

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 5 th June 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved St James's	
Subject of Report	Units 4 and 5, Trocadero, 13 Coventry Street, London, W1D 7AB,		
Proposal	Use of part ground floor and part basement for mixed retail and restaurant use (Sui Generis), installation of a new shop front, roof level plant and full height extract duct.		
Agent	Savills		
On behalf of	Hai Di Lao		
Registered Number	18/02708/FULL 18/02709/LBC	Date amended/ completed	4 April 2018
Date Application Received	4 April 2018		
Historic Building Grade	Grade II		
Conservation Area	Soho		

1. RECOMMENDATION

1. Grant conditional permission, subject to no new substantive issues being raised following the expiry of the consultation period on 8th June 2018.
2. Grant conditional listed building consent.
3. Agree the reasons for granting listed building consent as set out within Informative 1 of the draft decision letter.

2. SUMMARY

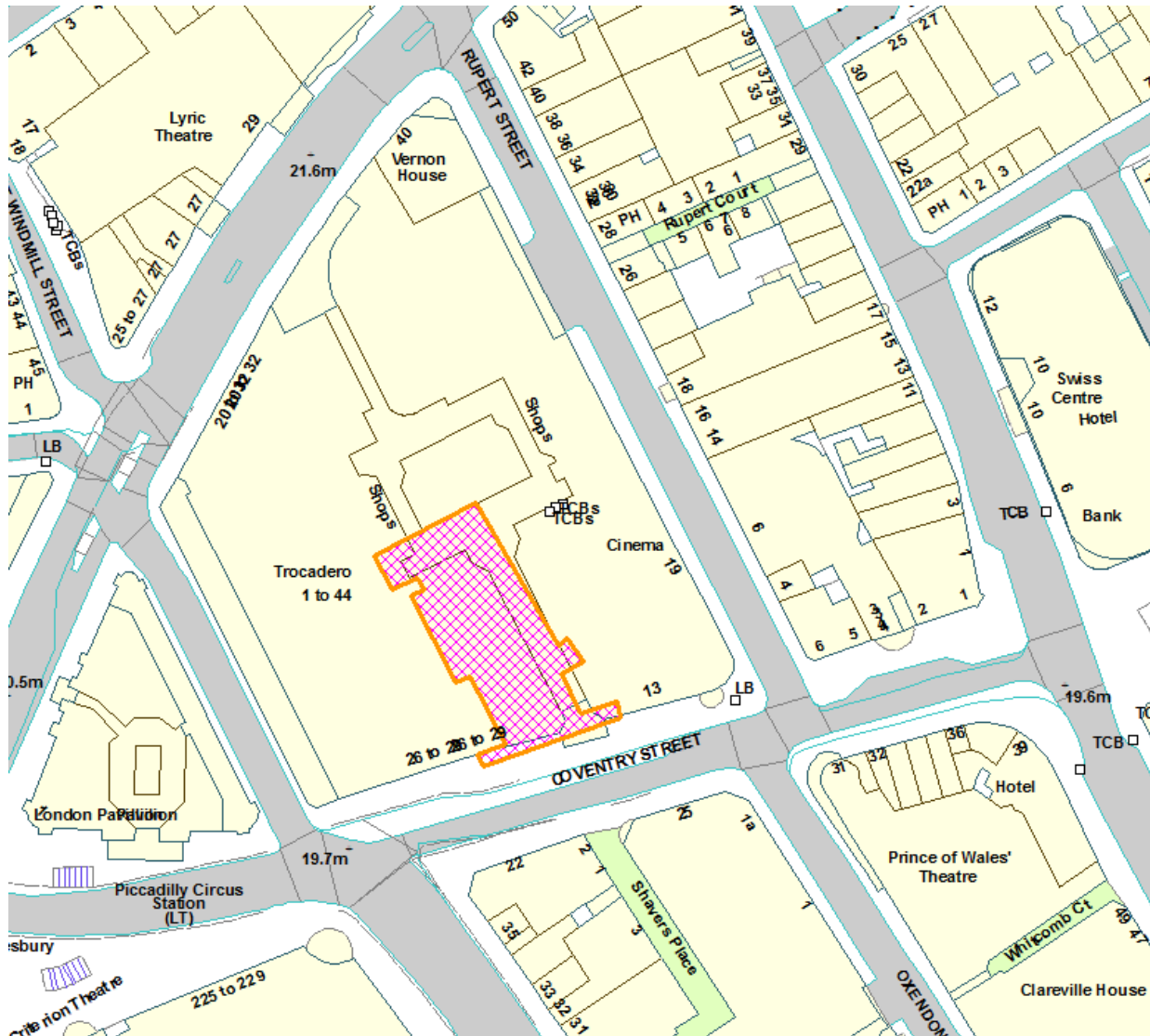
The application relates to part of the ground and basement floors at the Trocadero. The ground floor, which fronts onto Coventry Street is currently in use as a souvenir shop (Class A1). The basement floor is currently vacant but was last in use as 'Pasaje del Terror', a horror themed amusement use that closed in 2011. Planning permission is sought for the use of these floors for restaurant and retail purposes (a sui generis use) with a new shop front and roof level plant.

The key issues for consideration are:

- The impact of the proposals upon the character and function of the area;
- The impact of the proposals upon residential amenity; and
- The acceptability of the proposed works in design and heritage terms

The proposed works comprising the new shopfront and roof level plant are acceptable in design terms and are not considered harmful to the listed building. The proposed use would retain a retail element at ground floor in accordance with the retail policies and the basement restaurant would be in keeping with the character and function of the area. Consequently the application is recommended for approval.

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



UNITS 4 & 5

5. CONSULTATIONS

SOHO SOCIETY

No response to date

METROPOLITAN POLICE

No response to date

HIGHWAYS PLANNING

No objection

CLEANSING

No objection

ENVIRONMENTAL HEALTH

No objection

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 101

No. of objections: 0

No. in support: 2

Two letters of support/comment have been received on the following grounds:

* the proposal represents a considerable improvement on the current occupiers,

* to ensure there is no scope for noise implications, no loudspeakers should be located near doors or windows.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The Trocadero comprises a large street block made up of a number of buildings bounded by Shaftesbury Avenue, Rupert Street, Coventry Street and Great Windmill Street. Three of the buildings within the Trocadero - including the application site - are Grade II listed (Nos. 18-20 Coventry Street, Nos. 7-14 Coventry Street and Nos. 20-24 Shaftesbury Avenue).

The site is located within the Core CAZ, the West End Stress Area, the West End Special Retail Policy Area (WESRPA), the West End Strategic Cultural Area and the Soho Conservation Area. The site is not on a designated Primary Shopping Frontage.

At ground floor level the Trocadero has recently been reconfigured, the original shopping arcade has now been infilled, and its frontage onto Coventry Street now comprises a number of individual commercial units.

The nearest residential properties are 18 flats located over the upper floors of Coventry House, 22 Coventry Street situated opposite the application site on the south side of Coventry Street.

6.2 Relevant History

The Trocadero

The Trocadero was created in the early 1980s under a Greater London Authority permission issued on 22 January 1980.

Following this, a major scheme of refurbishment works was approved by the City Council on 24 November 1989 which permitted, inter alia, alterations and extensions to allow for an expanded mixed use complex incorporating retail, restaurant, entertainment, cinema and office uses. The scheme was substantially completed by the end of 1992.

Recent Relevant History

In August 2017 permission was refused for the installation of a new shopfront and plant at 6th floor roof level in connection with use of the ground floor (unit 4) as restaurant (Class A3). The decision has not been appealed.

In February 2017 permission was granted for the use of retail units 1 and 2 at the corner of Coventry Street and Gt Windmill Street as a restaurant (Class A3). The permission has been implemented and the units are operating as Five Guys.

In November 2015 permission was granted for the use of the lower ground, ground and mezzanine levels of 7-14 Coventry Street as a museum (Class D1) with ancillary retail and cafe floor space at ground floor level, installation of replacement shopfront to Coventry Street elevation and alterations to entrances on Rupert Street elevation, and associated external alterations. This permission has not been implemented.

Planning permission and listed building consent were granted on 8 November 2012 for the erection of a two storey roof extension and use of part basement, subbasement, part ground to ninth floor levels as a hotel (Class C1) comprising of 527 bedrooms and 56 aparthotel rooms with a rooftop bar and associated terraces at eighth and ninth floor levels; use of part ground, first and first floor mezzanine levels (Rupert Street frontage) as eight flats (Class C3); use of part ground and first floor levels as a retail unit (Class A1); reconfiguration of the loading bay on Rupert Street and alterations to the shopfronts on Shaftesbury Avenue. The enabling works for this development are currently taking place and it is expected that the hotel will be open in 2018. (A more recent application for hotel use (740 bedrooms) is subject to a resolution to grant but the decision has not yet been issued).

In June 2012 permission was granted for the use of first floor (mezzanine) as a restaurant (Class A3) with retail (Class A1) accommodation at ground floor level at 7-14 Coventry Street (corner with Rupert Street). Associated external alterations including the installation of plant at roof level. This application has been implemented. Consent was granted in November 2016 to vary this permission for a temporary period of two years to enable the ancillary retail accommodation to be relocated to first floor level.

In March 2011 permission was refused for the use of Units 5, 6 and 7 at ground floor level as a restaurant (Class A3) and installation of a duct to terminate at sixth floor level. The application was refused on the grounds of loss of retail accommodation.

In December 2008 was granted to the basement level (now known as unit 5) to allow a D2 use which was operated by Pasaje del Terror as a horror-themed multi-media experience.

7. THE PROPOSAL

The site comprises a total of 988 sqm located partly at ground floor (Unit 4) and basement level (Unit 5). The applicant, Hai Di Lao is a large hot pot business with 264 restaurants and 20,000 employees worldwide and it is intended that the unit would become their European flagship site. The proposed use is considered to be a sui generis use comprising a mix of retail and restaurant functions.

The ground floor of the unit is 145 sqm of which 120 sqm would be dedicated purely to a retail function. There would be shop window displays, a number of internal retail displays, a store room and lift and stair access to basement level. Retail products that would be sold include cooking sets, tea sets, food products, clothing, aprons and 'Hai Di Lao' branded toys and accessories.

The basement comprises 843 sqm of which 590 sqm would be restaurant floorspace and 253 sqm would provide back of house functions. There would be a large open plan restaurant, with two private dining rooms, a prep-kitchen and customer WC's. The extraction equipment proposed to serve the new restaurant would be internal and would discharge at roof level. Additional plant is proposed at roof level.

The unit would be accessed at ground floor level from Coventry Street and at basement floor level from an internal mall via Piccadilly Circus underground station.

The unit would have a capacity of 280 covers, 28 of these would be within private dining rooms. It is expected that the site would employ a total of 120 people. There would be 80 staff per shift and 2 shifts per day (10.00- 16.00 and 16.00 – 01.00). The proposed opening hours are 10:00 to 01:00 daily.

Alterations to the shop front include the installation of double doors to the east side, installation of bronze panelling and framing with recessed up-lighting.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The ground floor is currently in use as a souvenir shop (Class A1), trading as 'Glorious London- Gift & Souvenirs' / 'Souvenir Superstore'. Prior to the current tourist gift shop use, a series of smaller A1 units formed the internal mall for the Trocadero. The unit has therefore been in long term use for retail (Class A1) purposes. The basement has been long term vacant since 2011 when Pasaje del Terror' (Class D2) ceased operation.

i. Retail Use

The City Council places a high priority on retaining A1 uses and City Plan Policy S7 seeks to maintain and enhance the unique status and offer of the WESRPA. It sets out that improved retail space is a priority for the area. Policy S21 of the City Plan states that

existing A1 uses will be protected throughout Westminster. Exceptions to the policies can be made if it is considered that retail use is not viable, as demonstrated by long term vacancy despite reasonable attempts to let.

Policy SS5 of the Unitary Development Plan (2007) also aims to protect retail uses within the CAZ, particularly at ground floor level. The policy does allow for some flexibility for the introduction of a non-A1 use where it would not be detrimental to the character or function of the area. The reasoned justification sets out that this is to ensure that the needs of customers and retailers are met through retention of the number of shops and overall amount of retail floorspace. It identifies that concentrations of non-A1 floorspace can harm the character and retail function of an area by breaking up its frontage.

The ground floor of the Trocadero fronting onto Coventry Street comprises seven units comprising four retail units (Class A1), one vacant hot food takeaway (Class A5), one restaurant (Class A3) and one sandwich bar/café (Sui Generis). The applicant proposes to offer a wide range of retail products at ground floor level including a wide range of food, Hai Di Lao branded gifts, souvenirs and clothing, such that the ground floor element would have a distinctive retail function in itself. As such, the proposed retail element is considered to be more than just an ancillary element to the restaurant at basement level. The proposal would therefore retain retail use to this frontage, and would maintain a sufficiently vibrant retail function to the parade and Coventry Street in accordance with the retail policies.

ii. Loss of basement Class D2 use

The basement has been long-term vacant, but was last in use as a horror themed amusement use. Policy S24 of the City Plan, and the TACE policies within the UDP do not expressly protect the loss of entertainment uses and it follows that the loss of the former D2 use at basement level would be acceptable in land use terms.

iii. Introduction of new restaurant use

Policy S24 of Westminster's City Plan states that 'new entertainment uses will need to demonstrate that they are appropriate in terms of the type and size of use, scale of activity, relationship to any existing concentrations of entertainment uses and any cumulative impacts, and that they do not adversely impact residential amenity, health and safety, local environmental quality and the character and function of the area'. The policy also states that new large scale late night entertainment uses measuring in excess of 500m² (GEA), will not generally be appropriate within Westminster.

UDP Policies TACE8-10 are applicable to entertainment uses and aim to control the location, size and activities of entertainment uses in order to safeguard residential amenity, local environmental quality and the established character and function of the various parts of the City, whilst acknowledging that they provide services to people living in, working in and visiting the City and contribute to its role as an entertainment centre of national and international importance. Due to the size of the restaurant proposed (being 988 m², the application must be determined against the requirements of Policy TACE10 of the UDP. Policy TACE10 considers entertainment uses 'which will only be permissible in exceptional circumstances'.

The site is located within the Core CAZ which is identified within Policy S6 of the City Plan as being an appropriate location for a range of commercial uses. There are two large restaurants (TGI Fridays and Aberdeen Steakhouse) within the vicinity of the site that are open until 01.00. Nearby there is also Bubba Gump Shrimp Co, the Rainforest Café, Five Guys, and Café de Paris. The applicant contends that had Unit 5 continued as D2 use, it would have the propensity to attract far higher numbers of visitors than the sui generis use proposed. Given that the proposed use replaces a former entertainment use, it is considered that the proposal is not out of character with the surrounding area.

The operational management plan sets out that guests will access the unit either from the Coventry Street entrance, or the underground entrance to Piccadilly Circus Underground Station. Booking systems will be managed to ensure a steady flow of customers throughout opening hours, and there will be a dedicated team of 8-10 hosts on site during peak hours, to manage queues internally. There will be customer waiting areas at ground floor and at basement level, and when departing, customers will be able to use either the basement exit or the Coventry Street exit which will dilute customer flows.

The opening hours of the premises are proposed as 10:00 till 01:00 daily with 280 covers. Given that the surrounding area currently experiences a high level of activity during the day and at night, these hours are considered reasonable. The nearest residential properties, at 22 Coventry Street, are located above a restaurant which also closes at 01.00. It is considered that this location is acceptable for an A3 use and it is not considered that the creation of a new restaurant in this location would have a detrimental impact on local environmental quality and residential amenity.

8.2 Townscape and Design

The design implications of the proposals relate to the replacement of the existing shopfront and internal alterations at basement and ground floor level.

The proposed internal alterations are in an area of the building which is of limited special interest and appears to have been substantially altered. There is little historic character remaining following years of successive retail fit outs. The proposed scheme seeks consent to remove all of the modern shop fixtures and install a new staircase and lift shaft. Whilst the installation of a staircase and lift will result in the loss of a small section of the floor structure, it is unclear whether this is original to the building and notwithstanding this, it makes a limited contribution to the special interest of the listed building. The internal proposals will therefore preserve the special interest of the listed building and are considered compliant with DES 10 of the UDP.

The existing shopfront, canopy and signage are to be removed and replaced with a new bronze shopfront. The existing shopfront and signage is unattractive and is openable from floor to ceiling with a large projecting canopy sign, creating an unsympathetic void in the streetscape which detracts from the appearance of the building. The removal of the existing shopfront and associated signage is therefore supported in design and listed building terms. The proposed replacement shopfront consists of a bronze frame in a tripartite arrangement with fixed glazing, a stallriser and bronze columns with decorative fluting above. Original stonework is to be retained. The proposed shopfront represents a

significant improvement over the existing situation and is considered acceptable in design terms.

The proposals are therefore considered compliant with DES 5, DES 9 and DES 10 of the UDP and will preserve the character and appearance of this part of the conservation area and the special interest of the listed building. The application is therefore recommended for approval in design terms.

8.3 Residential Amenity

Mechanical Plant

The extraction equipment proposed to serve the new restaurant would be internal and would discharge at roof level. Full details of extract equipment will be secured by condition along with a supplementary acoustic report. This is considered acceptable in amenity terms. Environmental Health advise that it is unlikely that the operation of the equipment will have any adverse impact in terms of noise or odours.

Noise Disturbance

As stated above, the nearest existing residential properties are the 18 flats at Coventry House opposite the site at 22 Coventry Street. Additional letters of notification have been sent to these properties and any responses received prior to committee will be reported verbally at the meeting. One letter of support for the scheme did however raise concern over the potential for noise disturbance. To address this a condition is proposed requiring music not to be audible outside the premises. The ground floor of the premises has the only external access point and would be used for retail purposes aside from a set of double doors, no other element of the shop front would be openable. Given the nature of the use at ground floor level, and that customers will be able to enter and exit the premises from basement level through Piccadilly Circus Station, it is not considered that there would be any unacceptable noise disturbance.

8.4 Transportation/Parking

Service vehicles will use the existing Trocadero service bay located in Rupert Street. The proposed retail / restaurant use is expected to generate two vehicles per day to the site. It is not considered that the proposed use of the site as a restaurant (Class A3) will have any adverse impact on the public highway subject to a condition to secure operation in accordance with the Servicing Management Plan (SMP).

Four additional cycle parking spaces are required at basement level within the existing communal cycle storage facility which is accessible from Coventry Street or Great Windmill Street. These are secured by condition.

8.5 Economic Considerations

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

8.6 Access

Level access to the unit would be provided at ground floor level from Coventry Street and at basement floor level from an internal mall via Piccadilly Circus underground

station. A lift would provide internal access between the two floors, and an accessible WC would be located at basement level. This is considered to be acceptable.

8.7 Waste & Recycling

The restaurant would have access to its own basement level waste storage area which would provide temporary storage until waste can be transported internally to the designated Trocadero storage at the rear. It would be collected on a daily basis by a private waste provider via Rupert Street. A condition is recommended to secure the provision of the waste storage for the lifetime of the development.

8.8 London Plan

This application raises no strategic issues.

8.9 National Policy/Guidance Considerations

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

8.10 Planning Obligations

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

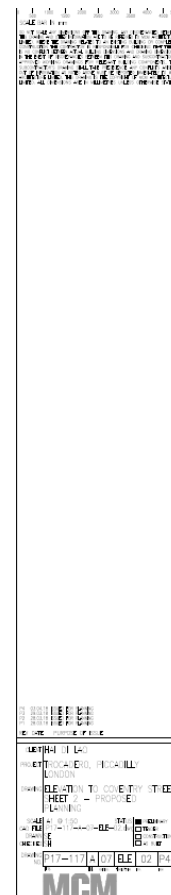
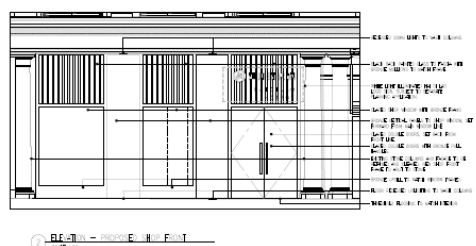
8.11 Environmental Impact Assessment

The application does not prompt a requirement for an environmental statement.

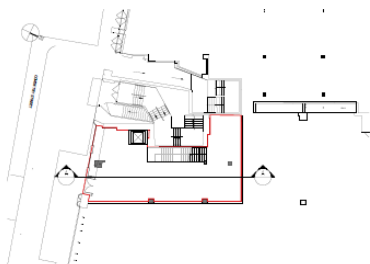
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: JO PALMER BY EMAIL AT jpalme@westminster.gov.uk

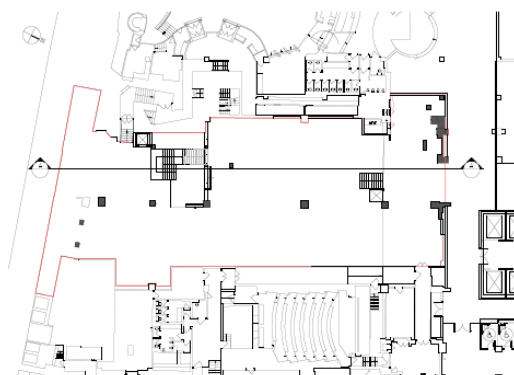
Proposed Ground floor plan:



1 SECTION 44
DATE 3/1/00



2 LOCATION PLAN - GROUND FLOOR



5 LOCATION PLAN - LOWER GROUND FLOOR
SCALE: 1/8"=1'-0"

944E 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000

FILE	DATE	PURPOSE OF FILE
P4	28.03.18	1st EFWC
P2	28.03.18	2nd EFWC
P3	28.03.18	3rd EFWC
P1	28.03.18	4th EFWC

UNIT	H-1	DI	L-40
PROJECT	TROCADERO, PICCADILLY LONDON		
DRAWING	PROPOSED SECTION PLANNING		

SCALE: A1 @ 1:100
 (A1) P17-117-A-07-SEC-01
 DRAWN: E
 CHECKED: H
 DRAWING NO: P17-117-A-07-SEC-01

MCM

This architectural section drawing illustrates a complex multi-story building. The central portion features a large hall with a high ceiling and a series of columns. To the left, there is a section with a prominent arched entrance and a clock tower. To the right, the building has a more varied profile with multiple levels of windows and a small dome. A vertical scale on the right side of the drawing indicates floor levels from 1st to 10th. The drawing is a detailed line drawing showing the internal structure and layout of the building.

[illegible]

DRAFT DECISION LETTER

Address: Units 4 And 5, Trocadero, 13 Coventry Street, London, W1D 7AB,

Proposal: Use of part ground floor and part basement for mixed retail and restaurant use (Sui Generis), installation of a new shop front, roof level plant and full height extract duct.

Reference: 18/02708/FULL

Plan Nos: P17-117 A 07 ELE 01 Rev P4, P17-117 A 07 ELE 02 Rev P4, P17-117 A 07 00 01 Rev P4, P17-117 A 07 B1 01 Rev P4, P17-117 A 07 SEC 01 Rev P4
 Framework waste management plan rev B by Odyssey dated April 2018
 Lower ground floor plan18-035 Rev B
 Ground floor plan18-035 Rev B
 Operational management plan dated 20 March 2018
 Servicing Management Plan dated 24/5/18 by Odyssey

Case Officer: Gemma Bassett

Direct Tel. No. 020 7641 2814

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)

Item No.
1

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

Reason:

To 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 Soho 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)

- 4 You must provide the waste store shown on drawings, Lower ground floor plan18-035 Rev B, Ground floor plan18-035 Rev B, before anyone moves into the property. You must clearly mark it and make it available at all times to everyone using the sui generis retail/restaurant. You must store waste inside the property and only put it outside just before it is going to be collected. You must not use the waste store for any other purpose

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)

- 5 You must carry out the measures included in your management plan dated 20 March 2018 at all times that the sui generis retail/ restaurant 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 10 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05GB)

- 6 Customers shall not be permitted within the sui generis premises before 10.00 or after 01.00 the following morning, each day. (C12AD)

Reason:

To protect neighbouring residents from noise and vibration nuisance, 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. (R13AC)

- 7 You must apply to us for approval of detailed drawings of the design, construction and insulation of the whole ventilation system and any associated equipment. 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. You must not change it without our permission. (C13BB)

Reason:

To protect the environment of people in neighbouring properties, as set out in 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. (R13BC)

- 8 You must apply to us for approval of details of secure cycle storage for the sui generis use. You must not start any work on this part of the development until we have approved what you have sent us. You must then provide the cycle storage in line with the approved details prior to occupation. You must not use the cycle storage for any other purpose.

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 No goods, including fuel, delivered or collected by vehicles arriving at or departing from the building shall be accepted or despatched if unloaded or loaded on the public highway. You may accept or despatch such goods only if they are unloaded or loaded within the loading bay on Rupert Street. (C23BA)

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan (November 2016) and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

- 10 You must hang all doors or gates so that they do not open over or across the road or pavement. (C24AA)

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan (November 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

- 11 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum., (2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any

residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum., , (3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:; (a) A schedule of all plant and equipment that formed part of this application;; (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;; (c) Manufacturer specifications of sound emissions in octave or third octave detail;; (d) The location of most affected noise sensitive receptor location and the most affected window of it;; (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;; (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;; (g) The lowest existing L A90, 15 mins measurement recorded under (f) above;; (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;; (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

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

- 12 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.

- 13 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 11 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

Item No.
1

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.

- 14 All servicing must be carried out in accordance with the submitted Servicing Management Plan dated 25/05/2018 by Odyssey; Servicing includes loading and unloading goods from vehicles and putting rubbish outside the building.

Reason: To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan (November 2016) and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

- 15 No music or amplified sound played within the premises shall be audible outside the premises at any time.

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

- 16 The retail display areas at ground floor level shown on the approved drawings must be retained in the manner shown on the drawings and used only for retail purposes.

Reason: To ensure the retention of a retail character and function to the unit and to support the retail vitality and character and function of the area in accordance with Policies S and S21 of Westminster's City Plan (November 2016 Policy SS5 of our Unitary Development Plan that we adopted in January 2007.

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 must get separate permission under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 for the following advertisements: fascia signage. (I04AA)
- 3

Please contact our District Surveyors' Services to discuss how you can design for the inclusion of disabled people. Email: districtsurveyors@westminster.gov.uk. Phone 020 7641 7240 or 020 7641 7230. If you make a further planning application or a building regulations application which relates solely to providing access or facilities for people with disabilities, our normal planning and building control fees do not apply., , The Equality and Human Rights Commission has a range of publications to assist you, see www.equalityhumanrights.com. The Centre for Accessible Environment's 'Designing for Accessibility', 2004, price £22.50 is a useful guide, visit www.cae.org.uk. , , If you are building new homes you must provide features which make them suitable for people with disabilities. For advice see www.habinteg.org.uk , , It is your responsibility under the law to provide good access to your buildings. An appropriate and complete Access Statement as one of the documents on hand-over, will provide you and the end user with the basis of a defence should an access issue be raised under the Disability Discrimination Acts.

- 4 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.
- 5 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. (I54AA)
- 6 One or more of the uses we have approved are referred to as being 'sui generis'. This means that the use or uses are not in any particular class. Any future plans to materially (significantly) change the use that we have approved will need planning permission. (I78AA)

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: Units 4 And 5, Trocadero, 13 Coventry Street, London, W1D 7AB,

Proposal: Installation of a new shop front and internal alterations.

Reference: 18/02709/LBC

Plan Nos: P17-117 A 07 ELE 01 Rev P4, P17-117 A 07 ELE 02 Rev P4, P17-117 A 07 00 01 Rev P4, P17-117 A 07 B1 01 Rev P4, P17-117 A 07 SEC 01 Rev P4, Lower ground floor plan18-035 Rev B, Ground floor plan18-035 Rev B,

Case Officer: Gemma Bassett

Direct Tel. No. 020 7641 2814

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 Soho 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 original external stonework unless changes are shown on the approved drawings. (C27MA)

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 Soho 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)

Item No.
1

- 4 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 listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph SPG/HB1-3 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

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 SPG/HB1-3 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

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.