

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 18 April 2023	Classification For General Release	
Report of Director of Town Planning & Building Control		Ward(s) involved St James's	
Subject of Report	Vernon House, 40 Shaftesbury Avenue, London		
Proposal	Use of basement and ground floors as a drinking establishment (Sui Generis).		
Agent	Pegasus Group		
On behalf of	Simmons Camden Limited		
Registered Number	22/07879/FULL	Date amended/ completed	19 November 2022
Date Application Received	19 November 2022		
Historic Building Grade	Unlisted		
Conservation Area	Soho		
Neighbourhood Plan	Not applicable		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY & KEY CONSIDERATIONS

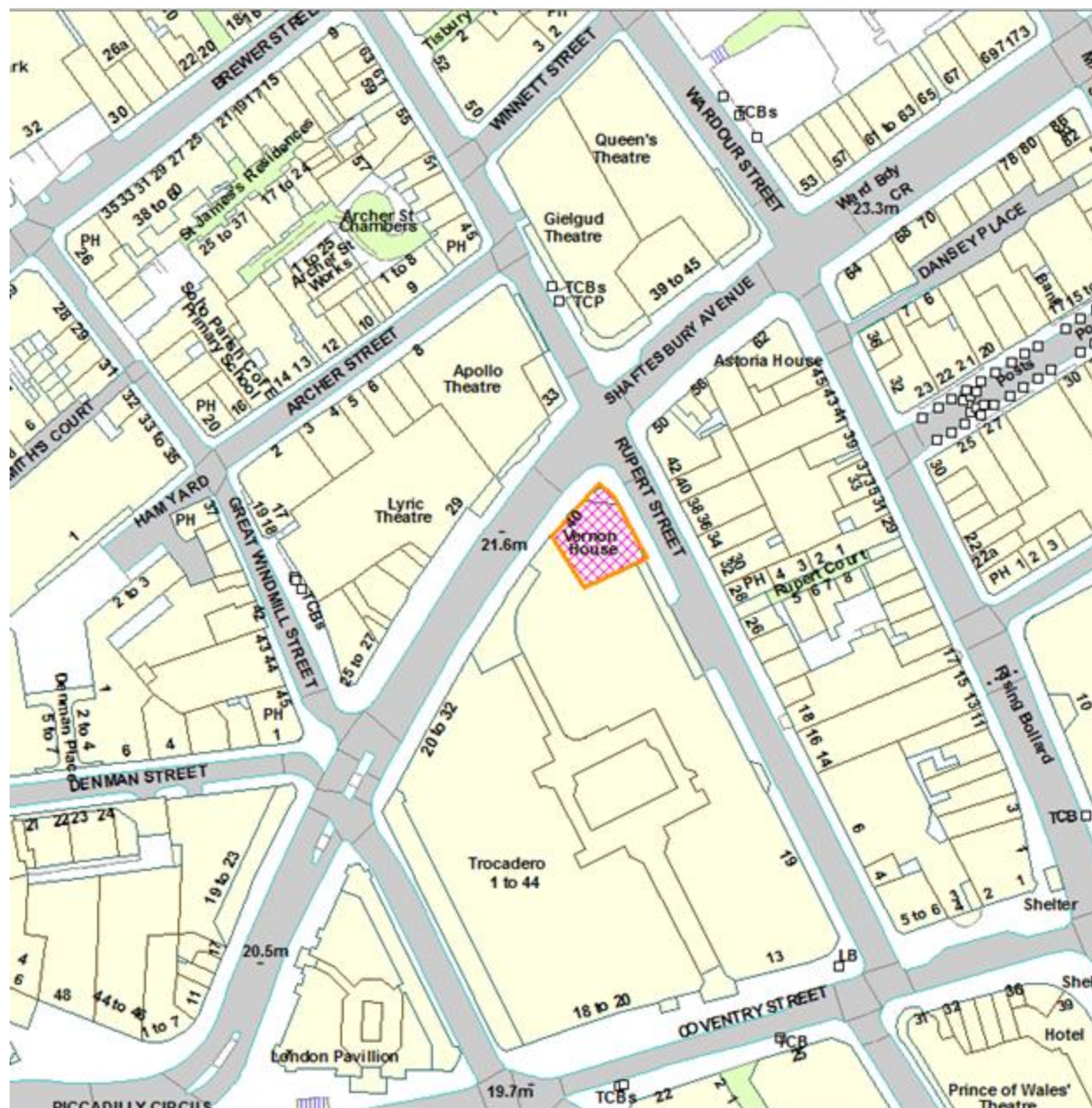
The application involves the use of the basement and ground floors of the building as a bar. The intended operator is Simmons cocktail bar. The premises has recently been occupied as a souvenir/vape shop but, historically, was in restaurant use.

The key considerations in this case are:

- The acceptability of the proposal in land use terms
- The impact on the amenity of neighbouring occupiers.

For the reasons set out in the report, it is considered that the proposal, with conditions, is acceptable in land use, amenity and highways terms. As such, the application is recommended for approval.

3. LOCATION PLAN



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4. PHOTOGRAPHS

Shaftesbury Avenue



Rupert Street



5. CONSULTATIONS

5.1 Application Consultations

SOHO SOCIETY

No response to date

ENVIRONMENTAL HEALTH

No objection

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 61

Total No. of replies: 0

PRESS NOTICE/ SITE NOTICE:

Yes

5.2 Applicant's Pre-Application Community Engagement

Engagement was carried out by the applicant with the local community and key stakeholders, including the Soho Society and Nimax Theatres, prior to the submission of the planning application in accordance with the principles set out in the Early Community Engagement guidance.

The applicant's Statement of Community Involvement and other application documents identify that the scheme has been revised to include an earlier terminal hour (from 03.00 to 02.00 hours) following discussions with the Soho Society.

6. WESTMINSTER'S DEVELOPMENT PLAN

6.1 City Plan 2019-2040 & London Plan

The City Plan 2019-2040 was adopted at Full Council on 21 April 2021. The policies in the City Plan 2019-2040 are consistent with national policy as set out in the National Planning Policy Framework (NPPF) (July 2021) and should be afforded full weight in accordance with paragraph 219 of the NPPF. Therefore, in accordance with Section 38 of the Planning and Compulsory Purchase Act 2004, it comprises the development plan for Westminster in combination with the London Plan, which was adopted by the Mayor of London in March 2021 and, where relevant, neighbourhood plans covering specific parts of the city (see further details in Section 6.2).

As set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 49 of the NPPF, the application must be determined in accordance with the development plan, unless material considerations indicate otherwise.

6.2 Neighbourhood Planning

The application site is not located within an area covered by a Neighbourhood Plan.

6.3 National Policy & Guidance

The City Plan 2019-2040 policies referred to in the consideration of this application have been examined and have been found to be sound in accordance with tests set out in Paragraph 35 of the NPPF. They are considered to remain consistent with the policies in the NPPF (July 2021) unless stated otherwise.

7. BACKGROUND INFORMATION

7.1 The Application Site

The application site comprises the basement and ground floors of Vernon House, which lies at the junction of Shaftesbury Avenue and Rupert Street. The lower floors have recently been occupied as a souvenir/vape shop, but were previously in restaurant use (Fratelli la Bufala, an Italian restaurant), following a permission granted in 2010. Part of the ground floor of the former restaurant has recently been converted into a bureau de change (Class E), and is not included within the current proposal.

Vernon House is part of the Trocadero, a large entertainment complex which contains a mix of uses including retail, restaurants and cafes at ground level, and a night club at basement level. The majority of the complex, including the floors immediately above the former restaurant, has been converted to a 740-bedroom hotel with a roof level restaurant and bar, 'The Skybar'.

The site is located within the Central Activities Zone (CAZ), the West End and Leisure Special Policy Area (WERLSPA), the Strategic Cultural Area: West End and the Soho Conservation Area. This part of the Trocadero is not listed, and the nearest listed buildings are the Apollo and Lyric Theatres, on the opposite side of Shaftesbury Avenue.

The area is characterised by ground floor commercial uses. There are limited residential properties on Shaftesbury Avenue and some flats on Rupert Street, the closest being at 40 Rupert Street.

7.2 Recent Relevant History

Permission was granted on 27 May 2010 for the use part basement, ground and first floors as restaurant (Class A3) and installation of an extract unit at roof level. Implemented.

A recent licensing application 23/00236/LIPN was withdrawn by the applicant.

8. THE PROPOSAL

This proposal seeks permission for the use of the basement and ground floors as a cocktail bar, with music (sui generis). The unit would be occupied by Simmons Bar who operate in over 20 venues across London, including in Westminster.

The proposed opening hours are from 15.00 to 02.00 hours on Monday to Saturday, and from 15.00 to 22.30 hours on Sunday.

No external alterations are proposed. An internal lobby is proposed to accommodate customers arriving at the main entrance on Shaftesbury. Access/egress from a secondary entrance, at the corner of Shaftesbury Avenue/Rupert Street, would be prevented after 24.00 hours. A separate means of escape exits onto Rupert Street.

9. DETAILED CONSIDERATIONS

9.1 Land Use

Land Use Overview

The site lies within the CAZ and the WERLSPA (the West End Retail and Leisure Special Policy Area) as designated in the City Plan.

London Plan Policy SD4 seeks to promote the unique international, national and London-wide roles of the CAZ, based on an agglomeration and rich mix of strategic functions and local uses. The policy also states that "the unique concentration and diversity of cultural, arts, entertainment, night-time economy and tourism functions should be promoted and enhanced".

Policy HC6 of the London Plan requires boroughs to develop a vision for the night-time economy, supporting its growth and diversification, and requires local development plans to promote the night-time economy, where appropriate, particularly in the CAZ, strategic areas of night-time activity, (which includes the West End) and town centres, where public transport such late night underground and bus services are available, in order to build on the Mayor's vision for London as a 24-hour City. The policy encourages the diversification of the range of night-time activities, including extending the opening hours of existing daytime facilities and seeks the protection and support of evening and night-time cultural venues such as pubs, night clubs, theatres, cinemas, music and other arts venues. However, the policy also requires the boroughs to take account of the cumulative impact of high concentrations of licensed premises, having regard to potential anti-social behaviour, noise pollution, health and wellbeing and other issues for residents and nearby uses, and to seeks ways to diversify and manage these busy areas.

City Plan Policy S1.A (Westminster's spatial strategy) seeks to ensure that Westminster will continue to 'grow, thrive and inspire at the heart of London as a world city'. Policy 1 acknowledges the need to balance the competing functions of the Central Activities Zone (CAZ), including those as a retail and leisure destination and home to residential neighbourhoods.

City Plan Policy 2 recognises that the intensification of the WERLSPA will deliver certain priorities, including an improved retail and leisure experience that responds to innovation and change in the sector, along with a diverse evening and night-time economy and enhanced cultural offer. The supporting text (paragraphs 2.7, 2.9 and 2.10) anticipates that the WERLSPA will absorb much of Westminster's future commercial growth,

including the development of retail, food and drink uses and entertainment uses; will protect and support the arts, culture and entertainment offer, for residents, workers, and visitors, and diversify the food and beverage offer whilst, at the same time, minimising negative impacts on residential neighbourhoods. The West End is recognised as home to the largest evening and night-time economy in the UK, supporting a wealth of cultural uses, pubs, bars, restaurants, nightclubs, cinemas, theatres and other leisure uses.

City Plan Policy 14 concerns town centres, high streets and the CAZ, with their intensification supported in principle for main town centre uses. Uses that provide active frontages will be required at ground floor level, with the WERLSPA providing a wide mix of commercial uses that support the West End's role as a cultural hub and centre for visitor, evening and night-time economy. Policy 14 goes on to state that town centre uses will be supported in principle in areas of the CAZ with a commercial or mixed-use character, having regard to existing mix of land uses. The supporting text (paragraph 14.5, 14.6 and 14.7) acknowledges that, to ensure their long-term sustainability, town centres will need to provide a mix of commercial uses to create an environment which encourages customers to shop, access services, and spend leisure time, whilst also supporting their role as major employment hubs and visitor destinations., "...town centre uses such as pubs and drinking establishments, exhibition spaces, cultural and leisure uses, can all help support the future success of these key clusters of commercial activity...".

Policy 16 (A) of the City Plan requires proposals for food and drink and entertainment uses to be of a type and size appropriate to their location. The over-concentration of these uses will be further prevented where this could harm residential amenity, the vitality and character of the local area or the diversity that defines the role and function of the town centre. Applications for entertainment uses will need to demonstrate wider benefits for the local community, where appropriate. The definition of entertainment uses within the City Plan glossary includes uses premises dominantly, or partly used for entertainment purposes including live music venues and other sui generis uses e.g., nightclubs, casinos and amusement arcades.

Related policies

To ensure that any detrimental impacts on existing users of an area are avoided, City Plan policy 7 requires new development to be 'neighbourly' by protecting, and where appropriate enhancing, local environmental quality and protecting and positively responding to local character and the historic environment. In considering development proposals, the Council will take a balanced approach that considers the specific site location and context as well as the merits of the proposals, including the consideration of the wider benefits of a scheme against impacts on the surrounding area.

Policy 33 of the City Plan requires that development proposals do not have an adverse impact upon the amenity and local environment of existing and future residents and development to prevent the adverse effects of noise and vibration, with particular attention to minimising noise impacts and preventing noise intrusion to residential developments and sensitive uses, minimising noise from plant machinery and internal activities and minimising noise from servicing and deliveries.

Licensing position

The proposal lies within the West End Cumulative Impact Zone, as set out within the City Council's Cumulative Impact Assessment which has been produced as an approach to licence applications. In cumulative impact areas, there is a presumption that the licensing authority will refuse or impose limitations on applications which are likely to add to the cumulative impact unless the applicant can demonstrate that there will be no negative cumulative impact on the licensing objectives. However, Planning and Licensing are distinct and separate regulatory regimes, each with its own specific statutory considerations and policy considerations.

Proposed use and impact on amenity

The proposed use accords with the principles of the aforementioned land use policies subject to consideration of the impacts of the new entertainment use in terms of scale of activity, relationship to any existing concentrations of entertainment uses (and any cumulative impacts) and impact on residential amenity, health and safety, local environmental quality and the character and function of the area.

The supporting text to Policy 16 acknowledges that "the cumulative impact of multiple food, drink and entertainment uses in a particular area can have a negative impact on the functioning and use of an area and can negatively impact residential amenity. We will therefore prevent the over-concentration of these uses and require proposals to make sure any negative impacts are managed (applying the Agent of Change principle)."

It is acknowledged that the proposed bar would be close to Bar Rumba at 36 Shaftesbury Avenue; beneath the Skybar rooftop bar and restaurant; in close proximity to the Rainforest Café at 20-24 Shaftesbury Avenue and a number of pubs and restaurants on Rupert Street and Great Windmill Street and numerous late-night entertainment venues within the wider Soho area. Permission has also recently been granted for a further bar (the Coyote Ugly venue) at 40-48 Shaftesbury Avenue. However, this part of Shaftesbury Avenue remains of a mixed-use character providing other uses including the Crystal Maze Experience, the Picturehouse cinema, a bureau de change immediately adjacent to the site, and the Lyric, Apollo and Gielgud Theatres opposite. Despite the proximity of other pubs and restaurants, the principle of a long-standing entertainment use has already been established on this site following the 2010 restaurant permission. As the premises is now in retail use, that previous permission has clearly been extinguished. However, under Class E, the premises could revert to a restaurant use at any time, but this new restaurant use would not be bound by any of the previous planning controls, or those operational controls proposed in relation to the new bar use e.g. opening hours, noise levels, the requirement to provide an entrance lobby and restrictions on the opening and use of doors and windows. Whilst it is accepted that the nature of the proposed use will be more focused upon the consumption of alcohol than a potential restaurant use, it is considered that, subject to operational controls, and the submission of a finalised Operational Management Plan, that the impact upon the character and function of the area will be very similar to a restaurant use.

The applicant has indicated that operational measures would be introduced to ameliorate potential disruption and noise disturbance including the employment of door staff, the provision of CCTV and measures to limit background noise levels. The closest

residential properties are on Rupert Street, and, following negotiation, the main entrance to the bar has been relocated from the corner of Shaftesbury Avenue/Rupert Street to a position further along the Shaftesbury Avenue frontage. The ground floor plan has also been amended to introduce an internal lobby to this entrance to accommodate any potential queuing within the premises. A fully worked up operational management plan, to secure these measures, would be reserved by condition. Conditions are also proposed requiring all windows and external doors to be kept closed after 21:00 hours, other than for access/egress from the doors, and for the door on the corner of Rupert Street and Shaftesbury Avenue to remain closed after midnight.

With the exception of Sunday opening hours (until 22.20), the proposed opening hours (until 02.00 hours) are later than those allowed under the 2010 restaurant permission (until 01.00 hours). However, there are several other licensed establishments in the vicinity of the site including Bar Rumba, 36 Shaftesbury Avenue (licensed opening hours of from 09:00 to 06:00 Monday to Saturday and from 09:00 to 03:30 on Sundays); The Windmill nightclub at 17-19 Great Windmill Street, to the north of the site (licensed opening hours from 09:00 until 05:30 on Monday to Saturday and from 09:00 until 03:00 on Sunday); and The Piccadilly Institute, 1 Shaftesbury Avenue (licensed opening hours from 07:00 to 03:00 on Monday to Saturday and from 07:00 to 01:00 on Sundays).

In relation to internal noise, and in acknowledgement that the proposed use would intensify site activity when compared with the former restaurant use, the applicant has submitted a noise assessment. This sets out proposed measures to control/contain noise on site, including general upgrades and maintenance of doors and a defined maximum operating level for the sound system. The Environmental Health Officer has reviewed the submitted information and has raised no objection subject to conditions requiring compliance with internal noise levels to prevent noise break out from the premises.

With these conditions in place, and subject to other operational measures within a finalised OMP, it is not considered that the proposal will materially affect the amenity of neighbouring residents and local environmental quality.

Whilst the former Frattelli restaurant appears to have operated without noise complaint, the building is now being used as a late night vape and souvenir shop and this use has generated a number of complaints to the Council's Noise Team. Additionally, unauthorised works have recently been undertaken, including the removal of the fixed shopfronts and their replacement with openable doors and roller shutters. The entire frontage onto Shaftesbury Avenue is effectively open, allowing noise to escape whilst the doors are left open. These works are unlawful and subject to a current enforcement investigation. This application proposes no external changes to the lawful/historic condition of the shopfront and the submitted plans are based upon the previous situation.

9.2 Environment & Sustainability

This application is for a change of use only and does not raise any additional energy/sustainability issues.

9.3 Biodiversity & Greening

Not relevant in the determination of the application.

9.4 Townscape, Design & Heritage Impact

The unauthorised removal and replacement of the original shopfronts is the subject of a current enforcement investigation, and the replacement of the shopfronts will be secured through this process.

9.5 Residential Amenity

The local environmental impacts are detailed within both Section 9.1 of this report.

9.6 Transportation, Accessibility & Servicing

Highway Impact

The impact upon the local highway network of the proposed bar compared to the former restaurant use is not considered to be materially different. Servicing would take place via the servicing yard on Rupert Street. This arrangement will be secured by condition and accords with City Plan policy 29 which generally requires off street servicing,

The original submission relied on a designated queuing area on Rupert Street. The scheme has been amended to omit this and now proposes an enlarged lobby to the main Shaftesbury Avenue entrance, which can accommodate 15 people. This lobby ameliorates the potential for localised congestion, including on the footway and the revised proposals are therefore acceptable in terms of City Plan policy 28 which seeks to ensure developments does not adversely impact on available space for the free flow of pedestrian traffic.

The provision of cycle parking spaces for staff is to be secured by condition to ensure compliance with City Plan policy 25.

There is sufficient space within the basement for the storage of waste and recyclable materials in accordance with City Plan policy 37 The details would be secured by condition.

9.7 Economy including Employment & Skills

The West End has been particularly hard hit by the pandemic and there is a need for businesses within the Central Activities Area to be supported at this time to enable their post pandemic recovery. The proposed development will contribute to the recovery of the West End in accordance with Policies 1 and 13 in the City Plan 2019-2040.

9.8 Other Considerations

None.

9.9 Environmental Impact Assessment

The proposed development is not of sufficient scale or impact to require an Environmental Impact Assessment.

9.10 Planning Obligations & Pre-Commencement Conditions

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

10. Conclusion

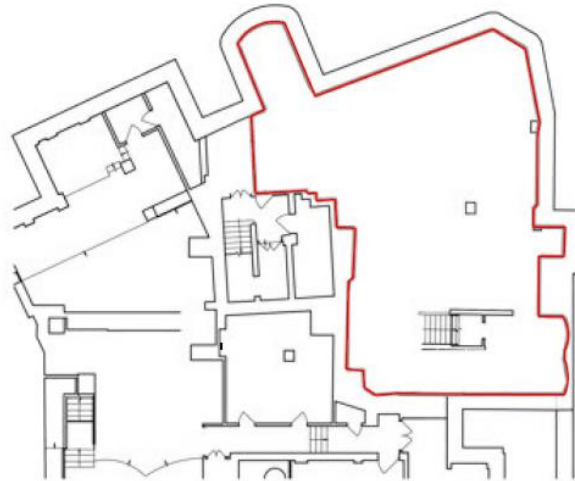
The impact of the proposed use upon residential amenity, the character of Soho and local environmental quality of the proposed is, subject to the proposed operational controls, considered to be very similar to that of the previous restaurant use. Subject to conditions, the proposed change of use is considered to be compliant with the policies within the adopted development plans.

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

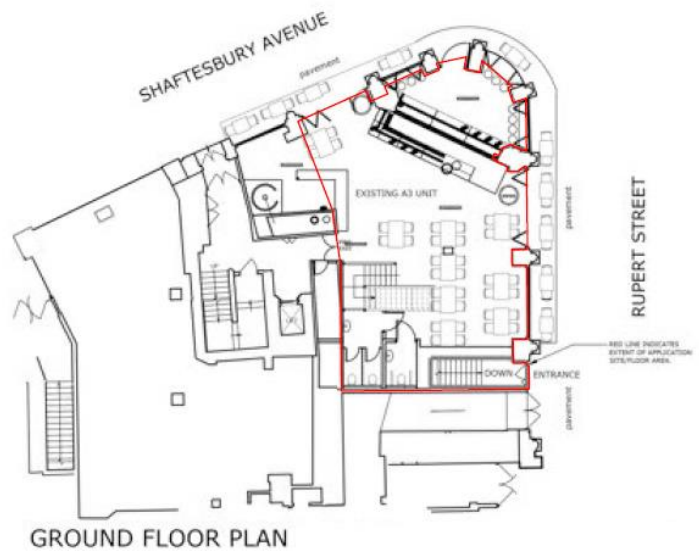
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT, PLEASE CONTACT THE PRESENTING OFFICER: SARA SPURRIER BY EMAIL AT sspurrier@westminster.gov.uk

11. KEY DRAWINGS

EXISTING PLAN
CLASS E (RESTAURANT)

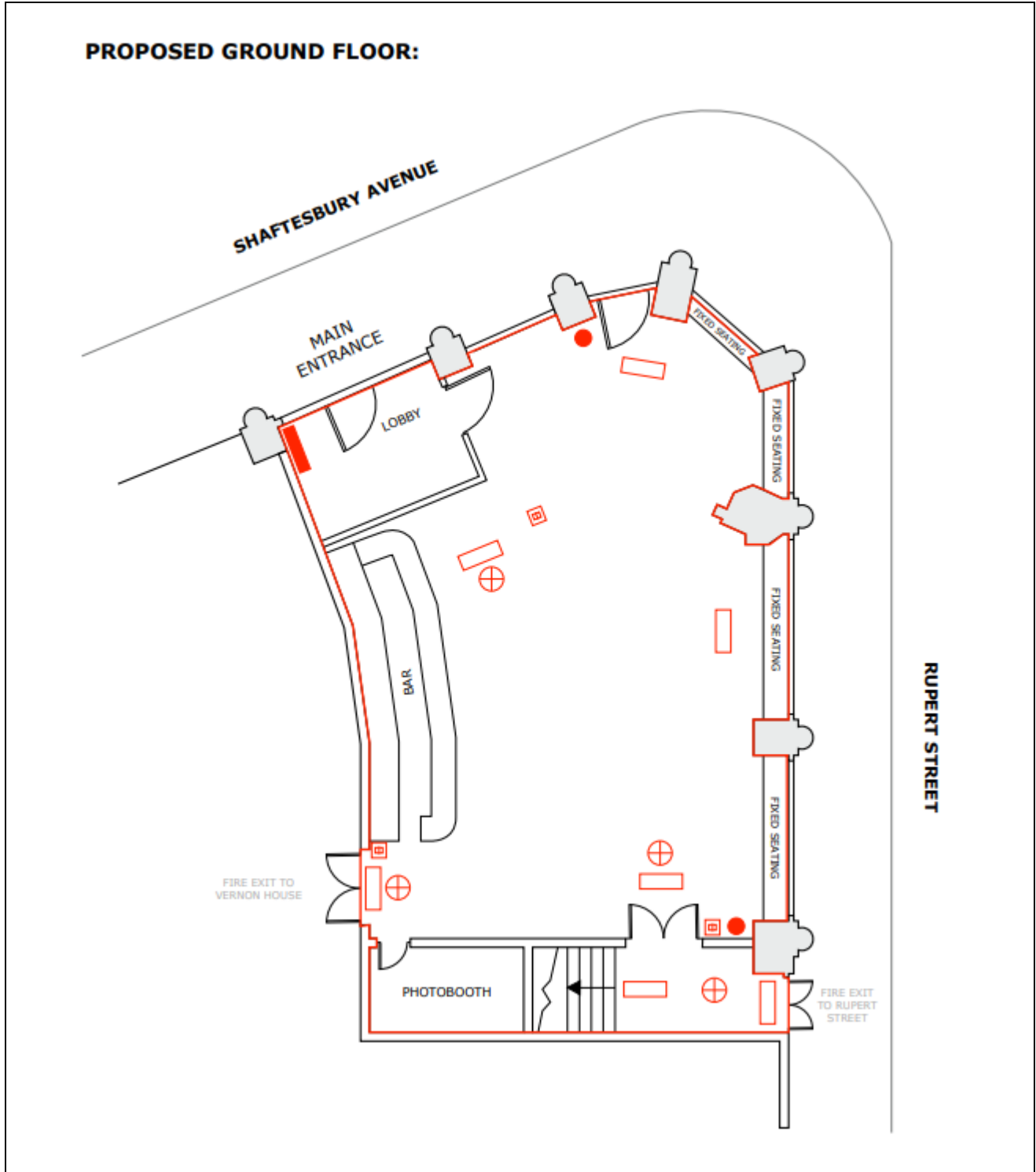


BASEMENT FLOOR PLAN

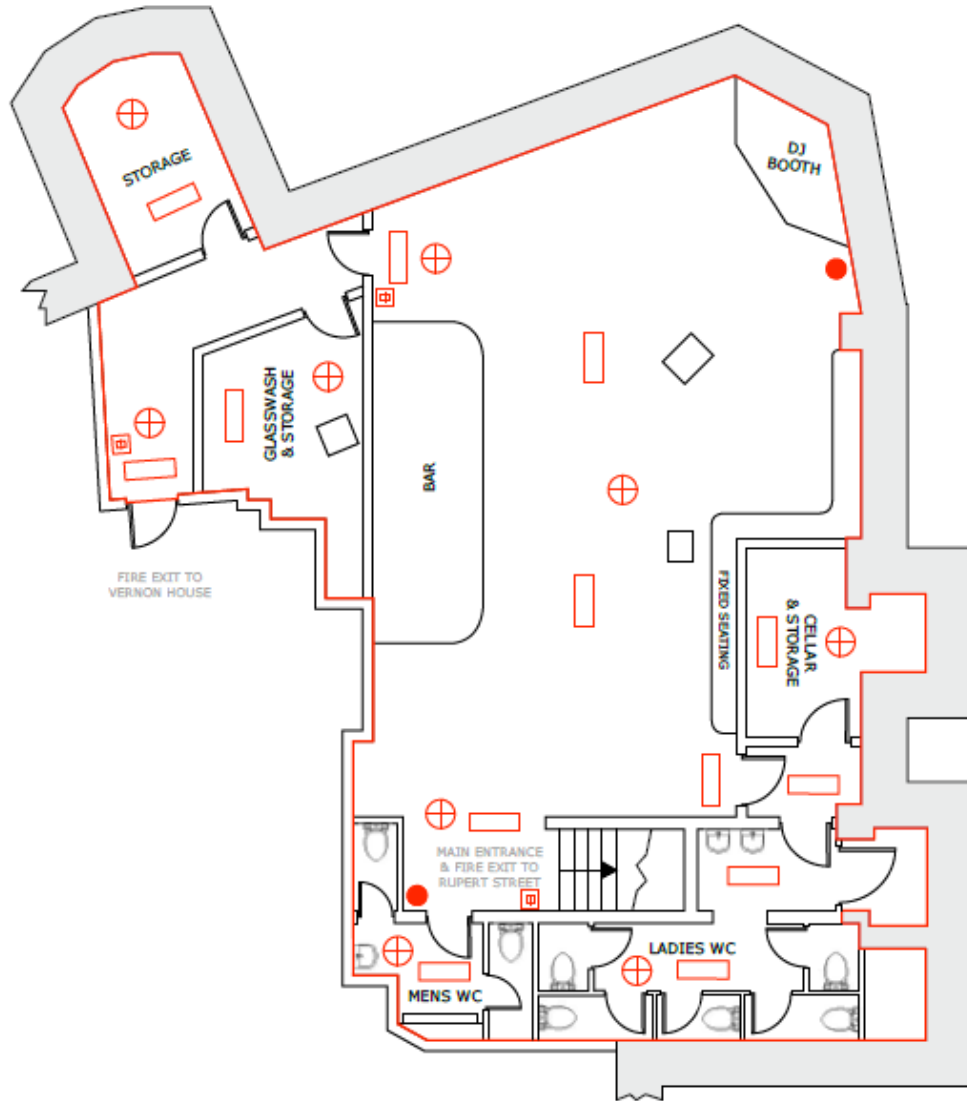


GROUND FLOOR PLAN

PROPOSED GROUND FLOOR:



PROPOSED BASEMENT FLOOR:



DRAFT DECISION LETTER

Address: Vernon House, 40 Shaftesbury Avenue, London, W1D 7ER

Proposal: Use of basement and ground floors as a drinking establishment (Sui Generis).

Reference: 22/07879/FULL

Plan Nos: PROPOSED GROUND AND BASEMENT FLOOR PLAN v2 Op 1.

Case Officer: Jo Palmer

Direct Tel. No. 020 7641
07866040238

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 The design and structure of the building shall be of such a standard that it will protect residents within the same building or in adjoining buildings from noise and vibration from the development, so that they are not exposed to noise levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night. Inside bedrooms 45 dB L Amax is not to be exceeded more than 15 times per night-time from sources other than emergency sirens.

Noise from music and entertainment from the bar use shall be 10 dB below measured/assessed background in adjoining residential habitable space measured in the parameters Leq & LFmax of 63 Hz and 125 Hz octave bands OR fixed criteria of Day: NR30 Leq, NR35 Lfmax and Night: NR25 Leq, NR30 Lfmax

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels and as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and 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. (R47AC)

- 3 A noise limiter, to ensure compliance with the sound levels set out in Condition 2, must

be fitted to the musical amplification system and installed prior to commencement of the bar use. The operational panel of the noise limiter shall then be secured by key or password which shall be inaccessible to staff.

Reason:

To ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the same or adjoining buildings from noise and vibration from elsewhere in the development, as set out Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022). (R49BB)

- 4 (1) Where noise emitted from the proposed internal activity in the development will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the internal activity within the bar use hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved in writing by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the permitted hours of use. The activity-specific noise level should be expressed as LAeqTm,, and shall be representative of the activity operating at its noisiest., ,
- (2) Where noise emitted from the proposed internal activity in the development will contain tones or will be intermittent, the 'A' weighted sound pressure level from the internal activity within the bar use hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved in writing by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the permitted hours of use. The activity-specific noise level should be expressed as LAeqTm, and shall be representative of the activity operating at its noisiest., ,
- (3) Following completion of the development, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report including a proposed fixed noise level for written approval by the City Council. Your submission of a noise report must include:;
- (a) The location of most affected noise sensitive receptor location and the most affected window of it; ;
- (b) Distances between the application premises and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location; ;
- (c) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (a) above (or a suitable representative position), at times when background noise is at its lowest during the permitted hours of use. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures; ;
- (d) The lowest existing LA90, 15 mins measurement recorded under (c) above; ;
- (e) Measurement evidence and any calculations demonstrating that the activity complies with the planning condition; ;
- (f) The proposed maximum noise level to be emitted by the activity. (C47AC)

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels and as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and 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. (R47AC)

- 5 All windows and external doors shall be kept closed after 21:00 hours, except for the immediate access and egress of persons.

Reason:

To protect the environment of people in neighbouring properties, as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R13BD)

- 6 After midnight the entrance/exit door on the corner of Shaftesbury Avenue/Rupert Street cannot be used by patrons as an entrance/exit except for in emergencies only.

Reason:

To protect the environment of people in neighbouring properties and to ensure the appearance of the development is suitable and would not harm the appearance of this part of the city. This is in line with Policies 7, 33, 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R13CD)

- 7 The fire exit door in Rupert Street cannot be used as an entrance by patrons at any time but can be used as an exit in emergencies only.

Reason:

To protect the environment of people in neighbouring properties and to ensure the appearance of the development is suitable and would not harm the appearance of this part of the city. This is in line with Policies 7, 33, 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R13CD)

- 8 Customers shall only be permitted within the bar premises between the hours of 15:00 and 02:00 (the following day) on Monday to Saturday, and Sunday between the hours of 15:00 and 22:30

Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out Policies 7, 16 and 33 of the City Plan 2019 - 2040 (April 2021). (R05GC)

- 9 You must apply to us for approval of an operational management plan to show how you will prevent customers who are either arriving or leaving the building from causing nuisance for people in the area, including people who live in nearby buildings. You must not start the bar use until we have approved in writing what you have sent us. You must

then carry out the measures included in the approved management plan at all times that the bar is in use. (C05JC)

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)

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

Reason:

To protect the environment and provide suitable storage for waste and materials for recycling as set out in Policies 7 and 37 of the City Plan 2019 - 2040 (April 2021). (R14CD)

- 11 You must apply to us for approval of details of secure cycle storage for the bar use. You must not start any work on this part of the development until we have approved in writing what you have sent us. You must then provide the cycle storage in line with the approved details prior to occupation and make it available at all times to everyone using the building. You must not use the cycle storage for any other purpose. (C22HA)

Reason:

To provide cycle parking spaces for people using the development in accordance with Policy 25 of the City Plan 2019 - 2040 (April 2021). (R22FB)

- 12 You must provide the entrance lobby shown on the approved ground floor plan prior to the commencement of the bar use hereby approved. The doors fitted to this lobby shall be self-closing doors and you must not leave these doors open except in an emergency or to carry out maintenance. This lobby shall be retained in situ for the life of the development.

Reason:

To protect the environment of people in neighbouring properties as set out in Policies 7, 16 and 33 of the City Plan 2019 - 2040 (April 2021). (R12AD)

- 13 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 curtilage of the building. (C23BA)

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in

neighbouring properties as set out in Policy 29 of the City Plan 2019 - 2040 (April 2021).
(R23AD)

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 the City Plan 2019 - 2040 (April 2021), neighbourhood plan (where relevant), supplementary planning documents, the London Plan (March 2021), 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.

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.