

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 16 January 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved St James's	
Subject of Report	Franklin House , 151 Strand, London, Wc2r 1hl		
Proposal	Demolition of existing building and redevelopment to provide a building of basement, lower ground, ground and part five/part six upper floors with roof terrace and mechanical plant at roof level; for use as an apart-hotel (Class C1) with private members' bar (sui generis) at lower ground floor level.		
Agent	Turleys		
On behalf of	J & S Franklin Limited		
Registered Number	16/12166/FULL	Date amended/ completed	5 January 2017
Date Application Received	21 December 2016		
Historic Building Grade	Unlisted		
Conservation Area	Strand		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

Franklin House was constructed in the 1950's by the Franklin Family for office use. It is their intention to retain the building and carry out the redevelopment proposals for the replacement of the existing building, with a building of basement, lower ground, ground and part five/part six upper floors for use as an apart-hotel (Class C1) providing 5 apartments and a private members bar (sui generis) at lower ground floor level.

The key issue for consideration are:

- The impact of the proposals on the character and appearance of the Strand Conservation Area and on the setting of the adjacent Grade I listed Somerset House.
- The land use implications of the proposal;
- The impact of the proposals on the amenity of surrounding residents; and
- The impact of the proposal on the surrounding highway network.

With the imposition of conditions the proposals are considered acceptable in listed building,

conservation, design, land use, amenity and highway terms.

3. LOCATION PLAN



This production includes mapping data licensed from Ordnance Survey with the permission of the controller of Her Majesty's Stationary Office (C) Crown Copyright and /or database rights 2013. All rights reserved License Number LA 100019597

4. PHOTOGRAPHS



5. CONSULTATIONS

HISTORIC ENGLAND

Any response to be reported verbally.

HISTORIC ENGLAND (ARCHAEOLOGY)

Archaeology conditions recommended.

WESTMINSTER SOCIETY

No objection.

HIGHWAYS PLANNING MANAGER

The site is well served by public transport. No car parking is provided which is acceptable. There are existing facilities on-street for servicing which will remain unchanged. No cycle parking is provided, however, the development is under the threshold for which cycle parking is required. The doors should not open out over the public highway.

CLEANSING

No objection.

ENVIRONMENTAL HEALTH

No objection. Conditions recommended.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 259

Total No. of replies: 11

No. of objections: 13 (from 10 individuals/organisations)

No. in support: 0

Letters of objection have been received from Somerset House Trust; The Courtauld Institute; The Gibraltar Embassy (150 Strand) and 6 neighbouring residents Within 148 and 149 Strand.

Design

- Any planting on the roof terrace should not penetrate the party wall as it could cause significant damage and water penetration to the historic fabric of Somerset House.
- The relationship between the new roof and the cornicing that wraps around the corner of the Grade I listed Somerset House needs to be carefully scrutinised to ensure a satisfactory relationship.

Land use

- The proposed bar for 55 guests until midnight/ and 2am three nights a week is incompatible with the quiet enjoyment of local residents.

Amenity

- The proposed development will impact on nine residential flats on the upper floors of 147, 148 and 149 Strand. No outdoor space for bar patrons should be allowed.
- Noise nuisance and overlooking from the fourth floor roof terrace and balcony from hotel guests.
- Any windows looking towards 147, 148 and 149 Strand should have obscure glass.
- Loss of light and privacy to terrace and windows of the Gibraltar Embassy.

Other

- Noise and vibration through the structure of the Grade I listed Somerset House during building works; and structural implications from the proposed basement construction.
- Impact of construction and sustained vibrations on artwork in the Courtauld Gallery and visitor experience.
- Noise and disturbance to residents during construction work on this tight urban site.
- Demolition/building works should be carried out during normal building hours to protect residential amenity, and not extended to minimise impact on the Courtauld Gallery during the day.
- Somerset House is a licenced entertainment venue and the design and sound insulation of the proposed building will need to mitigate from noise generated at events in Somerset House.
- Security implications during building works.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

Franklin House is a 1950's office building comprising basement, ground and four upper floors with a rooftop stair/plant enclosure.

The building is located on the south side of the Strand and forms part of a terrace of buildings flanking the Grade I listed Somerset House, which lies immediately to the east. The Site is located in the Strand Conservation Area and is identified in the Conservation Area Audit (2003) as part of a terrace that makes a positive contribution to the area and collectively forms an unlisted 'building of merit'. The site lies within the Core Central Activities Zone (CAZ) and the Lundenwic and Thorney Island Area of Special Archaeological Priority.

The building was built by The Franklin family, who still own the building (J & S Franklin Limited), and it is their intention to carry out the redevelopment proposals and retain and operate the proposed development.

6.2 Recent Relevant History

There is no relevant planning history.

7. THE PROPOSAL

Planning permission is sought for the demolition of the existing building and its replacement with a building of basement, lower ground, ground and part five/part six upper floors with a roof terrace, lift core and plant incorporated into the top storey.

The proposed building will be in use as an apart-hotel (Class C1) providing 5 apartments at ground to sixth floor level with a private members bar (sui generis) at lower ground floor level and plant and storage in the basement. The bar will be under the same management as the hotel, operated as a members' bar for hotel guests and fee paying members.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The existing and proposed land uses can be summarised as follows.

	Existing GIA (sqm)	Proposed GIA (sqm)	+/-
Office (class B1)	538	0	-538
Hotel (class C1)	0	658	+658
Private Members Bar (sui generis)	0	78	+78
Total	538	736	+198

(applicant's calculations)

Loss of office use

The proposal will result in the loss of 538qm of office floorspace. Policy S20 of Westminster's City Plan (November 2016) relates to offices and seeks to restrict the loss of office space to housing, however, the loss of offices to other commercial uses are acceptable. The proposal is therefore in accordance with this policy.

Hotel use

Policy S23 of the City Plan and TACE 2 of the UDP relate to new hotels, which are directed to the Core CAZ. Policy TACE 2 states that within the CAZ, in streets that do not have a predominantly residential character, planning permission will be granted for new hotels where no environmental and traffic effects would be generated and adequate on-site facilities are incorporated within developments proposing significant amounts of new visitor accommodation, including spaces for the setting down and picking up of visitors by coaches and taxis serving the hotel.

The proposal is for a low intensity 5-bed boutique apart-hotel providing three 1-bed apartments and two 2-bed apartments, each with their own open plan living/ kitchen area. The hotel reception will be located at ground floor level with storage for refuse, laundry and consumables at basement level. No hotel restaurant is proposed, however, hotel guests will get automatic membership to the private members' bar proposed at basement level. Management and concierge staff will be available 24 hours a day.

The proposed hotel is considered an appropriate use in this central area of Westminster, close to many of London's top tourist attractions and with good access to public transport. It is considered that the small scale nature of the hotel proposed would not have a significant effect on residential amenity or local environmental quality and it is acceptable in land use terms.

Bar Use

Policy S24 of the City Plan and TACE 8-10 of the UDP relate to entertainment uses. TACE 9 specifically relates to bar uses within the core CAZ with a gross floorspace up to 500m². This policy aims to ensure that bar uses have no adverse effect upon residential amenity or local environmental quality as a result of noise, vibration, smells, increased late night activity or increased parking and traffic; and no adverse effect on the character and function of the area.

The proposed bar is located at basement level (approximately 78sqm GIA), accessed from the main ground floor entrance shared with the hotel. The applicant has submitted an Operational Management Plan in support of their application.

The bar will be under the same management as the hotel and operated as a members' bar for hotel guests and fee-paying members only, and not for visiting members of the public (*sui generis*). Automatic membership will be granted to hotel residents and to a limited number of their guests, with others granted membership on an invitation only basis for an annual fee. The bar capacity will be 55 guests with opening hours between 7am until Midnight Sunday to Wednesday and 8am until 2am Thursday to Saturday.

The proposed private members bar will form part of the hotel operation and governed by the hotels operational standards. Given the location of hotel bedrooms directly above, it will be in the interests of the hotel to ensure that the bar is properly managed. Given the size and nature of the bar use proposed it is considered acceptable in land use and amenity terms, subject to conditions to ensure that the bar is operated in accordance with the Operational Management Plan; restricting number of guests and opening hours (as outlined above).

8.2 Townscape and Design

The building was built in the 1950s by the current applicant as their offices and has a degree of individual architectural merit, but not such that it would be worthy of listing. The property consists of four above-ground storeys plus a range of awkwardly arranged plant and ancillary accommodation on the roof. The front façade is faced in plainly finished Portland Stone whilst the rear elevations are brick.

The application building immediately adjoins the Grade I listed Somerset House, both to the side and rear, contributing positively to its setting. The site forms part of a terrace of individually developed and aesthetically varied 19th and 20th century former townhouses with shops to the ground floor, flanking each side of Somerset House's principal north frontage facing onto the Strand. These terraces are characterised in part by their mixed visual character but relatively consistent architectural proportions.

As mentioned above, the existing building is considered to make some positive contribution to the character of the conservation area, and to the setting of Somerset House. It has a limited degree of individual architectural merit, mainly through its high quality façade and proportions similar to the rest of the unlisted terrace which it forms a part of. It cannot however be described as special, and at roof level it presents an untidy arrangement of accretions which detract both from the site's own architectural values but also from the setting of Somerset House. As with the rest of the terrace, its main positive contribution is in its quiet neighbourly relationship with Somerset House; a relatively plainly treated façade, determinably not distracting attention away from the grand frontage of one of the country's most iconic buildings. For these reasons, whilst the building should be retained in principle, its replacement may prove acceptable if the new building were to be of an equal or greater degree of architectural quality, whilst also showing an equal or greater degree of sensitivity to the setting of Somerset House.

The application proposes to replace the existing building with a new boutique apart-hotel and bar. This would be set out over four sheer above-ground storeys plus a further two mansard storeys, plus basement. The front façade would continue the parapet height of the existing terrace with the new mansard rising behind this. The main façade, amended during the course of the application, would be an evidently modern design, but it would sit comfortably with the range of classically proportioned facades which make up the terrace. The treatment of the façade is currently indicated to include a range of decorative brick embellishments which are of concern. The specification of a brick façade is welcomed and would provide a more successful 'book-ending' effect to Somerset House, matching that to the opposing terrace to the east, but this should use a plainer pattern of brickwork, which can be secured through condition. Conversely the currently proposed parapet would appear too plain, but this also can be improved through condition. The applicant has agreed to continued design work in these areas.

At ground floor level the proposal would include a decorative new shopfront, providing access to both the hotel reception and bar. As amended during the course of the application this design is considered to provide a good degree of enrichment at this level, and would also link well with the upper floors above. Its enriched design would not detract from the setting of Somerset House due to its low level.

The new mansard would represent a notable increase in the scale of the existing roof which amounts, but would effectively replicate the forwards form of the roof to Gibraltar House. The roof as designed would therefore fill what is currently a quite awkward gap. Whilst the roof would be somewhat top-heavy for the scale of the sheer storeys below, its design is mitigated by the relationship with Gibraltar House and it would remain significantly subservient to the grand scale of Somerset House. It would also avoid concealing any significant architectural elements of the flank elevation of Somerset House.

To the rear, the new building would include a tall rear wing which would rise an additional two storeys above the height of the existing rear wing. This would however remain well below the height of the rear wall of Somerset House which currently terminates the lightwell gap which runs between the rear of Somerset House and the Strand terrace. Views from within and along this lightwell are however severely restricted, with limited views even from the rear windows of properties facing into it, including Somerset House. What views are afforded are of limited character, and as such the proposed additional scale is considered acceptable for this end of the lightwell.

Whilst the loss of the existing building would represent some loss of architectural significance, this is limited and would more than adequately be outweighed by the architectural benefits which the application proposals would bring. Whilst these bring with them some increases in scale to the roof and to the rear wing, these are well-handled to avoid impact to the principal front elevations, and from relevant angles to the rear. What impacts would remain would be of such restrictive visibility that in effect no harm would be caused to the setting of Somerset House or to the character or appearance of the conservation area.

8.3 Residential Amenity

Policy S29 of the City Plan and ENV 13 of the UDP aim to protect the amenity of residents from the effects of development. Policy ENV13 states that the Council will resist proposals that would result in a material loss of daylight/sunlight, particularly to dwellings, and that developments should not result in a significant increased sense of enclosure, overlooking or cause unacceptable overshadowing.

The City Council generally has regard to the standards for daylight and sunlight as set out in the Building Research Establishment (BRE) 'Site Layout Planning for Daylight and Sunlight' (as revised 2011). Right of Light Consulting, acting on behalf of the applicant have carried out tests using the methodology set out in the BRE guidelines in relation to the nearest, most affected residential properties at 147, 148 and 149 Strand which confirms that the proposed building will comply with BRE guidelines with regards to daylight and sunlight.

Part of the rear section of the building will extend up to the boundary with Gibraltar House, 150 Strand, and extend above the existing boundary wall at first to sixth floor level. Given the enclosed nature to the rear of the terrace which is dominated by the high flank and rear walls of Somerset House, it is not considered that the proposal will cause any significant increased sense of enclosure to Gibraltar House or the residential properties beyond. Windows are proposed in the western elevation serving bathrooms and bedrooms. Given their location on the boundary, they are considered 'bad neighbour windows' and a condition is therefore recommended that the windows be fixed shut and contain obscure glass. An informative is also recommended advising the applicant that should the neighbouring property seek to carry out a similar development in the future these windows could not be protected.

A terrace is proposed at main roof level for hotel guests. This is discretely located to the front and east of the building, behind the access housing, and will not therefore result

in any loss of privacy to residents and the embassy to the west. A small courtyard serving an apartment bedroom of approximately 1.2sqm is proposed at rear ground floor level which will be below the height of the existing boundary wall. A balcony is proposed at rear fourth floor level immediately abutting the rear wall of Somerset House. This will be set back from the boundary with No. 150 and it is not considered that it will result in any loss of privacy.

A proposed winter garden to the bar is located internally within the building at lower ground floor level and behind the ground floor frontage. It will not therefore cause a loss of privacy or noise to neighbouring occupiers.

Plant is proposed at basement and main roof level and the Council's standard noise conditions are recommended.

8.4 Transportation/Parking

The applicant has submitted a Transport Assessment in support of their application. There are existing on-street loading bays on the Strand that service the existing building and this arrangement will continue.

The site is well-served by public transport and the Highways Planning Manager is satisfied that given the small scale nature of the proposed hotel it is unlikely to attract coach parties.

The development is under the thresholds under which on-site cycle parking is required.

Adequate refuse and recycling storage is proposed and it is recommended that this be secured by condition.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size

8.6 Access

Level access is proposed into the building with lift access to all floor levels. The lift will open directly into each apartment. One apartment will be wheelchair accessible.

8.7 Other UDP/Westminster Policy Considerations

The Basement Revision and Mixed Use Revision to the City Plan were submitted to the Secretary of State in December 2015. The independent examination was held in March 2016. Following the examination, a further consultation was held between 20 April and 5 June 2016, inviting responses to the proposed main modifications. Having considered the responses, none of the matters raised bring forward new issues which were not considered by the Inspector at the examination hearings in March.

Therefore, in accordance with Paragraph 216 of the National Planning Policy Framework, the Council will take the Basement Revision and Mixed Use Revision into account as a material consideration with significant weight in determining planning applications, effective from Tuesday 7 June 2016. One exception applies, in relation to the Basement Revision, specifically the application of the Code of Construction Practice [Policy CM28.1 Section A2b], which will be applied from the date of publication of the Code of Construction Practice document, likely to be at the end of June.

The implications of the revisions to the City Plan for the development subject of this report are outlined elsewhere in the report

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.

The development is unlikely to be CIL liable.

8.11 Environmental Impact Assessment

An Environmental Impact Assessment is not required. The applicant has submitted an Energy and Sustainability Assessment in support of their application. The building has been designed with passive design features and energy efficient systems including the provision of Air Source Heat Pumps (ASHP) in a Variable Refrigerant Flow (VRF) system which will achieve an 11.5% improvement in carbon emissions based on the current Building Regulations (2013).

8.12 Other Issues

Construction Impact

A condition is recommended to ensure that the development complies with the City Council's Code of Construction Practice (COCP) which will require the developer to provide a Site Environmental Management Plan (SEMP) and funding for the Environmental Inspectorate to monitor the demolition and construction phase of the development. The COCP sets out the minimum standards and procedures for managing

and minimising the environmental impacts of construction projects within Westminster and relate to both demolition and construction works.

The key issues to address in the COCP are; liaison with the public; general requirements; SEMP; construction management plans; employment and skills; traffic and highways; noise and vibration; dust and air quality; waste management; waste pollution and flood control and any other issues.

Internal Noise

An acoustic report has been submitted which outlines the proposed façade mitigation measures and ventilation strategy to ensure that the building is designed to protect hotel residents from licenced events in the courtyard of Somerset House. Environmental Health raise no objection to this element of the scheme.

9. BACKGROUND PAPERS

1. Application form
2. Letter from Historic England (Archaeology), dated 26 January 2017.
3. Response from Westminster Society, dated 17 January 2017.
4. Memorandum from Environmental Health dated 11 April 2017 and e-mail dated 21 December 2017.
5. Memorandum from Highways Planning Manager dated 14 March 2017.
6. Memorandum from Cleansing dated 7 July 2017.
7. Letter from occupier of Somerset House Trust, Strand, dated 2 February 2017
8. Letter from occupier of The Courtauld Institute of Art, Somerset House - Strand, dated 3 February 2017
9. Letters from occupier of 150 Strand, London, dated 2 February 2017 and 29 March 2017
10. Letters from occupier of Flat 2, 148 Strand, dated 23 January 2017, 31 January 2017 and 1 February 2017
11. Letter from occupier of 148 Strand, Flat 3, Top Floor, dated 26 January 2017
12. Letter from occupier of Third Floor and Fourth Floor Maisonette, 148 Strand, dated 1 February 2017
13. Letter from occupier of 149 The Strand, Flat 2, dated 2 February 2017
14. Letters from occupier of Flat 3, 149 Strand, London, dated 30 January 2017 and 1 February 2017
15. Letter from occupier of Flat 1, 149 Strand, dated 31 January 2017

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

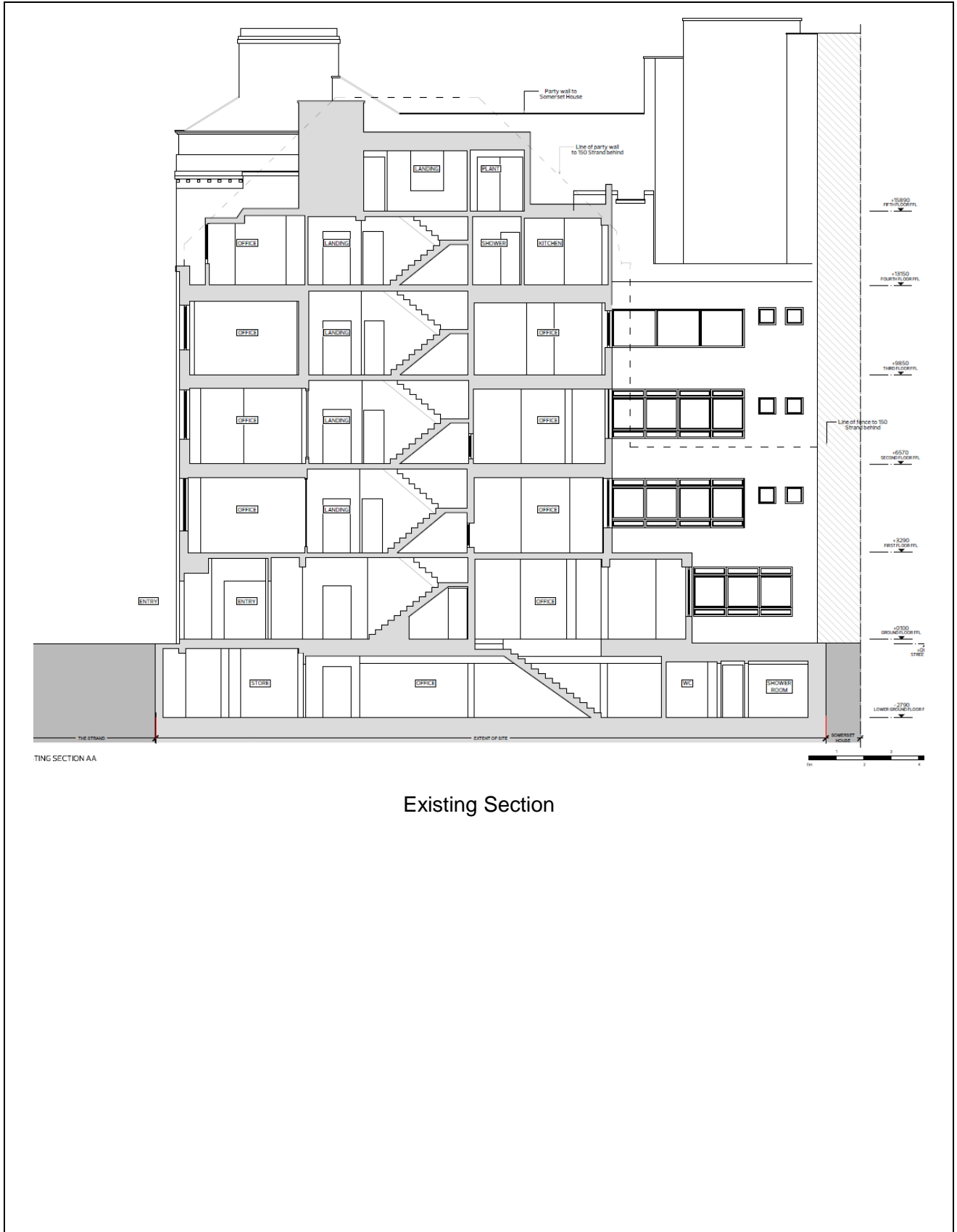
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: **DAVID DORWARD** BY EMAIL AT ddorward@westminster.gov.uk

10 KEY DRAWINGS



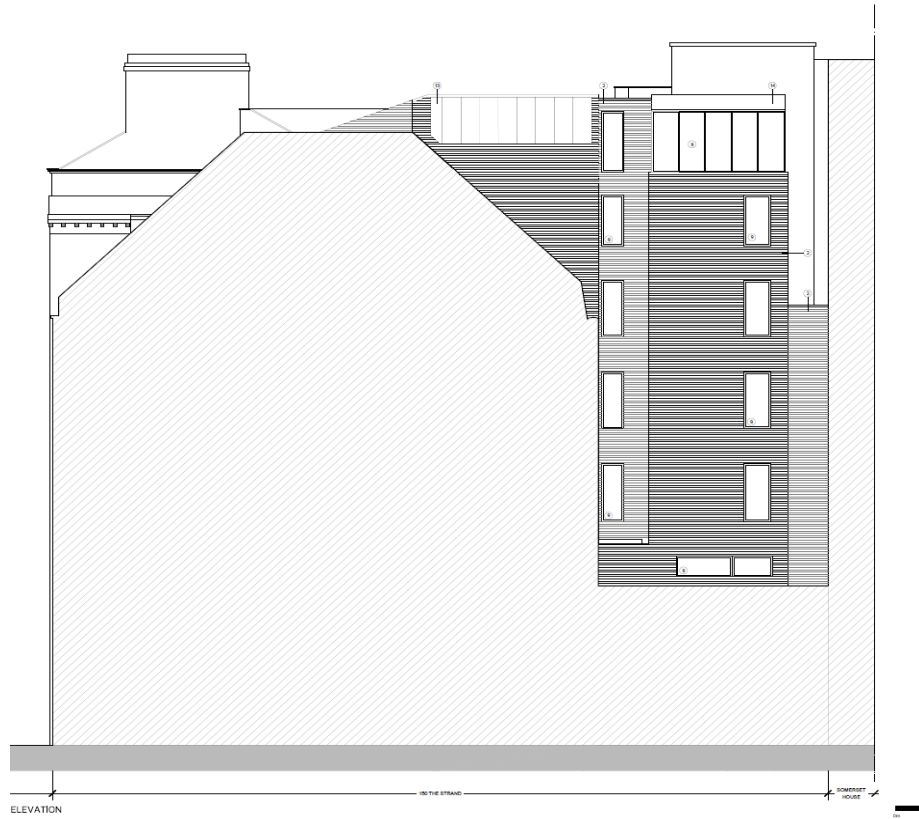
Existing front and rear elevations



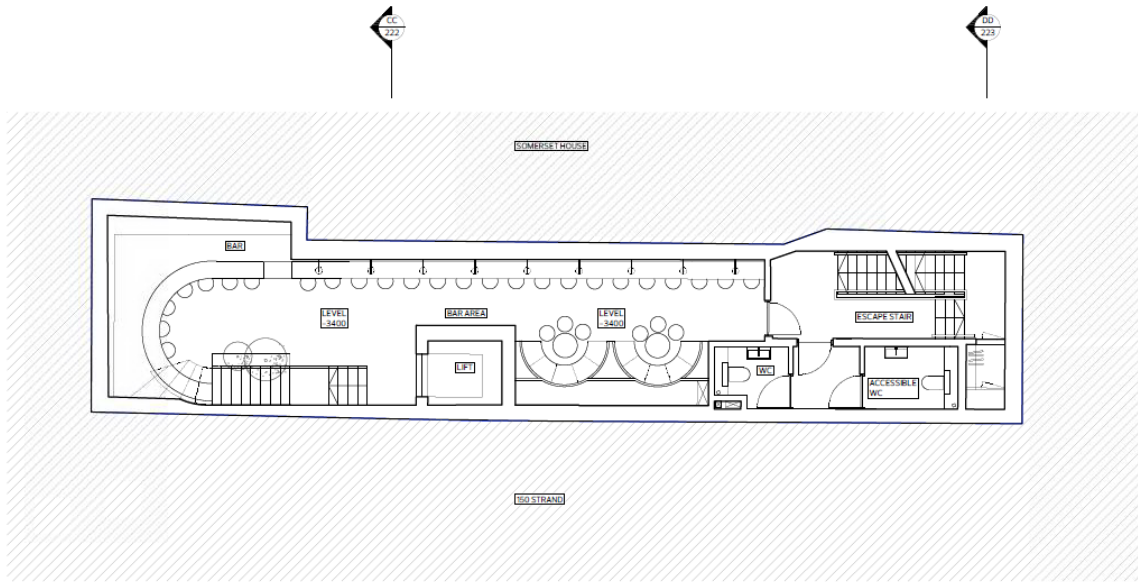




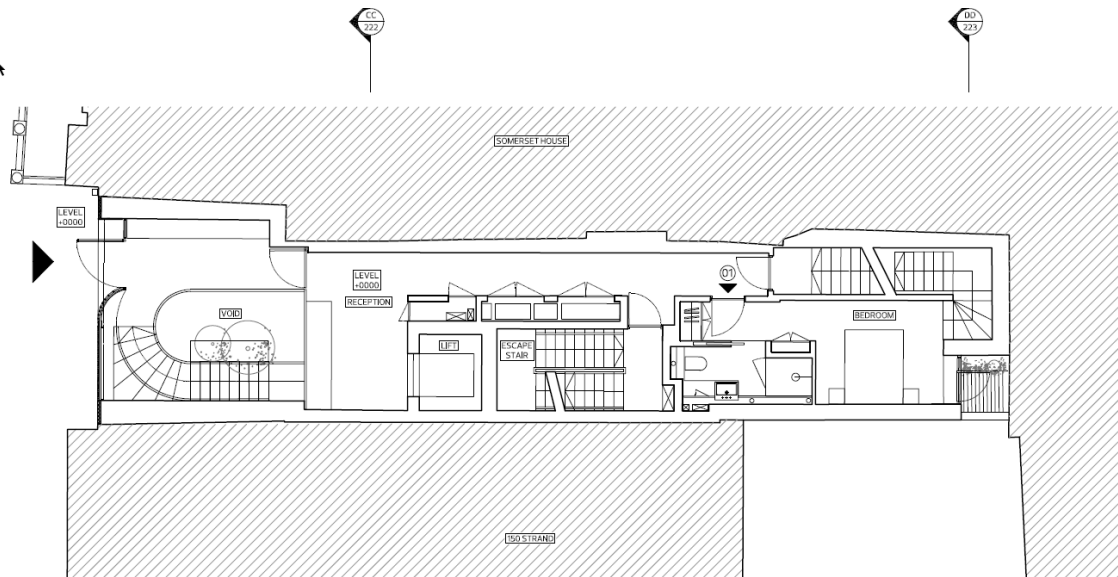
Proposed front elevation



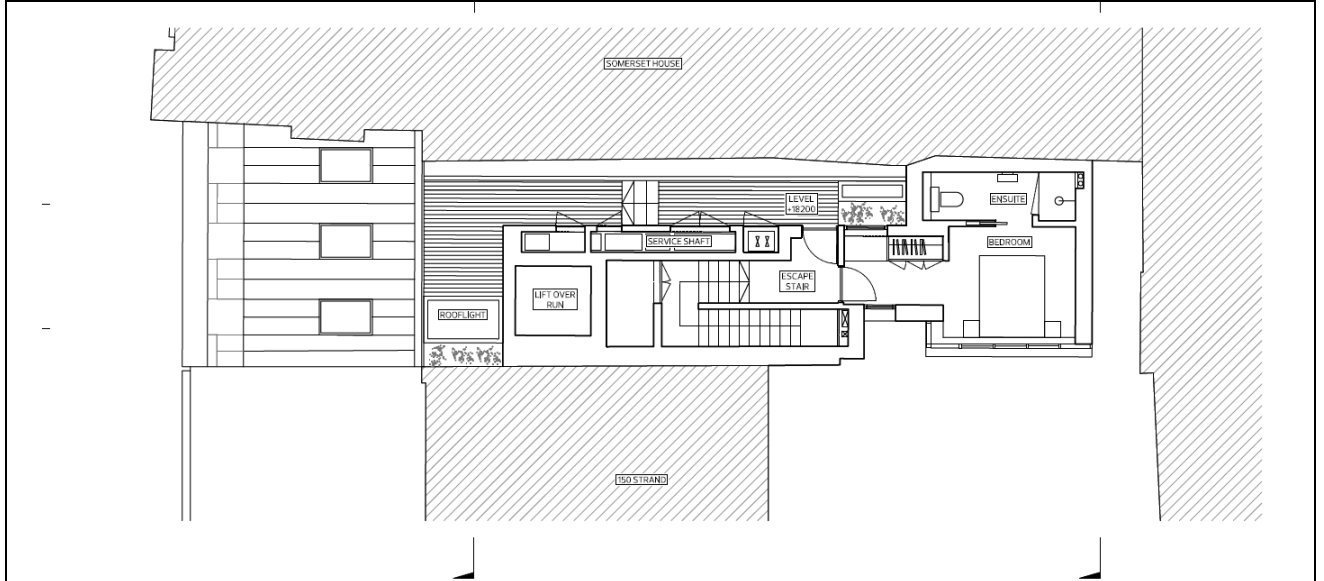
Proposed Section



Proposed lower ground floor bar use



Proposed Ground



Proposed Roof

DRAFT DECISION LETTER

Address: Franklin House , 151 Strand, London, WC2R 1HL

Proposal: Demolition of office building (Class B1) and construction of a replacement building comprising basement, lower ground, ground and five upper floors with roof terrace and mechanical plant at roof level; for use as an apart-hotel (Class C1) with bar (class A4) at lower ground floor level.

Reference: 16/12166/FULL

Plan Nos: 796_001/P2, 101/P2, 102/P2, 103/P2, 104/P2, 105/P2, 106/P2, 107/P2, 150/P2, 151/P2, 160/P2, 161/P2, 162/P2, 163/P2, 200/P4, 201/P4, 202/P5, 203/P5, 204/P5, 205/P5, 206/P5, 207/P5, 208/P5, 209/P4, 220/P4, 221/P4, 222/P2, 230/P3, 231/P3, 232/P2, 234/P1, 235/P1, 240/P1; Planning Statement dated December 2016; Design response dated November 2017; Heritage Statement dated December 2016; Archaeological Desktop Assessment dated June 2016; Archaeological Watching Brief dated October 2016; Daylight and Sunlight Assessment dated 2 November 2016; Noise Impact Assessment dated 13 July 2017; Noise Assessment dated 30 June 2017; Energy and Sustainability Statement dated 30 November 2016; Transport Statement dated December 2016; Operational Management Strategy dated April 2017; Recycling and waste storage dated 22 March 2017; Structural survey/Structural Methodology Statement (for information only); and Construction Management Plan (for information only).

Case Officer: Julia Asghar

Direct Tel. No. 020 7641 2518

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 Notwithstanding the materials specified by the application, you must apply to us for approval of a detailed written and photographic schedule 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 make arrangements for samples of these to be viewed on-site by us. 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 Strand 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 further information (as set out below) of the following parts of the development: , a) New windows, dormers, rooflights and doors (drawn elevations, plans and sections at 1:5);, b) New shopfront including associated metalwork (drawn elevations, plans and sections at 1:10);, c) Overall profiles through front and rear facades (drawn elevations, plans and sections at 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 approved details. (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 Strand 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 showing the following alteration(s) to the scheme: , a) Front elevation brickwork to be plain but finely jointed Flemish or English bonding (amended drawn elevations at 1:25)., b) Refinements to the main front elevation parapet to provide more relief and interest (amended drawn elevations and sections at 1:20)., , You must not start on these parts of the work until we have approved what you have sent us. You must then carry out the work according to the approved drawings. (C26UB),

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 Strand 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 attach flues, ducts, soil stacks, soil vent pipes, or any other pipework other than rainwater pipes to the outside of the building facing the street unless they are shown on drawings we have approved. (C26MA)

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 Strand 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 not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the roof terrace. (C26NA)

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 Strand 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 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 Strand 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)

- 9 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no painting of the front facade permitted by Class C of Part 2 of Schedule 2 of the Order shall be carried out on the application site without the prior written permission of the Local Planning Authority on an application made for that purpose.

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 Strand 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)

- 10 The glass that you put in the windows in the western elevation of the building on the boundary with 150 Strand must not be clear glass, and you must fix them permanently shut. You must apply to us for

approval of a sample of the glass (at least 300mm square). You must not start work on the relevant part of the development until we have approved the sample. You must then fit the type of glass we have approved and must not change it without our permission. (C21DB)

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

- 11 You must not allow more than 55 customers into the bar area at any one time. The bar area is the part of the property shown on drawing number 201/P4. (C05IA)

Reason:

We cannot grant planning permission for unrestricted use in this case because it would not meet TACE 9 of our Unitary Development Plan that we adopted in January 2007. (R05AB)

- 12 You must carry out the measures included in your management plan dated April 2017 at all times that the bar 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 9 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05GB)

- 13 Customers shall not be permitted within the bar premises before 07:00 or after 00:00 (midnight) on Sunday to Wednesday and before 08:00 or after 02:00 the following day Thursday to Saturday. (C12BD)

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 TACE 9 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 14 (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:

To protect the environment of people in neighbouring properties as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R14AC)

- 15 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.

- 16 You must apply to us for approval of details of a supplementary acoustic report demonstrating that the plant will comply with the Council's noise criteria as set out in Condition 14 of this permission. You must not start work on this part of the development until we have approved what you have sent us.

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.

- 17 (1) Where noise emitted from the proposed internal activity in the development will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the internal activity within the use 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 permitted hours of use. The activity-specific noise level should be expressed as LAeqTm,, and shall be representative of the activity operating at its noisiest., (2) Where noise emitted from the proposed internal activity in the development will contain tones or will be intermittent, the 'A' weighted sound pressure level from the internal activity within the **** use 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 permitted hours of use. The activity-specific noise level should be expressed as LAeqTm, and shall be representative of the activity operating at its noisiest., (3) Following completion of the development, 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 including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include: (a) The location of most affected noise sensitive receptor location and the most affected window of it; (b) Distances between the application premises and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location; (c) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (a) above (or a suitable representative position), at times when background noise is at its lowest during the permitted hours of use. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures; (d) The lowest existing LA90, 15 mins measurement recorded under (c) above; (e) Measurement evidence and any calculations demonstrating that the activity complies with the planning condition; (f) The proposed maximum noise level to be emitted by the activity.

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 (UDP), 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.

- 18 The design and structure of the development shall be of such a standard that it will protect hotel guests within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

Reason:

As set out in ENV6 (4) of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at sections 9.84 to 9.87, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for hotel guests of the development from the intrusion of external noise.

- 19 Prior to the commencement of any demolition or construction on site the applicant shall submit an approval of details application to the City Council as local planning authority comprising evidence that any implementation of the scheme hereby approved, by the applicant or any other party, will be bound by the council's Code of Construction Practice. Such evidence must take the form of a completed Appendix A of the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Inspectorate, which constitutes an agreement to comply with the code and requirements contained therein. Commencement of any demolition or construction cannot take place until the City Council as local planning authority has issued its approval of such an application (C11CB)

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)

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 You may need to get separate permission under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 if you want to put up an advertisement at the property. (I03AA)
- 3 Please contact our Environmental Health Service (020 7641 2000) to make sure you meet their requirements under the Control of Pollution Act 1974 and the Environmental Protection Act 1990. (I07AA)
- 4 You will have to apply separately for a licence for any structure that overhangs the road or pavement. For more advice, please phone our Highways section on 020 7641 2642. (I10AA)
- 5 You need to speak to our Highways section about any work which will affect public roads. This includes new pavement crossovers, removal of redundant crossovers, changes in threshold levels, changes to on-street parking arrangements, and work which will affect pavement vaults. You will have to pay all administration, design, supervision and other costs of the work. We will carry out any work which affects the highway. When considering the desired timing of highway

works in relation to your own development programme please bear in mind that, under the Traffic Management Act 2004, all works on the highway require a permit, and (depending on the length of the highway works) up to three months advance notice may need to be given. For more advice, please phone 020 7641 2642. However, please note that if any part of your proposals would require the removal or relocation of an on-street parking bay, this is unlikely to be approved by the City Council (as highway authority). (I09AC)

- 6 We recommend you speak to the Head of the District Surveyors' Services about the stability and condition of the walls to be preserved. He may ask you to carry out other works to secure the walls. Please phone 020 7641 7240 or 020 7641 7230. (I22AA)
- 7 You will need to re-apply for planning permission if another authority or council department asks you to make changes that will affect the outside appearance of the building or the purpose it is used for. (I23AA)
- 8 Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please phone our Highways Licensing Team on 020 7641 2560. (I35AA)
- 9 When carrying out building work you must do all you can to reduce noise emission and take suitable steps to prevent nuisance from dust and smoke. Please speak to our Environmental Health Service to make sure that you meet all requirements before you draw up the contracts for demolition and building work., , Your main contractor should also speak to our Environmental Health Service before starting work. They can do this formally by applying to the following address for consent to work on construction sites under Section 61 of the Control of Pollution Act 1974., , 24 Hour Noise Team, Environmental Health Service, Westminster City Hall, 64 Victoria Street, London, SW1E 6QP, , Phone: 020 7641 2000, , Our Environmental Health Service may change the hours of working we have set out in this permission if your work is particularly noisy. Deliveries to and from the site should not take place outside the permitted hours unless you have our written approval. (I50AA)
- 10 Your proposals include demolition works. If the estimated cost of the whole project exceeds £300,000 (excluding VAT), the Site Waste Management Plan (SWMP) Regulations 2008 require you to prepare an SWMP before works begin, to keep the Plan at the site for inspection, and to retain the Plan for two years afterwards. One of the duties set out in the Regulations is that the developer or principal contractor "must ensure, so far as is reasonably practicable, that waste produced during construction is re-used, recycled or recovered" (para 4 of the Schedule to the Regulations). Failure to comply with this duty is an offence. Even if the estimated cost of the project is less than £300,000, the City Council strongly encourages you to re-use, recycle or recover as much as possible of the construction waste, to minimise the environmental damage caused by the works. The Regulations can be viewed at www.opsi.gov.uk.

- 11 For the avoidance of doubt the Construction Management Plan required under condition 19 shall be limited to the items listed. Other matters such as noise, vibration, dust and construction methodology will be controlled under separate consents including the Control of Pollution Act 1974 and the Building Regulations. You will need to secure all necessary approvals under these separate regimes before commencing relevant works.
- 12 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.
- 13 The construction manager should keep residents and others informed about unavoidable disturbance such as noise, dust and extended working hours, and disruption of traffic. Site neighbours should be given clear information well in advance, preferably in writing, perhaps by issuing regular bulletins about site progress.
- 14 With reference to condition 19 please refer to the Council's Code of Construction Practice at (<https://www.westminster.gov.uk/code-construction-practice>). You will be required to enter into the relevant Code appropriate to this scale of development and to pay the relevant fees prior to starting work. The Code does require the submission of a full Site Environmental Management Plan or Construction Management Plan as appropriate 40 days prior to commencement of works (including demolition). These documents must be sent to environmentalsciences2@westminster.gov.uk. , , Appendix A or B must be signed and countersigned by Environmental Sciences prior to the submission of the approval of details of the above condition. , , You are urged to give this your early attention
- 15 We recommend all hoteliers to join the Westminster Considerate Hoteliers scheme and to support the Considerate Hoteliers Environmental Charter. This aims to promote good environmental practice in developing and managing hotels. For more information, please contact: , , John Firrell MHCIMA, Secretary - Considerate Hoteliers Association, C/o Wheelwright's Cottage, Litton Cheney, Dorset DT2 9AR , , E-mail: info@consideratehoteliers.com, Phone: 01308 482313, , (176AA)
- 16 The windows in the western elevation to the rear, on the boundary with 150 Strand, are considered to be 'bad neighbour windows'. Should the neighbouring property seek to carry out a similar development in the future these windows cannot be protected.

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.