

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	SUB	Date 30 May 2023	Classification For General Release
Report of Director of Town Planning & Building Control		Ward(s) involved West End	
Subject of Report	3 Bateman Street, London, W1D 4AE		
Proposal	Use of the ground floor as a drinking establishment (sui generis use) as an extension to the existing bar at 2 Bateman Street. (Retrospective application)		
Agent	Bidwells		
On behalf of	Simmons Bars		
Registered Number	22/03136/FULL	Date amended/ completed	10 May 2022
Date Application Received	10 May 2022		
Historic Building Grade	Unlisted		
Conservation Area	Soho		
Neighbourhood Plan	Soho		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY & KEY CONSIDERATIONS

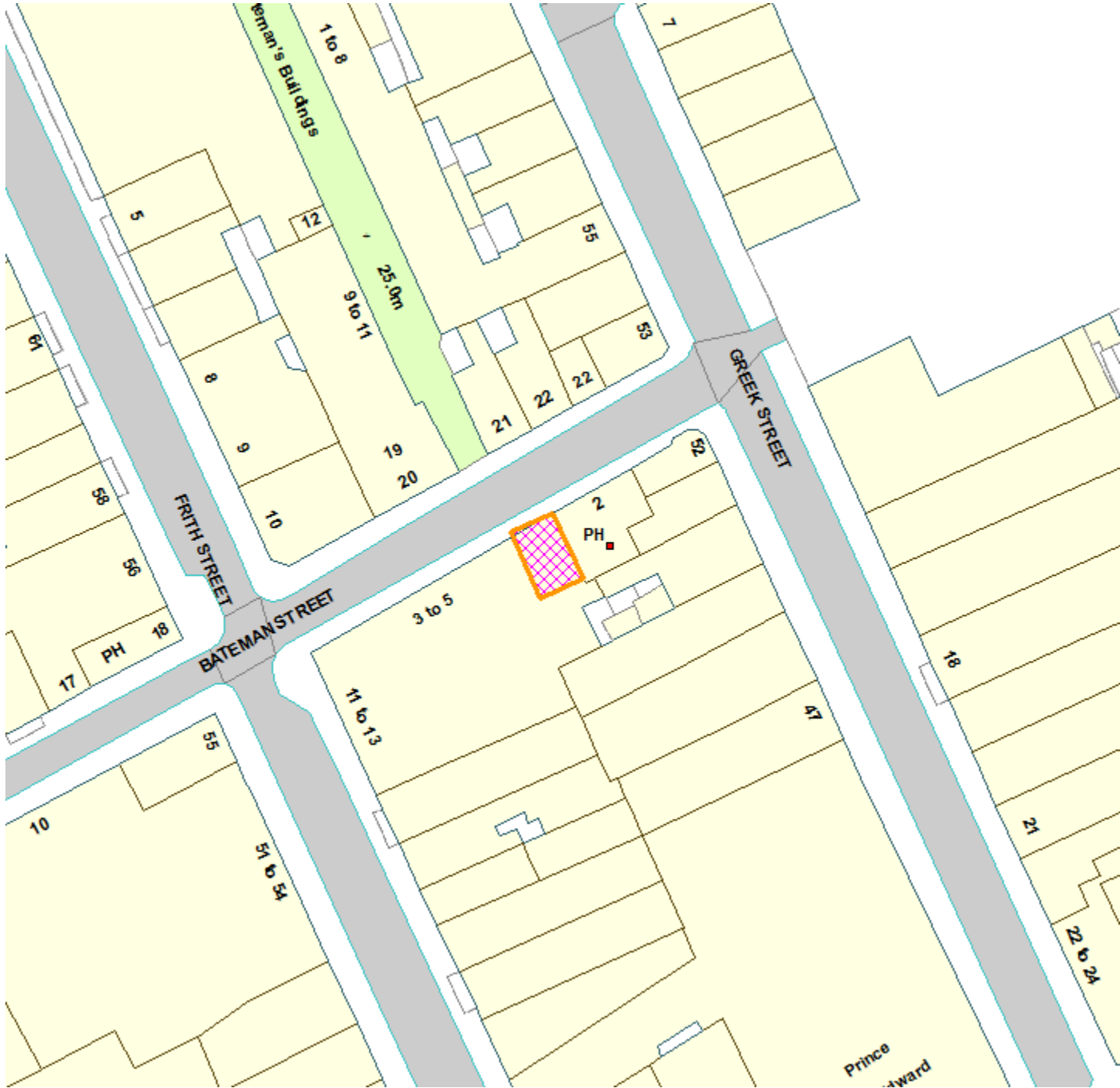
The application proposes the use of the ground floor unit at 3 Bateman Street as a drinking establishment (Suis Generis use) as an extension to the adjacent Simmons Bar located at 2 Bateman Street. The application is retrospective, following physical and functional incorporation of the site at Simmons Bar in January 2021. The application has been submitted following an enforcement investigation which concluded that planning permission was required for the material change of 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.

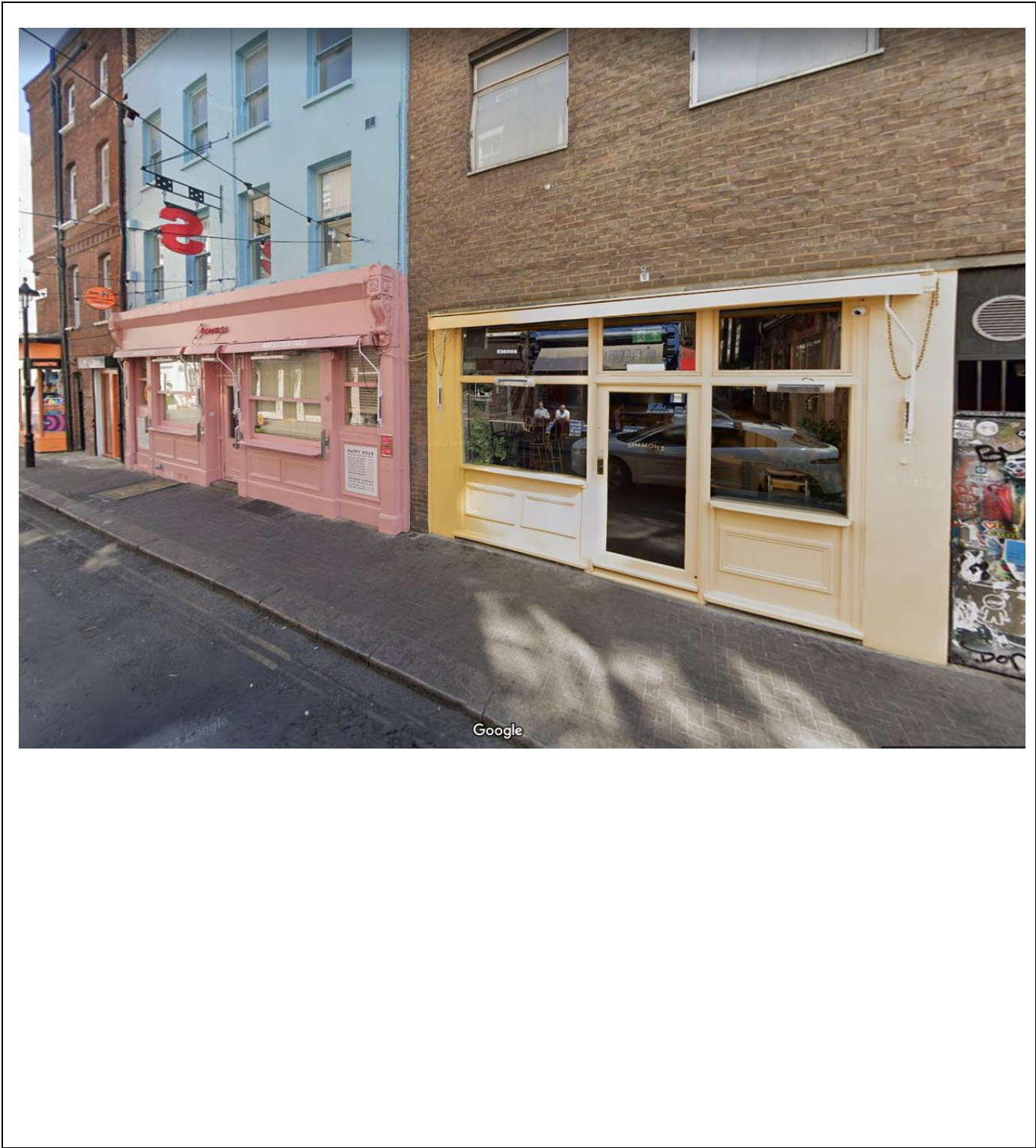
For the reasons set out in the report, it is considered that the proposal, with conditions, is acceptable in land use, amenity and highways terms and neighbouring occupiers would not be unduly harmed. As such, the application is recommended for approval.

3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

5.1 Application Consultations

SOHO SOCIETY

Objection: The Soho Society objects to the addition of a sui generis drinking premises stating that the area is already oversaturated with similar premises.

The objection also relates to the negative impact the premises would have on crime and antisocial behaviour, stating that the area has the highest crime statistics in Soho.

A further objection is made that the proposed use would not comply with Policy 16.5 of the City Plan given that the proposed bar would not bring about community benefits that a more traditional public house would.

It is also stated that there have been recent issues with amenity and pavement management around the site.

WASTE PLANNING OFFICER

Further details of waste provision and storage required.

HIGHWAYS PLANNING MANAGER

No objections raised.

ENVIRONMENTAL HEALTH

No objections raised.

ADJOINING OWNERS / OCCUPIERS

No. Consulted: 45

No. Responses: 0

SITE NOTICE

Yes

5.2 Applicant's Pre-Application Community Engagement

None undertaken.

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 Soho Neighbourhood Plan includes policies on a range of matters including housing, residential amenity, air quality and climate change, traffic and servicing, green infrastructure, pedestrians and cycling and waste and recycling.

It has been through independent examination and was supported by local residents and businesses in a referendum held on 2 September 2021. It was adopted on 8 October 2021. It therefore forms part of the development plan for Westminster for development within the Soho neighbourhood area in accordance with Section 38 of the Planning and Compulsory Purchase Act 2004. Where any matters relevant to the application subject of this report are directly affected by the policies contained within the neighbourhood plan, these are discussed later in this report.

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 is the ground floor of a five-storey building located on the southern side of Bateman Street. The last use of the ground floor appears to have been as a café/restaurant (for which there was a premises licence) which closed in September 2020. According to council records the upper floors of the building are in a mix of office and residential use.

Next door to the site at 2 Bateman Street is the existing Simmons bar which operates on both the ground and first floor. It has a lawful use as a bar drinking establishment, and records indicate a bar has operated in this location since the 1990s. Simmons Bar has been operating at 2 Bateman Street since November 2015. There is an existing license for Simmons Bar at 2 Bateman Street, however a license for an application to extend Simmons Bar via a new doorway in 3 Bateman Street not yet been granted. This was applied for under RN: 23/00086/LIPV, which attracted over 20 objections in relation to the impact of the extended bar on the amenity of the area due increased noise disruption, antisocial behaviour and crime. Following these objections the licensing application was withdrawn.

The site is located within the Central Activities Zone, the Soho Conservation Area, and West End Stress Area.

Residential accommodation is located on the floors above the site, as well as opposite at 21 and 22 Bateman Street, and at 52 Greek Street. Various Class E establishments are located near the site, including restaurants and cafes. Drinking establishments are located nearby at 18 Bateman Street, 31-32 Dean Street and 7 Greek Street.

7.2 Recent Relevant History

No recent relevant history.

8. THE PROPOSAL

The applicant proposes to use the application site for an extension to the adjacent Simmons Bar at 2 Bateman Street. The application is retrospective, following physical and functional incorporation of the site at Simmons Bar in January 2021. The application has been submitted following an enforcement investigation which concluded that planning permission was required for the material change of use. The application is for a change of use from Class E (café/restaurant) to drinking establishment (40m²). The drinking establishment use would be joined with the ground floor of the neighbouring property to create a single unit (total floorspace 213m²). The opening hours proposed are 1000 to 2330 Monday to Thursday, 1000 to 0000 Friday and Saturday and 1200 to 2230 Sundays. These opening hours are in line with the existing bar at 2 Bateman Street and is controlled by a license.

The application is accompanied with the submission of comprehensive Door Management Policy, Music Policy, Pavement Management Policy, and Dispersal Policy documents, discussed at the end of section 9.1 below.

There are no proposed external alterations to the existing building. It should be noted that if there are to be any advertisement signs attached to the building or within its forecourt, then they may require a separate application for advertising consent.

As set out above, there is not currently a license which covers these changes. However this planning application is determined independently of the licensing process based on the Council's relevant planning policies.

9. DETAILED CONSIDERATIONS

9.1 Land Use Overview

London Plan Policy SD4 concerns the CAZ and seeks to promote 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 Central Activities Zone, strategic areas of night-time activity, (which includes the West End) and town centres where public transport such as the Night Tube and Night Buses 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 on anti-social behaviour, noise pollution, health and wellbeing and other issues for residents and nearby uses and to seek ways to diversify and manage these areas.

The site lies within the CAZ and the WERLSPA (the West End Retail and Leisure Special Policy Area). 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 as 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 to provide 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 through 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..."

City Plan Policy 16 (A) of the City Plan states that proposals for food and drink and entertainment uses will be of a type and size appropriate to their location. The over-concentration of those 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 predominantly, 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.

The Plan recognises that factors such as polluted air, excessive smells, poor waste management, noise and strong vibrations are examples of environmental impacts that have an adverse impact on quality of life and health and well-being. Development must prevent unacceptable environmental impacts on existing and new users of building or its neighbours. It confirms that the Council will place the burden on the applicant to ensure mitigation measures are included to safeguard future local amenity and to ensure that development does not cause existing nearby uses from having to curtail their activities.

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.

Also of relevance is the Soho Neighbourhood Plan (2019-2040) Policy 12 which states that proposals for new food uses (Class E), public houses, drinking establishments, take-aways and music venues (Sui Generis) must 'demonstrate that they will not have unacceptable amenity impacts (including in relation to noise, vibration and odours)'.

Loss of café / restaurant use (Class E)

The lawful use of the ground floor is for café / restaurant use, and was occupied most recently as a café. Policy 14 (B) requires that uses that provide active frontages and serve visiting members of the public will be required at the ground floor throughout the town centre hierarchy. However, there is no specific policy to protect cafes/restaurants and it is noted that the use could change to any other use within Class E without the need for planning permission, including indoor sports, health facilities, a creche/day nursery or office.

Proposed use

The proposed bar use accords with the principle of the aforementioned policies in that it would retain an active frontage at ground floor level. It is therefore considered to be acceptable in this location, subject to 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 provided that they do not adversely impact on residential amenity, health and safety, local environmental quality and the character and function of

the area.

The Soho Society raised strong objections to the principle of a drinking premises in this location given the high concentration of alcohol-based premises nearby. Policy 16 states 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 there are already several drinking establishments near the application site, including two bars, Thirst Bar and The Little Scarlet Door situated opposite the site at 53 and 12-13 Greek Street, as well as numerous bars and pubs elsewhere on Bateman Street, Frith Street, Greek Street and the wider Soho area.

Whilst there is a high concentration of drinking establishments within the local area, the area is typified by a mix of leisure uses including restaurants and cafés, which are present along Greek Street, Bateman Street and Frith Street. The proposal is also considered a relatively modest expansion, enlarging an already existing establishment rather than adding a new one to the area, therefore lessening its impact on the balance of different uses. The applicant indicates the staff numbers would increase from 21 to 32. The capacity/customer numbers are indicated to be approximately 30 additional customers (total 150 across combined site), which is considered a modest increase. The license for the existing Simmons Bar at 2 Bateman Street allows a maximum of 120 customers (60 at ground floor and 60 at first floor level). A condition will be added ensuring that the site can only operate as an extension to the drinking establishment at 2 Bateman Street rather than operating independently. This will prevent additional harm in terms of noise and disruption that would be associated with a separate independent establishment at 3 Bateman Street, which would require its own servicing and deliveries. It is also noted that the previous use as a café / restaurant would be considered an entertainment use, and therefore the proposed use is not considered a significant departure from what was previously present within the site. It is therefore considered that the proposal would not lead to an unacceptable concentration of drinking establishments.

The Soho Society have also referenced Policy 16 stating that “Simmons as an operator does not have much in common with traditional public houses which have been recognised as having social and community benefits”. Policy 16 does state that “applications for entertainment uses will need to demonstrate wider benefits for the local community, where appropriate”. However, given the relatively small increase in floor space of 40sqm, it is not considered appropriate in this instance that the council could insist on further local community benefits. Policy 16.5 refers specifically to the protection of public houses – it does not preclude other types of drinking establishments. Furthermore, the nature of the drinking use proposed is considered in keeping with the types of drinking establishments situated within Soho. In terms of community benefits, it is also considered that the proposal would add employment to the local area with 11 new members of staff.

Impact on amenity

There are a number of properties with residential accommodation in close proximity to the site, the amenity of which could be impacted. According to council tax records the upper

floors of the site are in residential use, with residential accommodation also located opposite at 21 and 22 Bateman Street, as well as at 52 Greek Street. The City Council is aware of potential amenity impacts on these properties due to the enlargement of the drinking establishment, with the increased number of up to 30 customers associated with the change potentially leading to further noise and disruption. The Soho Society have also raised concerns in relation to the impact of the proposal on anti-social behaviour and crime.

The council has records of complaints from members of the public in early 2022, in relation to noise generated by customers outside Simmons bar, customers blocking the pavement outside the premises, as well as loud music being played late at night. The Environmental Health team have confirmed that since these complaints the operator has installed a noise limiter to control amplified music and worked with our City Inspectors to better manage the external area. The Environmental Health team made no objection to the proposal. However on their recommendation a condition will be included to restrict the volume of any amplified noise generated. Whilst no immediate neighbours have objected to this application, as set out previously, over 20 objections were received alongside the licensing application for the proposed extension into 3 Bateman Street. These objections raised issues primarily in relation to increased noise disruption, antisocial behaviour and crime.

The current premises license for the existing Simmons Bar, has operational restrictions to reduce the impact on neighbouring amenity in relation to capacity limits, noise and vibration restrictions, the closure of all windows and external doors after 21:00, collection of waste and deliveries at appropriate times, and ensuring that customers do not bring drinks outside after 22:00.

Policy 12 of the Soho Neighbourhood Plan requires applicants to demonstrate their proposals will not have unacceptable amenity impacts, including in relation to noise, vibration and odours. The applicant has demonstrated how the drinking establishment will avoid amenity impacts as well as anti-social behaviour and crime with the submission of comprehensive Door Management Policy, Music Policy, Pavement Management Policy, and Dispersal Policy documents. These documents clearly set out how noise and disruption will be minimised, with restrictions on drinks being taken outside after certain hours, regular checks outside the venue by management and security personal deterring customers from loitering outside the venue, and through the front doors staying closed except for ingress and egress. In addition, the hours proposed are also relatively modest when taking into account the precedent set by other nearby drinking premises with many closing at 0300 on Fridays and Saturdays. The opening hours proposed are 1000 to 2330 Monday to Thursday, 1000 to 0000 Friday and Saturday and 1200 to 2230 Sundays. Conditions will be added to ensure that these opening hours are restricted, as well as restricting the overall capacity to 150 customers, to reduce potential impacts on residential amenity.

It is noted that the café / restaurant previously operating at the site had a license for tables and chairs until 2300. When considering the existing level of harm caused by the numerous late night drinking establishments already present within the area, the nature of the entertainment use previously occupying the site, as well as the management policies set out by the applicant, the increase proposed is not considered to be sufficiently harmful over and above what is already existing to warrant a refusal.

Whilst it is acknowledged that there have been complaints and objections in relation to the site and the impact on neighbouring amenity, taking into account the modest increase of up to 30 customers, the conditions outlined above that will be applied to this decision, as well as the measures set out within the operators management plans, the proposed extension is considered acceptable in terms of its impact on amenity.

9.2 Environment & Sustainability

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

Odour

Not relevant in the determination of the application.

9.3 Biodiversity & Greening

Not relevant in the determination of the application.

9.4 Townscape, Design & Heritage Impact

No material external alterations are proposed.

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

Cycle Parking

Long stay cycle parking will support active travel options by staff. Long term staff cycle parking must be secure, accessible and weatherproof. Long stay cycle parking for developments must be met within the development site itself. The London Plan Policy T5 requires 1.5 space per 175m² of drinking establishment use (most comparable use).

While it is disappointing that no cycle parking is proposed for the reconfigured space, it is accepted that the floor space is below the threshold to provide cycle parking.

Servicing

Policy 29 requires off-street servicing and freight consolidation. No off-street servicing is provided for vehicles (nor physically possible) and no internal space is allocated to support servicing activity (including laundry delivery and collection).

Servicing for the existing Simmons Bar is controlled by the current license. It is accepted that the combination of units is likely to reduce the level of servicing vehicles associated with the combined site. However, there may be an increase in dwell time of servicing

vehicles and goods obstructing the highway (footway). On balance, as a reduction, no objection is raised on this element.

Car Parking – Non-residential

The site is within a Control Parking Zone which means anyone who does drive to the site will be subject to those controls. It is accepted the impact of the change of use on parking levels will be minimal, however, see comments Trip Generation.

Trip Generation and Travel Plan

It is accepted that the majority of trips associated with the site (excluding servicing activity) will be via public transport or other sustainable modes (e.g. walking, cycling). Given the sites proposed uses and location, a travel plan is not required.

Waste

As part of this application the Waste Planning Officer was consulted. They advised that the drawing and the waste detail submitted are not in line with the council waste storage requirements. Three different waste streams are expected from this development which are food waste, general waste and recyclable materials. The three waste streams must be stored separately in different bins. A revised drawing is required to address these requirements. A condition will therefore be added to this decision requiring further details of waste to be submitted.

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 by employing an additional 11 members of staff and in indirect employment opportunities, through the employment of artists, stewards, sounds and lighting specialists for specific events.

9.8 Other Considerations

A further objection was raised by the Soho Society stating that the works were carried out without planning permission in order to influence the outcome of the planning application. It is noted that all planning applications are dealt with equally irrespective of whether the proposal has already been completed.

9.9 Environmental Impact Assessment

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

9.10 Planning Obligations & Pre-Commencement Conditions

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

10. Conclusion

The proposed change of use from café to drinking establishment is considered acceptable in terms of its impact upon residential amenity, the character and mix of uses of Soho and upon local environmental quality. Subject to conditions, the proposed change of use is considered to be compliant with the policies within the adopted development plan.

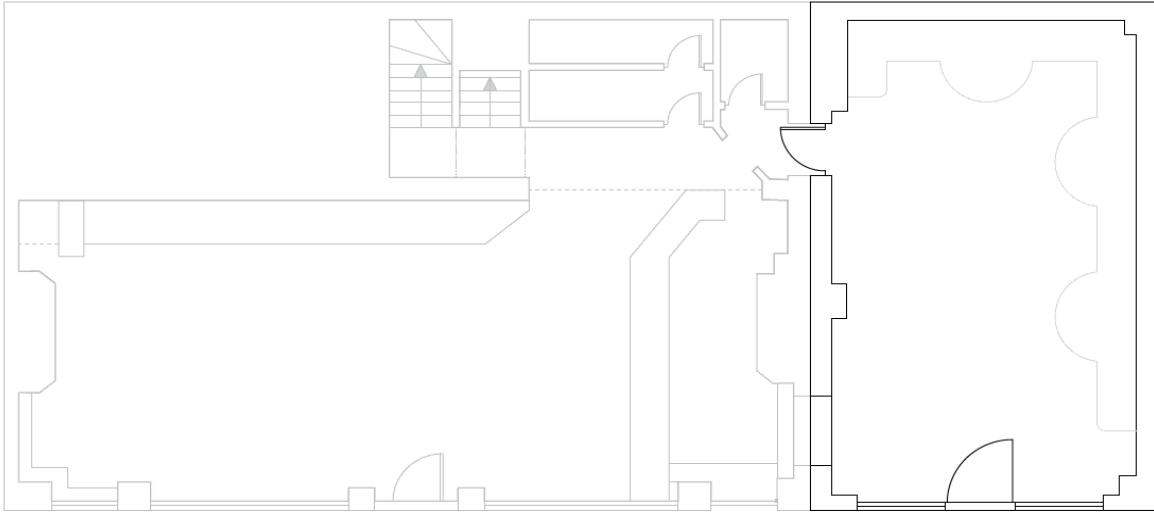
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: **ADD PRESENTING OFFICERS NAME** BY EMAIL AT **add presenting officer's email address**.

11. KEY DRAWINGS

3 BATEMAN STREET, LONDON, W1D 4AG
GROUND FLOOR

1:500



2 BATEMAN STREET

3 BATEMAN STREET

DRAFT DECISION LETTER

Address: 3 Bateman Street, London, W1D 4AE

Proposal: Use of the ground floor as a drinking establishment (sui generis use) as an extension to the existing bar at 2 Bateman Street. (Retrospective application)

Reference: 22/03136/FULL

Plan Nos: Ground floor Layout Plan, 1:500

Case Officer: Tristan Goldsmid

Direct Tel. No. 020 7641

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 You must apply to us for approval of details of how waste is to be stored on site and how materials for recycling will be stored separately. You must do so within 60 days of the date of this decision. You must then permanently retain the stores according to these details. You must clearly mark them and make them available at all times to everyone using the property. You must not use the waste and recycling store for any other purpose.

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)

- 3 Customers shall not be permitted within the premises before 1000 or after 2330 on Monday to Thursday (not including bank holidays and public holidays), before 1000 or after 0000 on Friday and Saturdays, and before 1200 or after 2230 on Sundays, bank holidays and public holidays.

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out Policies 7 and 38 of the City Plan 2019 - 2040 (April 2021). (R21AD)

- 4 The ground floor unit hereby approved for a drinking establishment shall be occupied as a single unit in conjunction with 2 Bateman Street and shall not be sub-divided or used independently.

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out Policies 7 and 38 of the City Plan 2019 - 2040 (April 2021). (R21AD)

- 5 i. The design and structure of the development 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 and,
- ii. For any music noise; the indices of Leq and LFMax in the octave bands 31.5 Hz, 63 Hz and 125 Hz should be at least 10 dB below the existing background noise level measured in terms of L90,5mins (31.5Hz, 63Hz, 125Hz) inside the neighbouring premises and,
- iii. For music noise where access to relevant habitable spaces is unavailable; the design of the separating structures should be such that the received music noise level in the habitable spaces, with music playing, should be demonstrated through calculation to not exceed a rating of NR20 (Leq, daytime), NR15 (Leq, night-time) and NR30 (LFMax, night-time).

Reason:

To protect neighbouring residents from noise nuisance, as set out in Policies 7, 16 and 33 of the City Plan 2019 - 2040 (April 2021). (R13ED)

- 6 You must carry out the measures included in your music, pavement, door policy and dispersal management plans at all times that the bar is in use. (C05KA)

Reason:

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

- 7 Waste must not be left on the highway.,

Reason:

In the interests of public safety and to avoid blocking the road as set out in Policies 24 and 25 of the City Plan 2019 - 2040 (April 2021). (R24AD)

- 8 No delivery service to operate from the premise.,

Reason:

In the interests of public safety and to avoid blocking the road as set out in Policies 24 and 25 of the City Plan 2019 - 2040 (April 2021). (R24AD)

- 9 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 Policies 24 and 25 of the City Plan 2019 - 2040 (April 2021). (R24AD)

- 10 You must not allow more than 150 customers into the drinking establishment at 2 and 3 Bateman Street hereby approved at any one time.

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)

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.
- 2 **HIGHWAYS LICENSING:**, Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please visit our website at [www.westminster.gov.uk/guide-temporary-structures.](http://www.westminster.gov.uk/guide-temporary-structures), , **CONSIDERATE CONSTRUCTORS:**, 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., , **BUILDING REGULATIONS:**, You are advised that the works are likely to require building regulations approval. Details in relation to Westminster Building Control services can be found on our website at www.westminster.gov.uk/contact-us-building-control

- 3 If there is a musical amplification system at the premises played above background levels, then a suitable noise limiter must be fitted to comply with the above noise condition (5).
- 4 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is also a condition of the London Building Acts (Amendment) Act 1939, and there are regulations that specify the exact requirements. For further information on how to make an application for street naming and numbering, and to read our guidelines, please visit our website: www.westminster.gov.uk/street-naming-numbering. (I54AB)
- 5 The development will result in changes to road access points. Any new threshold levels in the building must be suitable for the levels of neighbouring roads. If you do not plan to make changes to the road and pavement you need to send us a drawing to show the threshold and existing road levels at each access point., , If you need to change the level of the road, you must apply to our Highways section at least eight weeks before you start work. You will need to provide survey drawings showing the existing and new levels of the road between the carriageway and the development. You will have to pay all administration, design, supervision and other costs. We will carry out any work which affects the road. For more advice, please email AskHighways@westminster.gov.uk.
- 6 Please email our Project Officer (Waste) at wasteplanning@westminster.gov.uk for advice about your arrangements for storing and collecting waste.
- 7 The term 'clearly mark' in condition 2 means marked by a permanent wall notice or floor markings, or both. (I88AA)
- 8 You need to speak to our Highways section about any work which will affect public roads. This includes new pavement crossovers, removal of redundant crossovers, changes in threshold levels, changes to on-street parking arrangements, and work which will affect pavement vaults. You will have to pay all administration, design, supervision and other costs of the work. We will carry out any work which affects the highway. When considering the desired timing of highway works in relation to your own development programme please bear in mind that, under the Traffic Management Act 2004, all works on the highway require a permit, and (depending on the length of the highway works) up to three months advance notice may need to be given. For more advice, please email AskHighways@westminster.gov.uk. However, please note that if any part of your proposals would require the removal or relocation of an on-street parking bay, this is unlikely to be approved by the City Council (as highway authority).

Please note: the full text for informatives can be found in the Council's Conditions, Reasons

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& Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.