAP 01 P4, 0277 0102 GAP 02 P5, 0277 0103 GAP 03 P4, 0277 0104 GAP 04 P5, 0277 0105 GAP 05 P5, 0277 0106 GAP 06 P5, 0277 0107 GAP RF P5, 0277 0202 GS AA P6, 0277 0204 GS BB P6, 0277 0300 SE P5, 0277 0301 GE 01 P5, 0277 0302 GE 02 P6, 0277 0304 GE 04 P6, 0277 0307 GE 07 P6, 0277 0308 GE 08 P4, Operational Management Plan received 2 August 2017

Case Officer: Helen MacKenzie

Direct Tel. No. 020 7641 2921

Recommended Condition(s) and Reason(s)

- 1 The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 2 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only:
 - o between 08.00 and 18.00 Monday to Friday;
 - o between 08.00 and 13.00 on Saturday; and ,
 - o not at all on Sundays, bank holidays and public holidays.You must carry out piling, excavation and demolition work only:
 - o between 08.00 and 18.00 Monday to Friday; and ,
 - o not at all on Saturdays, Sundays, bank holidays and public holidays. Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings we have approved or are required by conditions to this permission. (C26AA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 4 You must apply to us for approval of photographs of samples of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work using the approved materials. (C26BC)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 5 You must apply to us for approval of detailed drawings of the following parts of the development: , - New external windows and doors (1:5 and 1:20), - Pergola (1:20), , You must not start any work on these parts of the development until we have approved what you have sent us., , You must then carry out the work according to these drawings (C26DB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 6 You must not put any machinery or associated equipment, ducts, tanks, satellite or radio aerials on the roof, except those shown on the approved drawings. (C26PA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 7 You must paint all metal railings to the front and side elevations black and keep them that colour. (C26EA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 8 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum., (2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum., (3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:, (a) A schedule of all plant and equipment that formed part of this application;, (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment; (c) Manufacturer

specifications of sound emissions in octave or third octave detail;; (d) The location of most affected noise sensitive receptor location and the most affected window of it;; (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;; (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;; (g) The lowest existing L A90, 15 mins measurement recorded under (f) above;; (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;; (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

- 9 No vibration shall be transmitted to adjoining or other premises and structures through the building structure and fabric of this development as to cause a vibration dose value of greater than 0.4m/s (1.75) 16 hour day-time nor 0.26 m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.

Reason:

As set out in ENV6 (2) and (6) of our Unitary Development Plan that we adopted in January 2007, to ensure that the development is designed to prevent structural transmission of noise or vibration.

- 10 You must not allow more than 1030 customers into the property at any one time. (C05HA)

Reason:

We cannot grant planning permission for unrestricted use in this case because it would not meet TACE10 of our Unitary Development Plan that we adopted in January 2007. (R05AB)

- 11 You must apply to us for approval of detailed drawings of a landscaping/planting scheme for the pergola at rear fourth floor level. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then carry out the landscaping/planting

according to these approved drawings. If you find that the planting is dying, severely damaged or diseased, you must replace them with plants of a similar size and species.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 12 You must carry out the measures included in your management plan received 2 August 2017 at all times that the private members club is in use. (C05KA)

Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and TACE TACE10 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05GB)

- 13 Customers shall not be permitted within the private members club premises at ground to sixth floors before 06.00 or after 01.00 each day, and the basement bar before 07.00 or after 03.00 each day. (C12AD)

Reason:

To protect the environment of people in neighbouring properties as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7 and TACE10 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 14 Customers shall not be permitted to use the terrace at rear fourth or rear sixth floor level before 07.00 or after 22.30 each day.

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R13EC)

- 15 All customers of the private members club must use the main entrance on Conduit Street and must not use the entrance in Coach and Horses Yard.

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13FB)

- 16 You must apply to us for approval of details of how waste is going to be stored on the site and how materials for recycling will be stored separately. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then provide the stores for waste and materials for recycling according to these details, clearly mark the stores and make them available at all times to everyone using the building. (C14EC)

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan (November 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

- 17 You must apply to us for approval of details of the following parts of the development: provision of 11 off-street cycle space. You must not start any work on these parts of the development until we have approved what you have sent us., , You must then carry out the work according to these detailed drawings. (C26DB)

Reason:

To provide cycle parking spaces for people using the development as set out in Policy 6.9 (Table 6.3) of the London Plan 2015.

Informative(s)

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

- 2 Under Part 3, Class V of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, the ground floor can change between the retail (Class A1) or event space (sui generis) uses we have approved for 10 years without further planning permission. However, the actual use 10 years after the date of this permission will become the authorised use, so you will then need to apply for permission for any further change. (I62A)

Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.