

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 24 April 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved St James's	
Subject of Report	Basement, 35 The Piazza, Covent Garden, London, WC2E 8BE		
Proposal	Alterations to ground floor entrances to the Piazza and Tavistock Court; lowering of existing basement floor level and associated internal and external alterations, including internal strip out, removal and repositioning of internal staircases and installation of a new platform lift.		
Agent	Gerald Eve LLP		
On behalf of	Capital & Counties CG Limited (as general partners of Capital & Counties CGP) and Capital & Counties CG Nominee Limited		
Registered Number	18/01142/FULL and 18/01143/LBC	Date amended/ completed	6 April 2018
Date Application Received	9 February 2018		
Historic Building Grade	Grade II		
Conservation Area	Covent Garden		

1. RECOMMENDATION

1. Grant conditional permission and conditional listed building consent.
2. Agree the reasons for granting conditional listed building consent as set out in Informative 1 of the draft decision letter.

2. SUMMARY

Unit 35, The Piazza is located within the basement of Jubilee Hall, which is a grade II listed building located within the Covent Garden Conservation Area. The unit is in use as a restaurant/ late night drinking/ dancing/ live music venue (sui generis) known as 'The Roadhouse'.

Permission and listed building consent are sought for alterations to ground floor entrances to The Piazza and Tavistock Court; lowering of existing basement floor level and associated internal and external alterations, including internal strip out, removal and repositioning of internal staircases and installation of a new platform lift.

The key issues in this case are:

- the impact of the proposals on the significance of designated heritage assets including the impact on the listed building, archaeological assets and the Covent Garden Conservation Area; and
- the impact of the proposals on the amenity enjoyed by neighbouring residential occupiers and on the operations of neighbouring businesses.

The applicant sets out they are seeking to refurbish the existing basement unit and ground floor entrances in order to improve the unit, and mainly to provide universal access through the levelling of the floor and the installation of a platform lift.

More than 100 objections have been received, primarily relating to harm to the listed building; harm to archaeological heritage assets of national importance; and harm to nearby residents, Market Hall traders and businesses arising from noise, disturbance, vibration, traffic and pollution from building works. Objections are also raised on grounds that the proposals are unnecessary and are clearly an attempt to remove the existing tenant (The Roadhouse).

A number of letters are in support of the scheme, primarily which consider that the proposals would improve Covent Garden and state that the existing tenant has caused problems in terms of waste, noise and anti-social behaviour by patrons.

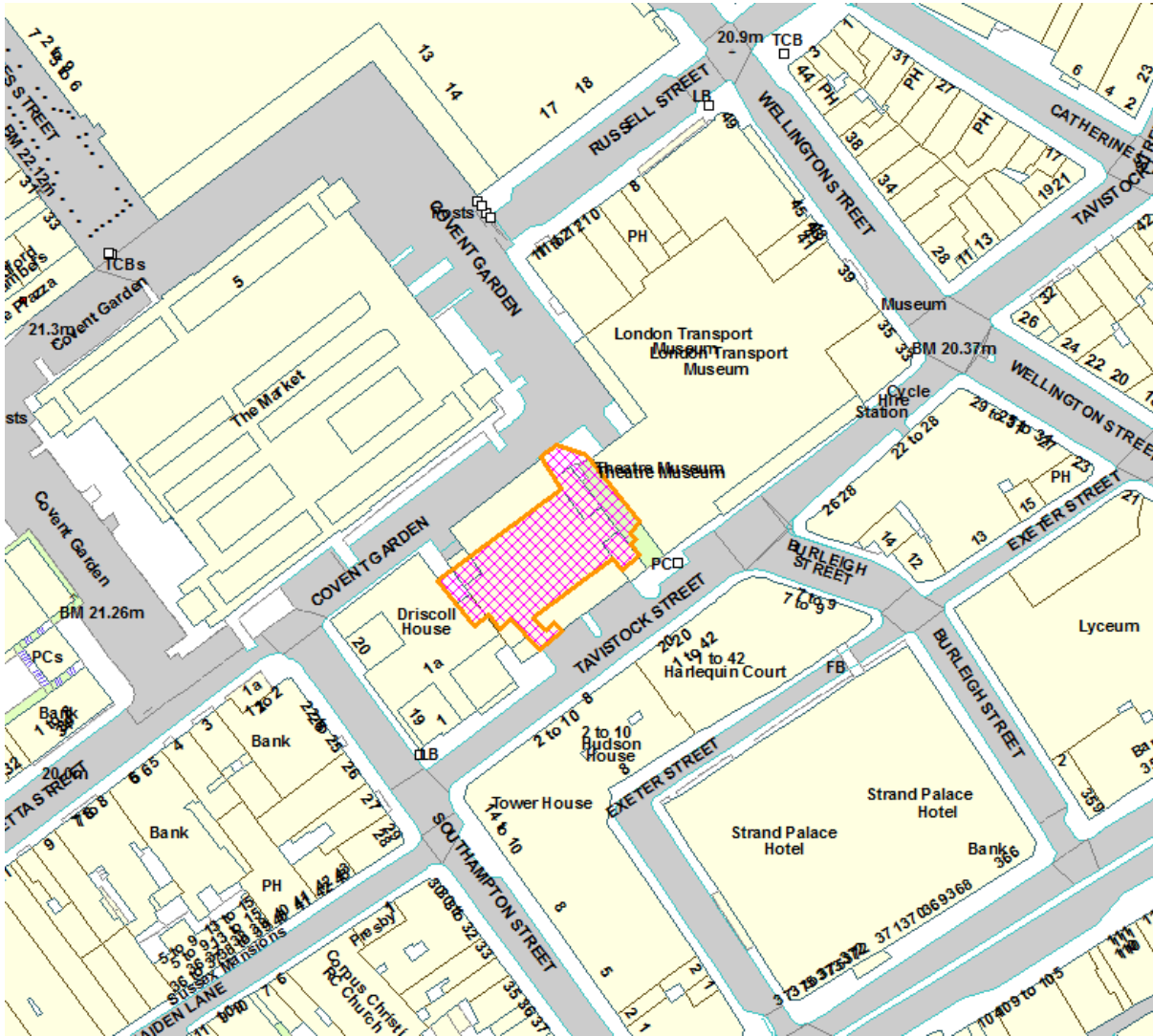
The lawful use of the unit is as a restaurant/ late night drinking/ dancing/ live music venue. The proposals do not seek permission for a change of use and any change of use would itself require planning permission.

In design terms, the works do not harm the character of the building or conservation area. The works would involve the loss of some historic fabric. This loss is modest however and officers agree with the applicant that the works would constitute 'less than substantial harm'. Accordingly, modest public benefits are required that are proportionate to offset the modest harm caused. The applicant notes the benefits of the scheme principally relate to providing level access from Tavistock Court; a level floor within the unit to improve accessibility internally; and an increased floor to ceiling height. In summary, officers agree with the applicant's assessment that the alterations would improve the unit and these improvements constitute public benefits. These benefits are considered proportionate to the 'less than substantial harm' identified, and therefore the proposal is considered acceptable in design and listed building terms, subject to the conditions set out in the draft decision letters.

Historic England's Greater London Archaeological Advisory Service (GLAAS) have reviewed the applicant's archaeological assessment of this site and consider that the work could impact on archaeological remains which may survive here. GLAAS advise that appropriate conditions be attached to secure a staged programme of archaeological work to fully assess and investigate the remains present on site. The results will be used to inform an appropriate mitigation strategy and ensure any archaeological assets are protected.

For the reasons set out in this report, the proposed development is considered to accord with relevant policies within the Unitary Development Plan adopted in January 2007 (the UDP) and Westminster's City Plan adopted in November 2016 (the City Plan). As such, it is recommended that planning permission and listed building consent are granted, subject to the conditions set out in the draft decision letters.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Main Entrance on The Piazza

**Secondary Entrance on Tavistock Court
(right)**



Main Bar within unit (below)



5. CONSULTATIONS

COUNCILLOR ADAM HUG:

Objection: the applicant seeks planning permission in order to evict the current tenant of unit (The Roadhouse), and does not intend to implement the proposals. Rather, the applicant intends to amalgamate the application unit with an adjacent basement to form a large restaurant. This would result in the loss of the existing tenant (The Roadhouse) and this live music venue use, which is important to the West End. Concerns are also raised regarding the level access arrangements that would see the lift for wheelchair users at a secondary entrance, and regarding the alterations to the fire escapes that could reduce the allowable capacity of the unit harming its viability as a live music venue.

MARK FIELD MP:

The concerns of the current tenant (The Roadhouse) and Jubilee Market Hall Ltd should be given full consideration. Enclosed were letters from the tenant, Jubilee Market Hall Ltd and Night Czar Amy Lane. The concerns primarily relate to the intent of the applicant, which they consider to be to amalgamate the application unit with an adjacent basement to form a large restaurant, which would lead to the tenant no longer being able to trade from the premises. They also express concern that work would be too disruptive for the minimal change to the basement floor level that would result.

COVENT GARDEN COMMUNITY ASSOCIATION:

Objection: the excavation to lower the internal floor level would potentially harm the listed building, and the applicant has not provided a substantive explanation as to how the excavation would not result in harm to the listed building. The level access arrangements, that would see the lift for wheelchair users at a secondary entrance, should only be allowed if it is not possible to install the lift at the main entrance and the CGCA considers this may be possible. Concern is also raised regarding noise and disturbance from excavation and construction works which could affect neighbouring residents and businesses. Conditions should be attached to any permission to mitigate these impacts.

COVENT GARDEN AREA TRUST:

Acknowledged that the works may enhance the economic viability of the unit. Concern raised about the extent of excavation works proposed given the relatively modest benefits that would arise from it. Concern is also raised regarding the potential archaeological impact.

HISTORIC ENGLAND (ARCHAEOLOGY):

No objection, subject to conditions.

HISTORIC ENGLAND:

Authorised to determine.

BUILDING CONTROL:

No objection.

HIGHWAY PLANNING MANAGER:

No objection, subject to conditions.

CLEANSING MANAGER:

No objection, subject to conditions.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 148

Total No. of replies: 118

No. of objections: 106 (inclusive of 94 proforma objection letters)

No. in support: 8

No. neutral: 4

Objections have been received from residents, businesses and interested parties.

These include those on behalf of the tenant (Maxwells Restaurants Ltd who operate The Roadhouse). On behalf of the applicant, David Cooper's objection letter is supported by reports from a building surveyor and archaeologist and a letter from the Night Czar Amy Lane.

Several objections have been received from James Monahan, a partner in the firm of architects that undertook the restoration of Jubilee Hall in the 1980s, and these are supported by a report by the structural engineers Mark Whitby and Bryn Bird who were also involved with the 1980s works.

Other objections have been received from Jubilee Market Hall Ltd and the Jubilee Hall Trust who represent users of the building on the ground and first floors; and several objections from nearby residents, and 94 proforma objection letters from traders within Jubilee Hall.

In summary these individuals and groups object on the following grounds:

- substantial harm to the listed building as it would result in the loss of the basement's originally designed spatial configuration and would harm its original features and the excavation would cause substantial harm to archaeological heritage assets underneath the building. The benefits of the scheme would not outweigh this harm;
- the applicant intends to amalgamate the application unit with an adjacent basement to form a large restaurant, which would likely be contrary to the Council's planning policies;
- the proposals are unnecessary and clearly an attempt to remove the existing tenant;
- the works would be technically difficult if not practically impossible, and the proposals threaten the structural integrity of the site and would impact on drainage systems;
- level access arrangements that would see the lift for wheelchair users at a secondary entrance is unacceptable as it is not in conformity with the Equalities Act or Building Regulations. It could be possible to have level access to the main entrance;
- noise, disturbance, vibration, traffic and pollution from buildings works would harm nearby residents, traders and businesses;
- loss of an important live music venue;

- the proposals could increase fire risk inside the unit; and
- the existing situation is adequate in terms of servicing and waste storage, the proposals could worsen this. The lift should not be used for both servicing and access for disable customers, as this would be contrary to Building Regulations.

Support from neighbouring residents, businesses, the North Bank BID, Harlequin Court Residents Association and The Church Commissioners for England on the following grounds:

- the proposals would improve Covent Garden, and would maintain the existing use;
- the proposals would improve the space of accessibility of the unit, supporting its long term economic vitality;
- the existing operator has caused nuisances, including in terms of waste and noise and anti-social behaviour;
- confident that the construction management plan and methodology would mitigate impacts upon local businesses; and
- support subject to a reduction in excavation adjoining 20 Southampton Street to avoid potential structural harm, and that there is no noisy works at the weekend.

Neutral comment from Soho Housing Association (who has an interest in adjacent Driscoll House) stating they anticipate the City Council will consider the amenity of their residents as a priority. Other neutral comments have been received requesting more time to consider the proposals.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

35 The Piazza is a basement unit (with access at ground level) within Jubilee Hall, which is a grade II listed building located within the Covent Garden Conservation Area. The unit is a restaurant/ late night drinking/ dancing/ live music venue (sui generis) known as The Roadhouse.

The site is located within the Core Central Activities Zone, West End Stress Area and within a Tier 1 Archaeological Priority Area.

6.2 Recent Relevant History

On 25 October 2017 a Certificate of Lawful Development (Existing) was issued for 35 The Piazza for the use of the basement unit (with ground floor entrance) as a restaurant and late night drinking and dancing venue playing live music (Sui Generis). RN: 17/07659/CLEUD

7. THE PROPOSAL

Permission and listed building consent are sought for alterations to ground floor entrances to the Piazza and Tavistock Court; lowering of existing basement floor level and

associated internal and external alterations, including internal strip out, removal and repositioning of internal staircases and installation of a new platform lift.

The applicant sets out they are seeking to refurbish the existing basement unit and ground floor entrances in order to improve the unit, and mainly to provide universal access through the levelling of the floor and the installation of a platform lift.

During the course of the application, the applicant revised the proposal to omit a small area of excavation to an area to the west of the site.

No additional floorspace is proposed.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The lawful use of the unit is as a restaurant/ late night drinking/ dancing/ live music venue. This was confirmed in the lawful development certificate issued on 25 October 2017. Objections have been received on the grounds that the applicant intends to amalgamate the unit with an adjacent basement and to use this larger unit as a restaurant.

The proposals do not seek permission for a change of use or an amalgamation with an adjoining unit. Any change of use would itself require prior planning permission and no such application has been submitted.

The applicant has provided an Operational Management Strategy, which sets out how the unit would be operated. It would be operated in an improved manner in the same sui generis use. The strategy confirms the hours of use, sets out a strategy for servicing, noise, safety and other operational aspects of the unit. This will ensure an acceptable operation of the unit, and ensure the operations of the unit are managed appropriately to avoid harm to the amenity of residents, and adherence to it is to be ensured by way of a condition.

8.2 Townscape and Design

UDP Policies DES 1 (urban design / conservation principles), DES 5 (alterations and extensions), DES 9 (conservation areas) and DES 10 (listed buildings) apply to the consideration of these applications, whilst S26 and S28 of the City Plan provide the strategic planning policies relevant to design.

Sections 7 and 12 of the National Planning Policy Framework (NPPF) require great weight be placed on design quality and on the preservation of designated heritage assets. Paragraph 133 makes it clear that 'substantial harm' must only be approved in exceptional circumstances in return for substantial public benefits and subject to various tests. Paragraph 134 meanwhile requires a similar but proportionate assessment of 'less than substantial harm' against public benefits.

Objections have been received on the grounds that the alterations, in particular the alterations to lower the existing basement floor level, would harm the special interest of this listed building and that the benefits of the scheme do not outweigh this harm.

The building's historic interest principally relates to its elevations, particularly its Anglo-Baroque façade to The Piazza, and the primary structure at ground and first floor levels. The basement was designed to be utilitarian in character as a storage space and, until the 1970s, it retained its original subdivided nature which comprised compartmentalised storage and mezzanine areas. Since then, the basement has been significantly altered and the partitions removed. The corbel foundations are of a standard design found widely in buildings of the period.

The proposals seek to lower the existing floor level by removing the existing floor slab. The existing floor slab varies in height, being higher to the east and west sections. Whilst this floor slab is likely to be original, it is considered to be of little architectural or historical interest, due in part to the alterations that have occurred over time, including sections being re-cast. The basement area is not a principle space of high heritage significance, nor is this floor slab.

The lowering of the floor would uncover the original corbel foundations. The applicant proposes that the majority of these are to be retained where possible. Some are to be lost in order to ensure they do not block doorways or corridors. Due to the lowering of the floor, the works also increase the floor to ceiling height of the space. The central section would be lowered by approximately 250mm, and the higher area to the east side by approximately 750mm. The utilitarian character of the building means that this modest increase would not adversely affect its character, especially when considered against the original layout of smaller subdivided spaces.

The existing internal fit out and staircases are all modern features, likely to have been added in the 1970's, and 80's as part of the buildings use. They do not contribute to the significance of the building and as such, their loss is not considered harmful. The proposed internal works would return the building to what was its original shell (with the exception of the floor slab), then new internal fittings would be installed returning the building to a usable condition. In the context of the buildings history and development, these works are considered wholly acceptable.

Externally, the existing main entrance doors (from the Piazza) have a heavy metal frame and are of no architectural interest. The proposed replacement is a frameless glass door with fanlight above. Given the appearance of the existing doors, these proposals do not harm to building or conservation area and as such are acceptable. The removal of the balustrade and signage would improve the appearance of this small part of Covent Garden by removing clutter from the street scene. New signage would be assessed under a separate applications, although the proposed location is considered acceptable. The alterations to the fire exist on Tavistock Court are also acceptable, as the existing doors are modern fire doors. The lowering of the threshold would improve access here, affecting only modern fabric and again these works do not harm the character of the building or conservation area.

Historic Building Impact Summary and Public Benefits

The works would involve the loss of some historic fabric. This loss is modest however. The applicant considers the works would constitute 'less than substantial harm', and officers concur. Accordingly, modest public benefits are required that are proportionate to

offset the modest harm caused. The applicant notes the benefits of the scheme principally relate to the providing level access from Tavistock Court; a level floor within the unit to improve accessibility internally; and an increased floor to ceiling height. The applicant considers that these improvements in the quality of the internal space would contribute to the continued viability of the unit.

The issues of access are addressed in section 8.6 of this report. In summary, officers agree with the applicant's assessment that the alterations would improve the unit and these improvements constitute public benefits. These benefits are considered proportionate to the 'less than substantial harm' identified, and therefore the proposal is considered acceptable in design and listed building terms, subject to the conditions set out in the draft decision letters appended to this report.

8.3 Residential Amenity

Policies S29 of the City Plan and ENV13 of the UDP seek to protect residential amenity in terms of light, privacy, sense of enclosure and encourage development that enhances the residential environment of surrounding properties.

The external works are modest alterations that would not harm neighbours. Given the lowering of the floor and other internal alterations would be within the unit and would result in no additional floorspace, once complete the altered unit would have no greater amenity impact on neighbouring properties than the current situation. The impact of excavation and construction is discussed in section 8.12.

8.4 Transportation/Parking

The proposal does not involve an increase in floorspace. The Highway Planning Manager raises no objection to the proposal, and welcomes the provision cycle parking. The Highway Planning Manager also notes that the alterations could improve servicing of the unit.

An objection has been received on the grounds that the existing situation is adequate, that there is already a goods lift and that the lift proposed in the application should not be used for both servicing and access for disabled customers as this would be contrary to Building Regulations. The applicant has confirmed that the new platform lift is for customers not servicing. Officers have no objection to this arrangement.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size.

8.6 Access

Currently there is no level access for customers to enter this basement unit. The proposals would introduce level access into the unit via a level entrance on Tavistock Court and an internal platform lift. These works are a public benefit of the proposal as they would allow members of the public who are disabled to enter and enjoy this unit for the first time. The applicant has confirmed that the proposed access arrangements would be compliant with Part M of Building Regulations.

Some objectors contend the proposed arrangements for level access are not a benefit because they involve providing level access at a secondary entrance rather than at the main entrance on The Piazza. Level access would preferably be provided at the main entrance. However, the applicant has demonstrated that this is impractical in this case due to site constraint. The applicant has considered an objectors' suggested revised arrangement at the main entrance to provide level access there, but have concluded that this would not be feasible. It would not provide satisfactory access in compliance with Building Regulations, it would affect the safety of customers in the unit and it is not possible to install compliant external ramps on The Piazza.

The applicant conducted their own feasibility study, and level access on Tavistock Court has been determined as the most practicable solution. Level access here is evidently be an improvement over the existing arrangement where there is no level access to the basement at all. The Operational Management Strategy sets out how disabled customers would be directed to the Tavistock Court entrance on their arrival, and the implementation of this plan is to be secured by condition.

Currently, there are a number of floor levels internally. This is created by a combination of raised areas (plinths), and variations in the basement floor slab level which varied throughout the site. The proposed works would create a unit where the main area has a universal floor level. This is a public benefit of the proposals because it would allow disabled members of the public to move around this unit with greater ease.

Some objectors have argued that a level floor internally could be provided without lowering the floor. Whilst there are raised areas (plinths), these are formed in with a mixture of wood and concrete and are likely to be difficult to remove in themselves, particularly given the connection between these raised plinths and the floor slab is not yet fully understood. Moreover, this work would still not improve the unit in the manner which would result in the full benefits of the scheme. Therefore, officers concur with the applicant that the creation of a level floor would improve access throughout the unit, and would improve the quality of the internal space, and this constitutes a public benefit.

8.7 Other UDP/Westminster Policy Considerations

Basement Excavation

Policy CM28.1 relates to all basement excavation in the City. The proposal is considered to comply with this policy. Of relevance to this application are the parts of the policy that consider structural impacts, construction impacts, and archaeological impacts and these are discussed below:

Structural Impact:

The applicant has submitted a detailed structural methodology statement as required by the basement policy. Objections have been received on structural impact grounds and concerns raised regarding the impact on the foundations of the neighbouring buildings. In particular, a foundation slab of Driscoll House and 20 Southampton Street could exist under a small section in the west of the application site, which could harm the structural integrity of these buildings if were removed. In response to these concerns, the applicant

has revised the scheme to omit this area of excavation in order to avoid this potential issue. Other potential structural issues have been raised, and the applicant has reviewed these and concluded that this relatively straightforward proposal would not represent a significant structural issue. Moreover, the City Council's Building Control team have confirmed that the applicant's structural method statement is satisfactory and have raised no concerns. In these circumstances, there are no grounds to withhold permission on the basis of the structural impacts on neighbouring properties.

It should be noted that the purpose of the structural methodology report at the planning application stage is to demonstrate that a subterranean development can be constructed on the particular site having regard to the existing structural conditions and geology. It does not prescribe the engineering techniques that must be used during construction which may need to be altered once the site investigation/ excavation has occurred. The structural integrity of the development during the construction is not controlled through the planning system but through Building Regulations and the Party Wall Act. Therefore, we are not approving this report or conditioning that the works shall necessarily be carried out in accordance with the report. Its purpose is to show, with professional duty of care, that there is no reasonable impediment foreseeable at this stage to the scheme satisfying the Building Regulations in due course. This report will be attached for information purposes to the draft decision letter.

Construction Impact:

The applicant has also submitted the required draft signed proforma Appendix A which demonstrates that the applicant will comply with the relevant parts of the council's Code of Construction Practice. Objections have been received on the grounds that the works would cause undue disturbance to neighbouring residents and businesses. The purpose of the council's Code of Construction Practice is to minimise the impact of any development upon the amenity of neighbouring properties, and a condition is recommended to ensure evidence of compliance is provided. In addition, conditions are recommended to control the hours of noisy building works to further minimise the impact. As such, officers are satisfied that the modest level of excavation work proposed would not unduly impact on the traders and residents.

Archaeological Impact:

The site is within a Tier 1 Archaeological Priority Area (Lundenwic and the Strand) which is known to contain archaeological heritage assets of national importance. Objections have been received on the grounds that this is an important archaeological site and the proposals would cause sustainable harm to these assets.

Historic England's Greater London Archaeological Advisory Service (GLAAS) have reviewed the applicant's archaeological assessment of this site and consider that the work could impact on archaeological remains which may survive here.

GLAAS consider that further exploratory fieldwork and assessment will be required to determine the nature and significance of remains, and to refine an appropriate mitigation strategy if required. GLAAS consider a condition could provide an acceptable safeguard. A condition is therefore recommended to require a two-stage process of archaeological investigation comprising: first, evaluation to clarify the nature and extent of surviving

remains, followed, if necessary by a full investigation if heritage assets of archaeological interest are identified. The results will be used to inform an appropriate mitigation strategy and ensure any archaeological assets are protected.

Refuse /Recycling

The applicant has proposed adequate waste and recycling stores. The Cleansing Manager raises no objection, subject to condition securing the proposed waste storage and that no waste shall be left or stored on the highway.

An objector notes that there are existing waste stores on the site that are adequate and that waste is not left on the highway currently. Harlequin Court Residents Association disagrees, stating that waste is being left on the highway and have sent photos showing this to be the case. As the proposal includes waste and recycling stores, and the Cleansing Manager has confirmed these would be in accordance with the Council's requirements, the application is considered acceptable in this regard.

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 not liable for CIL.

8.11 Environmental Impact Assessment

The application is of insufficient scale to require an environmental impact assessment.

8.12 Other Issues

Landlord and Tenant

Objections have been received on the grounds that the applicant seeks to remove the current tenant. This is a private contractual issue and is not a material planning consideration.

Fire Escape

Concern has been raised regarding the potential that the new staircases would not allow the same level of fire safety within the unit and could impact on its viability. Building Regulations deal with fire escape routes and this is considered separate to planning. However, Building Control have reviewed the application and have stated the means of escape from the basement would be acceptable. Further, the applicant has confirmed

within the Operational Management Strategy that the capacity of the unit would not be increased.

Implementation

Objections have been received on the grounds that the applicant does not intend to implement the proposals, and/ or intends to implement a different proposal. Planning applications can only be considered on their planning merits.

Drainage

Concern has been raised regarding impacts/ damage to existing drainage systems. The applicant has confirmed that provisions for lowering the existing drainage systems will be made where this is necessary in order to suit new floor levels.

9. BACKGROUND PAPERS

1. Application form
2. Objection from Councillor Adam Hug, Leader of the Labour Group, dated 1 March 2018
3. Email from Mark Field MP, Member for Cities of London and Westminster, dated 5 March 2018. Enclosed are letters from Brian Stein (Managing Director of Maxwell's Restaurant Ltd), Jubilee Market Hall Ltd and Amy Lame (Night Czar)
4. Response from Covent Garden Community Association, dated 23 March 2018
5. Response from Covent Garden Area Trust, dated 4 April 2018
6. Response from Historic England (Archaeology), dated 5 March 2018
7. Responses (x2) from Historic England, both dated 26 February 2018
8. Response from Building Control, dated 21 February 2018
9. Response from Highway Planning Manager, dated 6 March 2018
10. Response from Cleansing Manager, dated 28 February 2018
11. Objections (x2) from David Cooper on behalf of the tenant Maxwell's Restaurant Ltd dated 9 March 2018 and 6 April 2018. Enclosed is a letter from Amy Lame (Night Czar), and expert reports of Andrew Schofield and J J Carver.
12. Objection from Jubilee Market Hall Ltd, dated 5 March 2018
13. Objections (x2) from Jubilee Hall Trust, dated 20 and 21 March 2018
14. Objections (x3) from James Monahan, dated 19 and 23 March 2018 and 4 April 2018. Enclosed is a report by Whitby Bird.
15. Objection from Mark Whitby and Bryn Bird, dated 22 March 2018
16. Objection from occupier of Flat 28, 1 Lanercost Close, dated 8 March 2018
17. Neutral comment and support from occupier of Flat 1, 20 Southampton Street, dated 8 and 21 March 2018
18. Objection from occupier of 22 Henriette Street, dated 8 March 2018
19. Neutral comment and support from occupier of Flat 4, 20 Southampton Street, dated 9 and 25 March 2018
20. Support from Chairman of Harlequin Court Residents Association, dated 9 March 2018
21. Objection from trader at Jubilee Market Hall and occupier of 23 Hamilton Road, dated 10 March 2018
22. Objection from occupier of 47 Clock Court, dated 10 March 2018
23. Neutral comment from occupier of Flat 7, 20 Southampton Street, dated 11 March 2018
24. Support from occupier of Flat 8, Driscoll House, 19 Southampton Street dated 11 March

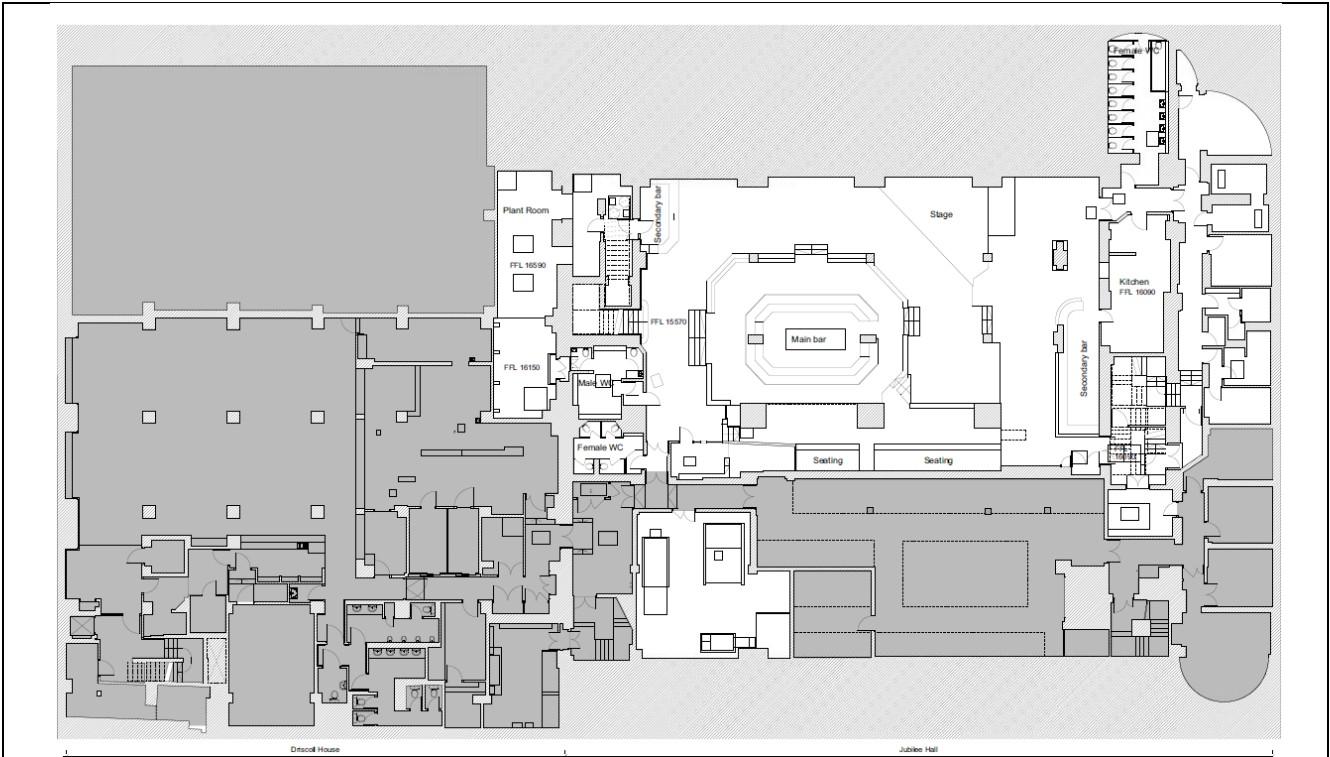
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25. Support from the North Bank BID, dated 13 March 2018
26. Support from occupier of Driscoll House, 19 Southampton Street, dated 13 March 2018
27. Neutral comment from Soho Housing Association, dated 15 March 2018
28. Objection from operator of Garden Tea and Coffee, 14 Jubilee Hall, dated 15 March 2018
29. Support from occupier of Flat 3, 20 Southampton Street, dated 21 March 2018
30. Support on behalf of Z Hotels, 45 Monmouth Street, dated 23 March 2018
31. Objection from occupier of Flat 4, 127 Long Acre, dated 25 March 2018
32. Objections (x94 proforma letters) from traders at Jubilee Market Hall, dated 5 March 2018
33. Representation from Gerald Eve on behalf of the applicant, dated 6 April 2018
34. Support from The Church Commissioners for England, dated 10 April 2018

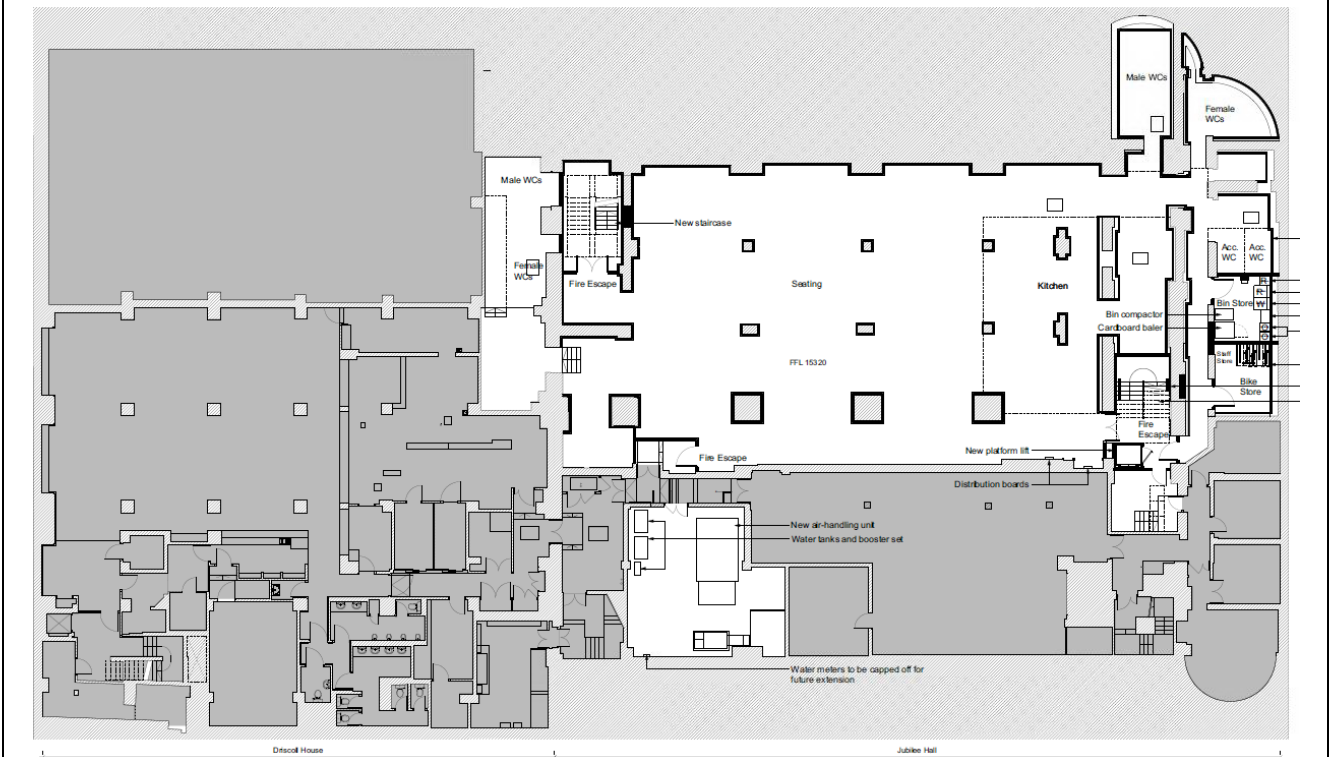
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

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

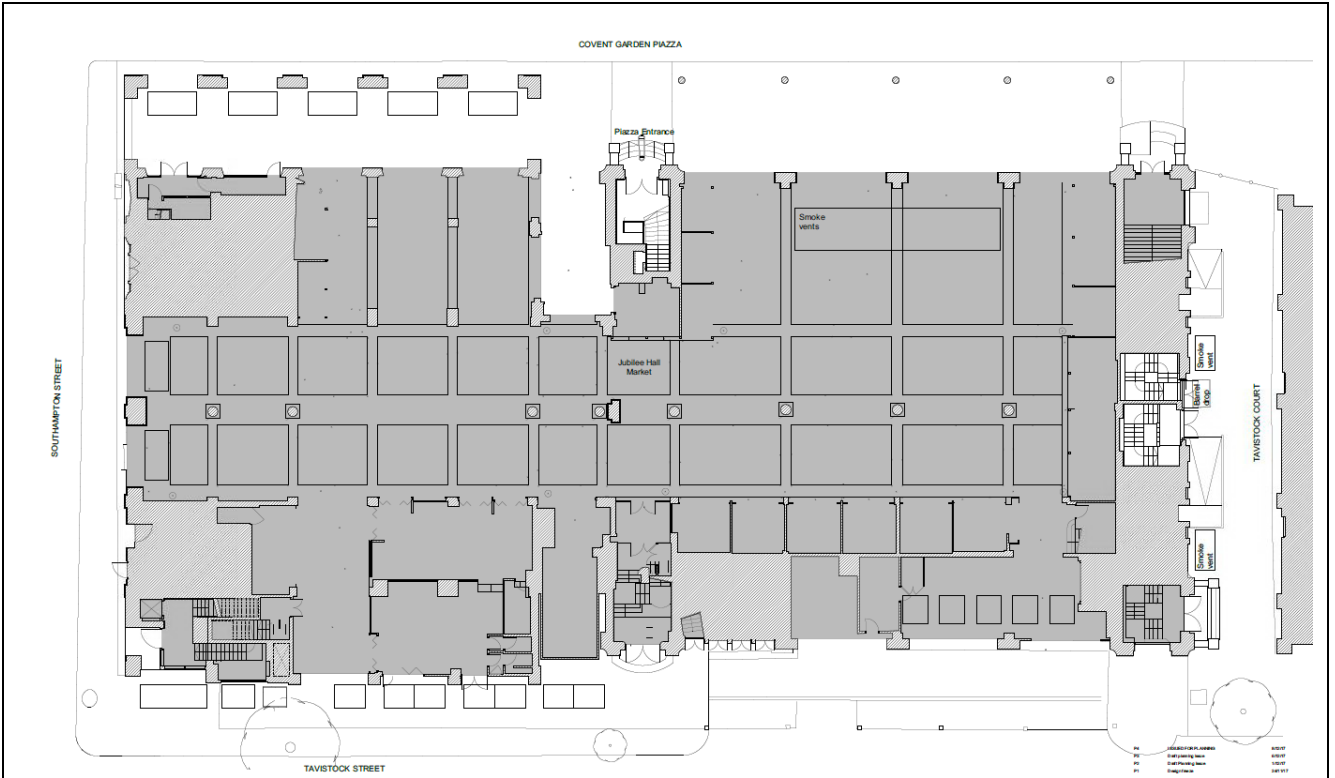
10. KEY DRAWINGS



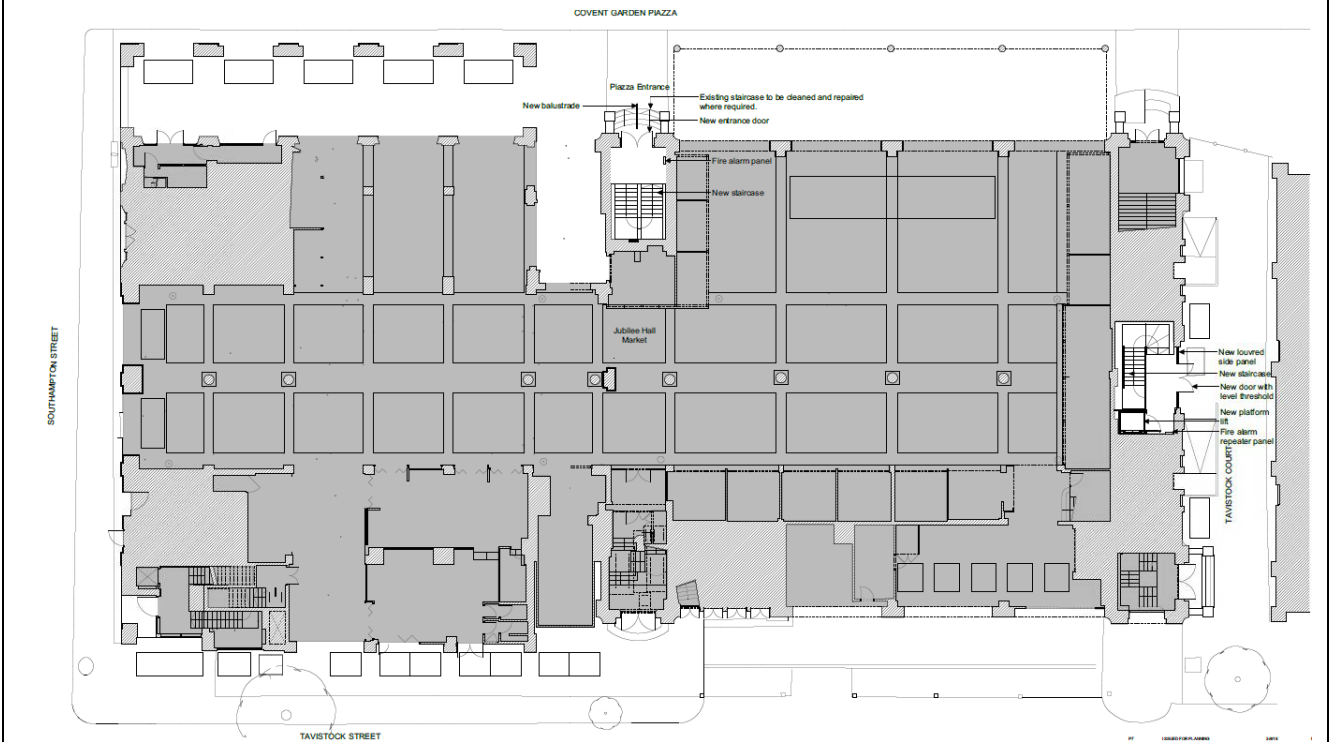
Existing Basement Plan



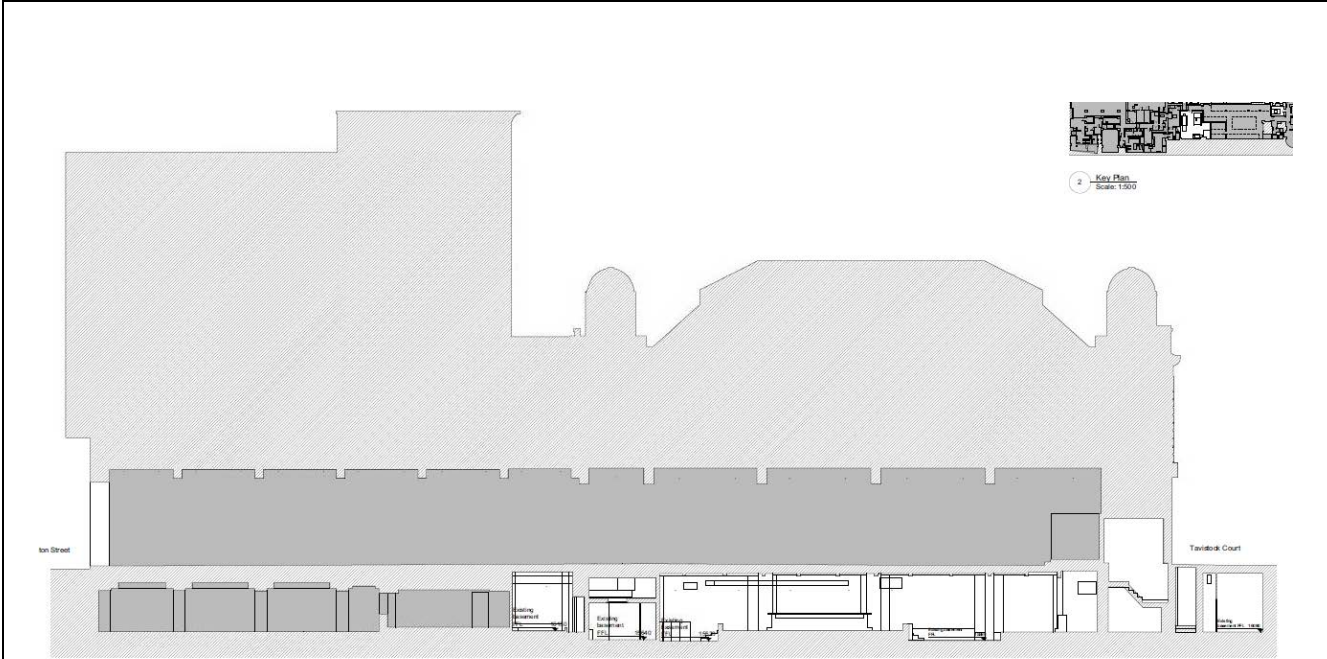
Proposed Basement Plan



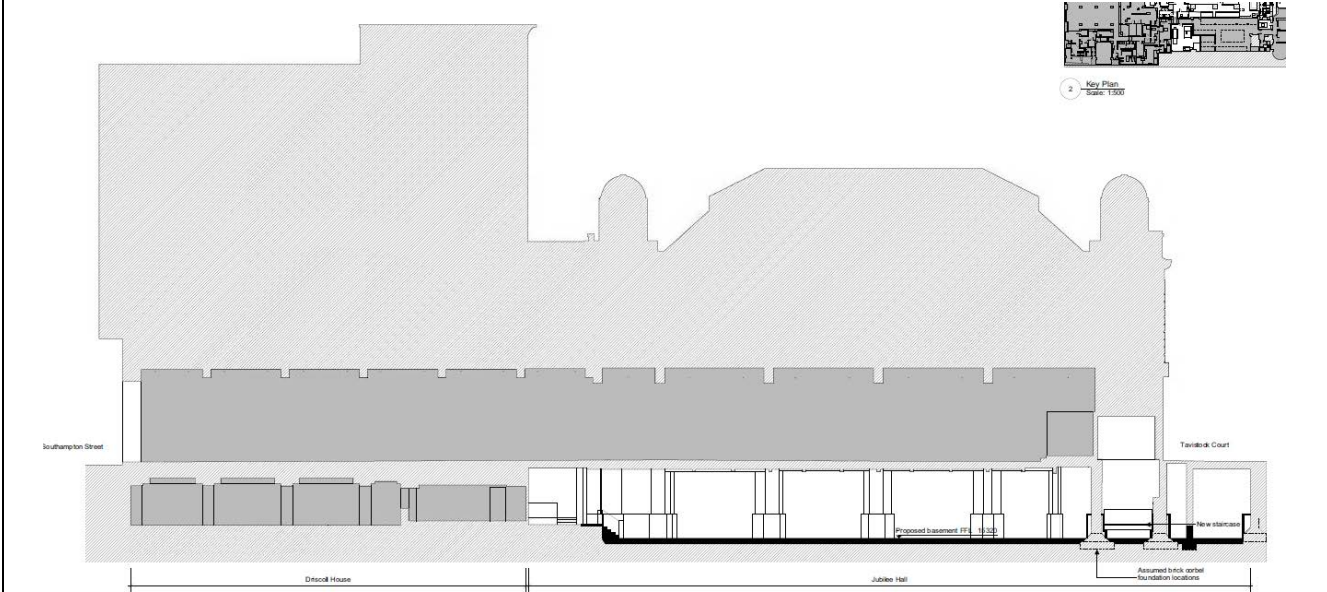
Existing Ground Floor Plan



Proposed Ground Floor Plan



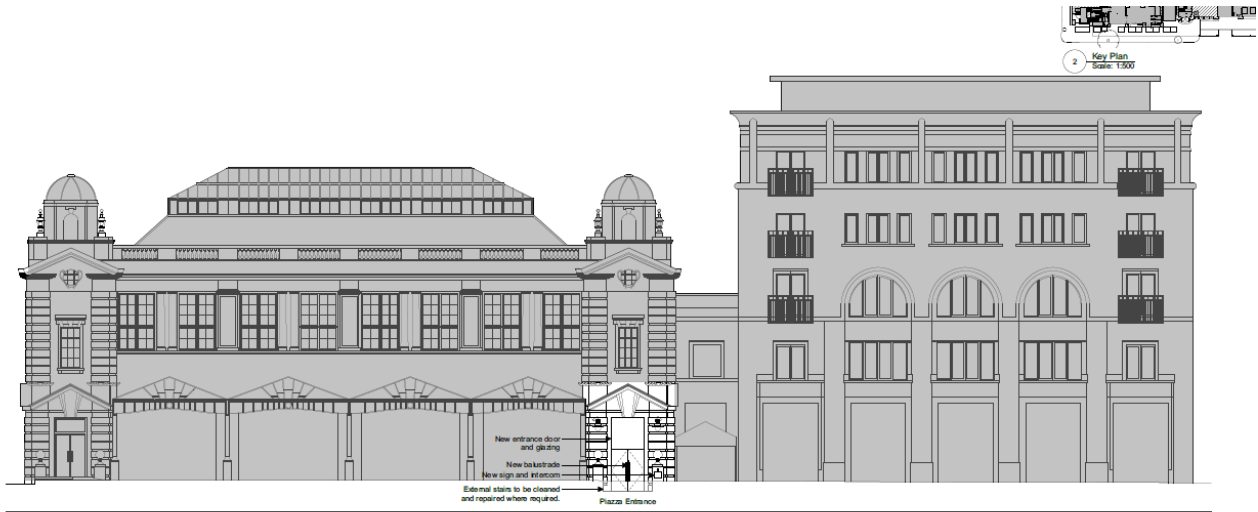
Existing Section



Proposed Section



Existing North West Elevation (The Piazza)



Proposed North West Elevation (The Piazza)



Existing North East Elevation (Tavistock Court)



Proposed North East Elevation (Tavistock Court)

DRAFT DECISION LETTER

Address: Basement, 35 The Piazza, Covent Garden, London, WC2E 8BE,

Proposal: Alterations to ground floor entrances to the Piazza and Tavistock Court; lowering of existing basement floor level and associated external alterations.

Reference: 18/01142/FULL

Plan Nos: Site Location Plan; (00) 017 rev P4; (00) 018 rev P4; (00) 100 rev P5; (00) 103 rev P5; (00) 207 rev P4; (00) 211 rev P4; (01) 017 rev P6; (01) 018 rev P4; (01) 100 rev P5; (01) 103 rev P5; (01) 207 rev P5; (01) 211 rev P5; (02) 017 rev P8; (02) 018 rev P7; (02) 100 rev P7; (02) 103 rev P7; (02) 207 rev P8; (02) 211 rev P8; Design and Access Statement and Addendum (PDP LDN); Historic Building Report (Donald Inshall Associates); Operational Management Strategy (capco); Historic Environment Assessment (MOLA); Cover Letter and Consultation Response Letter (Gerald Eve).

For Info Only:

Environmental, Geological and Hydrogeological Review (Trident); Structural Methodology Statement (Hurst Peirce and Malcolm LLP); Construction Management Plan (Trident).

Case Officer: Joshua Howitt

Direct Tel. No. 020 7641 2069

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 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)

- 4 You must submit detailed drawings at a scale of 1:10 and sections at 1:5 of the following external parts of the building:
- i) doors; and
 - ii) louvres.

You must not start works on these parts of the building until we have approved in writing what you have sent us. You must then carry out the works accordance to the approved details.

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Covent Garden Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 5 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 protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Covent Garden Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

6 **Pre Commencement Condition.**

(a) You must apply to us for approval of a written scheme of investigation for a programme of archaeological work. This must include details of the suitably qualified person or organisation that will carry out the archaeological work. You must not start work until we have approved what you have sent us.

(b) You must then carry out the archaeological work and development according to this approved scheme. You must produce a written report of the investigation and findings, showing that you have carried out the archaeological work and development according to the approved scheme. You must send copies of the written report of the investigation and findings to us, to Historic England, and to the Greater London Sites and Monuments Record, 1 Waterhouse Square, 138-142 Holborn, London EC1N 2ST.

(c) You must not use any part of the new building until we have confirmed that you have carried out the archaeological fieldwork and development according to this approved scheme. (C32BC)

Reason:

To protect the archaeological heritage of the City of Westminster as set out in S25 of Westminster's City Plan (November 2016) and DES 11 of our Unitary Development Plan that we adopted in January 2007. (R32BC)

- 7 Before anyone moves into the property, you must provide the separate stores for waste and materials for recycling shown on drawing number (02)017 rev P8. You must clearly mark them and make them available at all times to everyone using the unit. (C14FB)

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)

- 8 You must provide each cycle parking space shown on the approved drawings prior to occupation. Thereafter the cycle spaces must be retained and the space used for no other purpose without the prior written consent of the local planning authority.

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.

- 9 The operations of the unit shall be carried out in accordance with the Operational Management Strategy received April 2018.

Reason:

To make sure that the development does not affect people using the neighbouring properties next door as set out in 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. (R02GC)

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 With reference to condition 3 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

- 3 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.
- 4 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.
- 5 You advised that in relation to condition 6, the written schemes of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

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.

DRAFT DECISION LETTER

Address: Basement, 35 The Piazza, Covent Garden, London, WC2E 8BE,

Proposal: Alterations to ground floor entrances to the Piazza and Tavistock Court; lowering of existing basement floor level and associated internal and external alterations, including internal strip out, removal and repositioning of internal stair cases and installation of a new platform lift. (MINOR AMENDMENT RECEIVED)

Reference: 18/01143/LBC

Plan Nos: Site Location Plan; (00) 017 rev P4; (00) 018 rev P4; (00) 100 rev P5; (00) 103 rev P5; (00) 207 rev P4; (00) 211 rev P4; (01) 017 rev P6; (01) 018 rev P4; (01) 100 rev P5; (01) 103 rev P5; (01) 207 rev P5; (01) 211 rev P5; (02) 017 rev P8; (02) 018 rev P7; (02) 100 rev P7; (02) 103 rev P7; (02) 207 rev P8; (02) 211 rev P8; Design and Access Statement and Addendum (PDP LDN); Historic Building Report (Donald Inshall Associates); Historic Environment Assessment (MOLA); Cover Letter and Consultation Response Letter (Gerald Eve).

Case Officer: Joshua Howitt

Direct Tel. No. 020 7641 2069

Recommended Condition(s) and Reason(s)

- 1 The works 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 All new work and improvements inside and outside the building must match existing original adjacent work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the approved drawings or are required in conditions to this permission. (C27AA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Covent Garden Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 3 You must not disturb existing ornamental features including chimney pieces, plasterwork, architraves, panelling, doors and staircase balustrades. You must leave them in their present position unless changes are shown on the approved drawings or are required by conditions to this permission. You must protect those features properly during work on site. (C27KA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Covent Garden Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 4 You must submit detailed drawings at a scale of 1:10 and sections at 1:5 of the following parts of the building:
- i) door;
 - ii) louvres; and
 - iii) typical retained corbel details.

You must not start works on these parts of the building until we have approved what you have sent us. You must then carry out the works accordance to the approved details.

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Covent Garden Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

Informative(s):

- 1 SUMMARY OF REASONS FOR GRANTING CONDITIONAL LISTED BUILDING CONSENT - In reaching the decision to grant listed building consent with conditions, the City Council has had regard to the relevant policies in the National Planning Policy Framework March 2012, the London Plan March 2016, Westminster's City Plan (November 2016), and the City of Westminster Unitary Development Plan adopted January 2007, as well as relevant supplementary planning guidance, representations received and all other material considerations., , The City Council decided that the proposed works would not harm the special architectural and historic interest of this listed building., , In reaching this decision the following were of particular relevance:., S25 and S28 of Westminster's City Plan and DES 10 including

paras 10.130 to 10.146 of the Unitary Development Plan, and paragraph 2.3 - 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

- 2 You will need to contact us again if you want to carry out work on the listed building which is not referred to in your plans. This includes:
- * any extra work which is necessary after further assessments of the building's condition;
 - * stripping out or structural investigations; and
 - * any work needed to meet the building regulations or other forms of statutory control.

Please quote any 'TP' and 'RN' reference numbers shown on this consent when you send us further documents.

It is a criminal offence to carry out work on a listed building without our consent. Please remind your client, consultants, contractors and subcontractors of the terms and conditions of this consent. (I59AA)

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.