

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 6 th February 2024	Classification For General Release	
Report of Director of Town Planning & Building Control		Ward(s) involved West End	
Subject of Report	8 Lancashire Court, London, W1S 1EY		
Proposal	Use of the building as a private members club (sui generis use) and alterations to the ground floor including the change of some windows to doors.		
Agent	First Plan		
On behalf of	Soho House		
Registered Number	23/06821/FULL	Date amended/ completed	2 October 2023
Date Application Received	2 October 2023		
Historic Building Grade	Unlisted		
Conservation Area	Mayfair		
Neighbourhood Plan	Mayfair Neighbourhood Plan		

1. RECOMMENDATION

Grant conditional planning permission.

2. SUMMARY & KEY CONSIDERATIONS

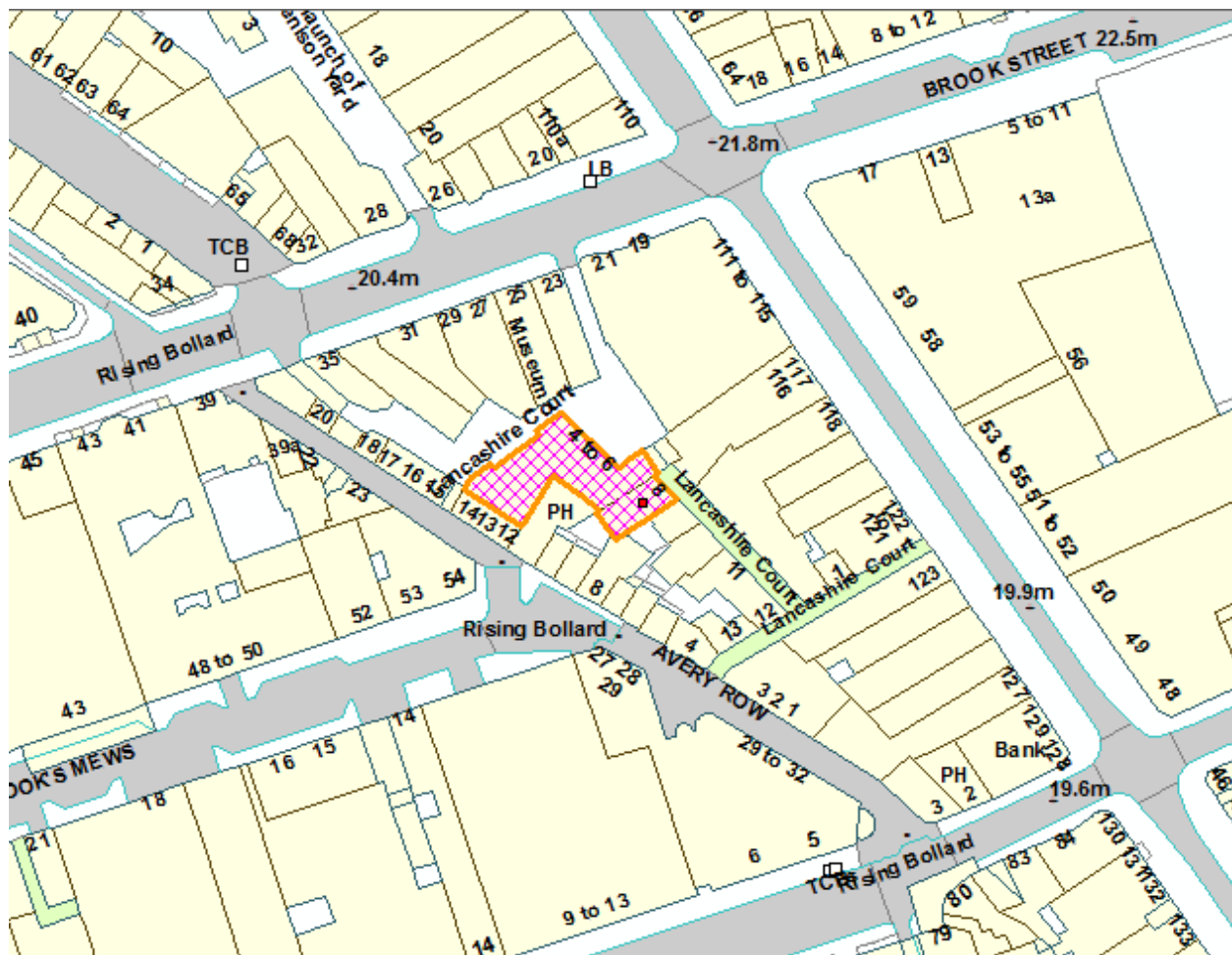
This application seeks permission for the use of the existing restaurant/ bar at 8 Lancashire Court as a private members club, with the intended occupier being Soho House. External alterations are proposed to the fenestration at ground floor level by reinstating two windows which are currently blind openings and converting three existing windows into glazed doors. It is also proposed to install awnings, comprising a mix of retractable and Dutch awnings.

The key considerations in this case are:

- The acceptability of the proposal in land use terms
- The acceptability of the proposed alterations to the buildings in design terms.
- The impact on the amenity of neighbouring residential properties.

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



Side elevation:



5. CONSULTATIONS

5.1 Application Consultations

MAYFAIR RESIDENTS GROUP

No response.

MAYFAIR NEIGHBOURHOOD FORUM

Objection on the grounds that a 03:00 closing time on Thursday to Saturday nights is too late and it should be restricted to 'core hours'.

RESIDENTS SOCIETY OF MAYFAIR AND ST. JAMES'S

No response.

HIGHWAYS

Acceptable subject to conditions.

CLEANSING MANAGER

Further information requested.

ADJOINING OWNERS AND OCCUPIERS

No Consulted: 63

No Replied: 3

3 Letters of support on the following grounds:

* The use would provide a new and exciting addition to the area.

* Would result in greater controls over anti-social behaviour in the area.

SITE AND PRESS NOTICE

Yes

5.2 Applicant's Pre-Application Community Engagement

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

The outcome of these meetings was to revise the draft operational management plan to take on board comments where possible.

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) (December 2023) and should be afforded full weight in accordance with paragraph 225 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 47 of the NPPF, the application must be determined in accordance with the development plan, unless material considerations indicate otherwise.

6.2 Neighbourhood Planning

The Mayfair Neighbourhood Plan includes policies on a range of matters including public realm, directing growth, enhancing retail, commercial and public house uses, residential amenity, commercial growth, cultural and community uses, heritage, design, servicing and deliveries and environment and sustainability.

The plan has been through independent examination and was supported by local residents and businesses in a referendum held on 31 October 2019. It was adopted on 24 December 2019. It therefore forms part of the development plan for Westminster for development within the Mayfair 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 (September 2023) unless stated otherwise.

7. BACKGROUND INFORMATION

7.1 The Application Site

8 Lancashire Court is an unlisted building located in the Mayfair Conservation Area, Central Activities Zone and the West End Retail and Leisure Special Policy Area. The building comprises basement, ground, first and second floors and although currently vacant has most recently been occupied for restaurant purposes.

The building has a long-standing history of use as a restaurant, with planning permission having been granted since 2001 for tables and chairs outside the premises in association with 'Hush restaurant' the former operator of the restaurant.

21 Brook Street is the closest residential accommodation to the north-east of the site. Lancashire Court has a mix of restaurants and uses as well as high-end boutique shops.

7.2 Recent Relevant History

In 2016 planning permission was sought for the 'Erection of new access structure and screening in connection with the use of the roof as a terrace associated with the

restaurant use. Installation of replacement plant items and associated screening at main roof level. Application refused on the 15th February 2017. The appeal was allowed on the 29th November 2017. This permission has not been implemented.

Planning permission (95/01000/FULL) was granted on 19.03.1997 for “Part redevelopment to provide building of part basement ground and two upper floors plus roof level plant enclosure, comprising public house and associated restaurant, function room, managers office and staff flat (Class A3)”.

Planning permission was refused on 9 November 2000 for the “Variation of condition 12 of permission dated 19 March 1997 to allow extension of opening hours of ground and first floor restaurant from 9am-11.30pm Monday to Saturday to 9am-12.30am Monday to Saturday.” The appeal was allowed on the 25th June 2001.

Several applications have been permitted for use of the courtyard for the placing of 20 tables and 60 chairs and three parasols in connection with the existing use at ground floor between 8am to 11pm Monday to Sunday (most recent application refs. 20/00719/TCH, 22/02096/TCH).

Licensing position

A Premises license was granted for Hush on 10 February 2020 (21/12157/LIPDPS). Soho House applied to transfer this premises licence on 28 November 2023 under 23/08689/LIPT, and this was granted on 12 January 2024 (with opening hours of 10:00 to 00:30 (Monday to Saturday) and 10:00 to 00:00 on Sundays).

8. THE PROPOSAL

This application seeks permission for the use of the existing restaurant/ bar at 8 Lancashire Court as a private members club (sui generis) to be operated by the Soho House Group. The proposed layout is largely similar to the existing restaurant operation, for example the locations of kitchens, back of house and front of house areas remain unchanged. At ground floor level, a dining area with ancillary bar is proposed, providing approximately 50 covers. A separate back of house entrance is provided via the side entrance to retained kitchen facilities at the rear of the building. Additional seating/lounge areas are proposed at first floor (approximately 70 covers) and further seating/lounge and private rooms are proposed at second floor (approximately 50 covers). In total there will be 170 internal covers which is very similar to the existing operation.

External alterations are proposed to the fenestration at ground floor level by reinstating two windows which are currently blind openings and converting three existing windows into glazed doors. It is also proposed to install awnings, comprising a mix of retractable and Dutch awnings.

The proposed operation hours of the members club are as follows:

- Monday to Wednesday: 08:00 – 00:30 (the following morning)
- Thursday to Saturday: 08:00 - 01:30 (the following morning)
- Sunday: 10:00 – 11:30

The applicant initially proposed a closing time of 03.00 (the following morning) on Thursday to Saturday but further to discussions with Officer's a closing time of 01.30 (the following morning) is now proposed.

Soho House Group was founded in London in 1995 as a private members' club for people in the creative industries, Soho House & Co has since opened clubs across Europe, North America and Asia, as well as restaurants, cinemas, workspaces, spas and bedrooms.

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.

Policy MRU1 of the Mayfair Neighbourhood Plan requires that; 'Proposals for new commercial or entertainment uses in Mayfair must demonstrate how they protect the amenity of nearby residential units and create no material additional adverse effects (after mitigation) such as noise and rubbish between 11pm and 7am.' Policy MRU3 states that "New retail and entertainment uses will be encouraged where they complement both nearby residential communities and also the character which those nearby communities help to foster."

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.

Proposed use and impact on amenity

The building has a longstanding lawful use as a restaurant premises and comprises 1,032sqm over four floors. The City Plan does not include any specific policies seeking to protect restaurant floorspace however, Policy 14 of the City Plan states 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.' As their name suggests, private members clubs do not serve visiting members of the public as they are exclusive to their members and not available to all passers-by. However, the club will have the appearance of a restaurant with opening doors facing Lancashire Court and as such provides an active frontage. Given the buildings location on a backland site, with the only access being from the pedestrianised Lancashire Court, it is not considered that the impact of a use which does not serve visiting members of the public, would, in this location, be harmful to town centre vitality and viability.

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 private members club would be close to a number of other entertainment premises including the restaurant/bar at 4-6 and 10-11 Lancashire Court (now vacant but previously occupied by Mews of Mayfair), The Iron Duke at 11 Avery Row and Sparrow restaurant at 1-3 Avery Row. However, this part of Mayfair remains of a mixed-use character providing other uses including a number of retail premises, including large department-type stores on Bond Street (including the Victoria's Secrets store which also has a frontage onto Lancashire Court) and other uses such as the Handel Museum on Brook Street. Despite the proximity of other pubs and restaurants, the principle of a long-standing entertainment use has already been established on this site. It is considered that, subject to operational controls, and compliance with the submitted Operational Management Plan, that the impact upon the character and function of the area will be very similar to a restaurant use.

The applicant, Soho House, operate six other premises in London and have produced an operational management plan tailored from their understanding of operating their other premises with late night closing times. The operational measures to be introduced to ameliorate potential disruption and noise disturbance include:

- the employment of door staff to ensure guests leave the premises quietly
- the provision of CCTV
- limiting the number of covers to 170 (which is similar to the existing operation)
- closing the outside areas at 22.30 with doors and windows to remain closed after 23:00 hours save for access and egress,

- the display of signage requesting that patron's leave the premises quietly,
- Staff to provide taxi telephone details and night bus details to customers and staff can also call services at a customer's request.
- Customers will also be encouraged to wait inside for their transport rather than in the Mews to reduce disturbance to neighbours.
- If complaints are received CCTV footage is reviewed to identify the source of complaint and appropriate action taken.
- Any noise complaints from residents to be communicated to Soho House Manager by the Security Team immediately.
- No rubbish, including bottles shall be moved, removed or placed in outside areas between 21:00-07:00 hours on weekdays and between 21:00-09:00 hours on Sundays.
- The premises license holder shall ensure any patrons smoking in the designated open smoking areas do so in an orderly manner and are monitored by staff and Managers so as to ensure there is no public noise nuisance.

The implementation of these measures will all help to ameliorate the impact of the operation of the unit on nearby residents. Given the similarities between the operation of existing restaurant and the proposed private members club the proposed use is deemed acceptable in principle. The private members club is proposed to be open Monday to Wednesday: 08:00 - 00:30; Thursday to Saturday: 08:00 - 01:30 and Sunday: 10:00 - 23:30. This is 1 hour later than the former restaurant use on Thursday to Saturday and ½ an hour earlier Sunday. The restaurant operated until 00:30 Monday to Saturdays and midnight on Sundays. Planning permission had been refused in 1999 to extend the opening hours of the premises until 09:00-00.30 Monday to Saturday and 10:00-23.00 on Sundays but these extended opening hours were subsequently allowed on appeal.

Initially the application sought a closing time of 03.00 (the following morning) on Thursday to Saturday. The Mayfair Neighbourhood Forum objected to the extended, later closing time advising that the opening hours should be restricted to the 'core hours' as stipulated in licensing policy. They consider that the later opening hours might lead to increased noise and disturbance for neighbouring residents.

The Council's Statement of Licensing Policy (October 2021) sets out the Core Hours Policy (HRS1) for various uses including 'qualifying clubs' (09:00 to 23:30 on Monday-Thursday, 09:00 to midnight on Friday and Saturday and 09:00 to 22.30 on Sundays and 09:00 to midnight on Sundays immediately prior to a bank holiday). Applications for uses outside these hours will be considered on their merits, subject to other relevant licensing policies, which include whether there is residential accommodation in the proximity of the premises, access to public transport, the type of use etc. In this regard, the Policy also makes specific reference to the fact that "qualifying clubs have had little association with crime and disorder or public nuisance. Through their membership requirements, they exert a degree of control over behaviour in and around their premises". However, it is important to note that these policies relate exclusively to Licensing decisions. Planning and Licensing are distinct and separate regulatory regimes, each with its own specific statutory considerations and policy considerations. While the previously saved UDP policies referenced core hours, the current Westminster City Plan 2019-2040 does not include such policies or references.

There are a number of residential properties within the vicinity of the site but none within Lancashire Court itself (although the duplex flat at fourth and fifth floors at 21 Brook

Street does have windows that face the entrance to Lancashire Court). Council records indicate residential flats at 18 and 20 Avery Row and 21, 29 and 37A Brook Street to the north. Three consultation responses have been received to the application from neighbouring residential occupiers, all in support of the application (all from the same property on Avery Row).

In response to the objection from the Mayfair Neighbourhood Forum the application has been amended reducing the proposed closing time on Thursday to Saturday from 03.00 to 01.30 (the following morning). This would still be later than the core hours in the Council's statement of Licensing policy by 2 hours on Thursday and 1 ½ hours on Friday and Saturday, however given the sites location within a commercial backland site, the close proximity to New Bond Street for transport connections, the additional controls a private members club would afford and the stringent SMP, along with policy support for a night-time economy in suitable locations in Central London, the proposed opening hours are considered acceptable in this regard. It is also noted that the hours of opening of the nearby restaurant / bar at 10 - 11 Lancashire Court are until 02:00 daily.

A condition is included to ensure the use operates in accordance with the stipulations in the OMP at all times. It is noted that the occupier is Soho House who operate six other premises in London would be the occupier and the OMP has been tailored from their understanding of operating the other premises with late night closing times. Conditions are also included with regard the opening hours and the capacity of the premises and to ensure that the windows and 'French Doors' are closed between 23:00 and 08:00 the following morning.

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.

9.2 Environment & Sustainability

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

Odour

The building currently has an internally routed high level extract duct terminating at main roof level to provide suitable odour extraction from the restaurant, a condition is included to ensure this is retained should the planning permission be implemented.

9.3 Biodiversity & Greening

Not relevant in the determination of the application.

9.4 Townscape, Design & Heritage Impact

Alterations are proposed to the ground floor elevation to include the installation of two windows in the place of two infilled window recesses and the installation of French Doors to the courtyard area. The proposal has been amended since submission to remove large ground floor awnings which were considered inappropriate in design terms. The

proposal is considered acceptable in design terms and would have a neutral impact on the appearance of the building and wider Mayfair Conservation Area.

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 site is located within a Controlled Parking Zone which means anyone who does drive to the site will be subject to those controls. The majority of trips associated with the site (excluding servicing activity) will be via public transport or other sustainable modes (eg walking, cycling) and will not have a significantly detrimental impact on the safety or operation of the highway network. Taxi use associated with the operation is likely to be similar to the existing use.

Policy 29 requires off-street servicing and freight consolidation. Deliveries, goods left and waste collection on the highway create an obstruction to pedestrians and have an adverse impact on the improvements to the public realm. Delivery vehicles stopping on the highway can also result in localised congestion to other motorists.

Servicing and Waste & Recycling Storage

No off-street servicing is indicated for the development. An Operational Management Plan has been provided as part of the application and indicates a Servicing Management Plan (SMP) will be provided if planning permission is granted. The Highways Planning Manager has requested a condition be included on any permission requiring the submission of an SMP. This should clearly identify process, storage locations, scheduling of deliveries and staffing arrangements; as well as how delivery vehicle size will be managed and how the time the delivered items spend on the highway will be minimised, in this case. An informative is included to advise the applicant what information would be required with any SMP and the processes it should detail.

The Cleansing Manager has requested further information in relation to the storage facilities for the waste and recycling and a condition is included to require the submission of amended drawings to show suitable provision.

Cycling & Cycle Storage

No provision of cycle parking has been shown on the drawings for either staff or patrons, to accord with the London Plan requirements 6 cycle parking spaces would need to be provided. Given the space available in the basement of the premises and the separate entrance for staff / deliveries it is considered suitable in this instance to include a condition to require the provision and retention of the 6 spaces.

Accessibility

The members club will be accessible to all including use of the main lift in the building

which serves all existing floors. A disabled WC will be provided.

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 including an enhanced level of employment opportunities (75 jobs proposed compared with the existing 37).

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

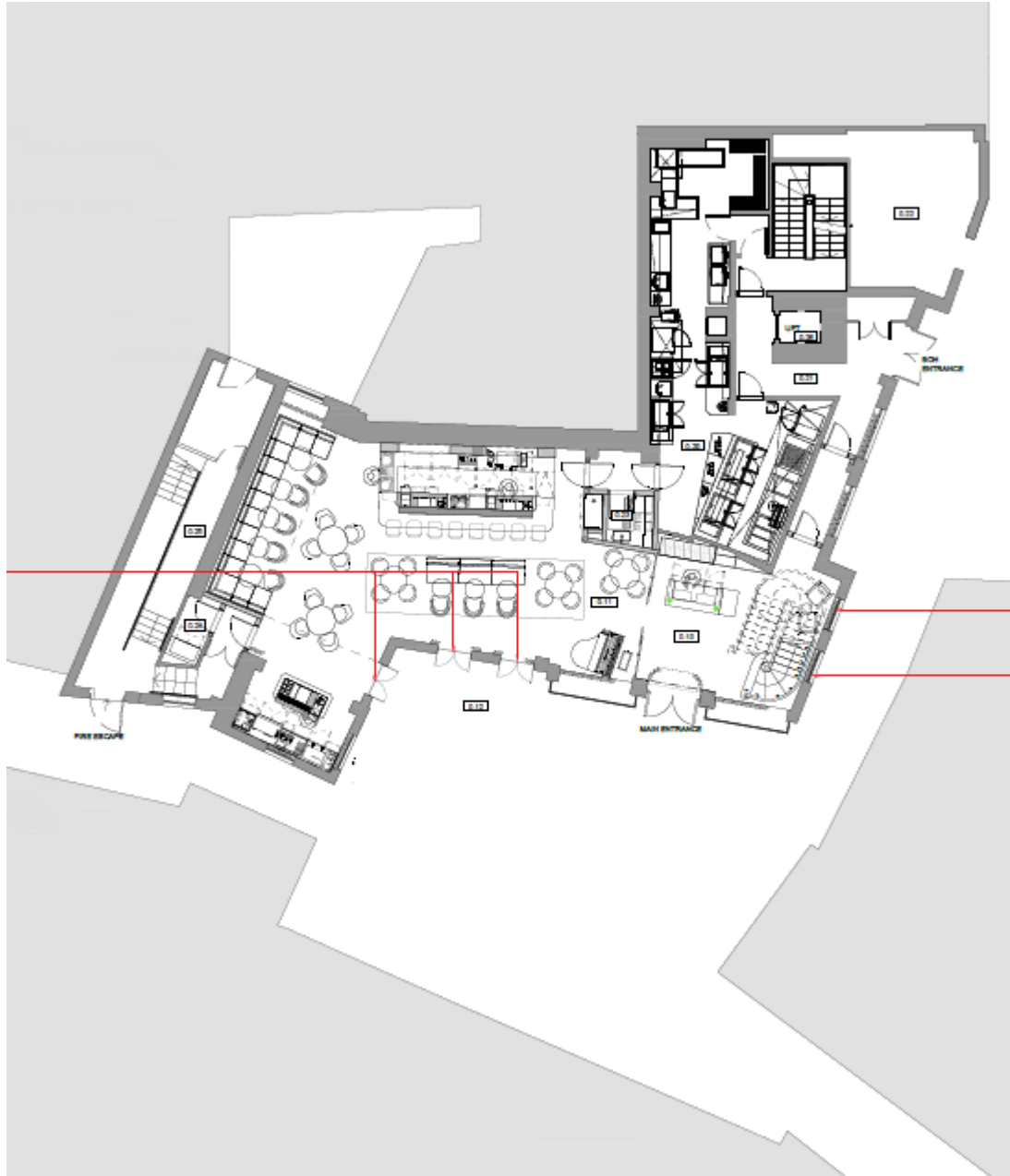
The impact upon residential amenity, the character of Mayfair and upon local environmental quality of the proposed private members club is considered to be very similar to the existing use of the site as a restaurant. Subject to conditions, the proposed change of use is considered to be compliant with 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)

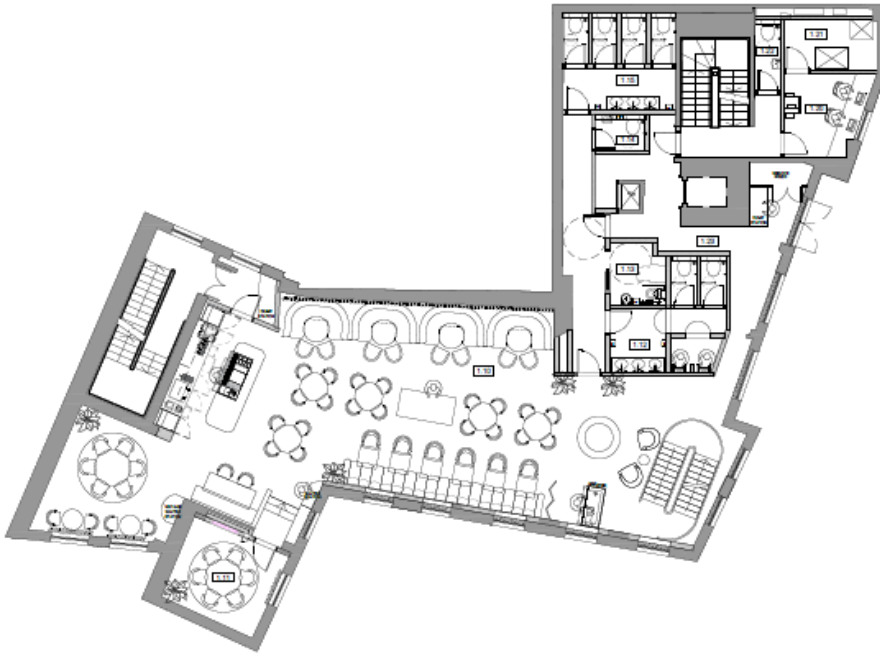
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: MIKE WALTON BY EMAIL AT mwalton@westminster.gov.uk

11. KEY DRAWINGS

Proposed ground floor plan:



Proposed first floor plan:



Proposed second floor plan:



Front elevation:



Side elevation:



DRAFT DECISION LETTER

Address: 8 Lancashire Court, London, W1S 1EY

Proposal: Use of the building as a private members club (sui generis use) and alterations to the ground floor including the change of some windows to doors.

Reference: 23/06821/FULL

Plan Nos: Drawings: 2345_SH_DD_04, 2345_SH_PR_B1 RevA, 2345_SH_PR_00 RevC, 2345_SH_PR_01 RevA, 2345_SH_PR_02 RevA, 2345_SH_EX_03, 2345_SH_PR_EL RevB, Documents: 8 Lancashire Court Draft Management Plan.

Case Officer: Matthew Giles

Direct Tel. No. 020 7641
07866040155

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 Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R11AD)

- 3 Prior to the operation of the private members club hereby approved you must apply for approval of a Servicing Management Plan. This must thereafter be followed / maintained

at all times that the private members club is in operation, unless a revised strategy is approved (in writing) by the Local Planning Authority. The plan must identify process, internal storage locations, scheduling of deliveries and staffing as well as a clear process for managing vehicle sizes.

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)

- 4 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 not occupy the private members club (sui generis) use hereby approved until we have approved what you have sent us. You must then provide the waste and recycling storage prior to occupation of the development and thereafter 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. (C14GB)

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)

- 5 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)

- 6 You must apply to us for approval of details of secure cycle storage for the private members club (sui generis) 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 property. 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)

- 7 You must carry out the measures included in your management plan titled '8 Lancashire Court Draft Management Plan' at all times that the private members club is in use.

Reason:

We cannot grant planning permission for unrestricted use in this case because it would

not meet Policy 16 of the City Plan 2019 - 2040 (April 2021). (R05AC)

- 8 Customers shall only be permitted within the private members club during the following hours:

Monday to Wednesday: 08:00 - 00:30 (the following morning),

Thursday to Saturday: 08:00 - 01:30 (the following morning),

Sunday: 10:00 - 23:30

Reason:

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

- 9 You must not allow more than 170 customers into the property at any one time. (C05HA)

Reason:

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

- 10 All windows and the 'French Doors' to the ground floor 'courtyard' at the front of the property shall be fixed shut between 23:00 and 08:00 the following morning.

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) and the Environmental Supplementary Planning Document (February 2022). (R13FC)

- 11 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 make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Mayfair Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 12 You must operate and retain the existing high level extract duct terminating at main roof level for as long as the private members club is in use.

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). (R14AD)

- 13 (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 private members club 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 private members club 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)

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 You must register your food business with the Council, please use the following link: www.westminster.gov.uk/registration-food-business. Please email the Environmental Health Consultation Team (Regulatory Support Team 2) at ehconsultationteam@westminster.gov.uk for advice on meeting our standards on ventilation and other equipment. Under environmental health legislation we may ask you to carry out other work if your business causes noise, smells or other types of nuisance.
- 3 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)
- 4 Buildings must be provided with appropriate welfare facilities for staff who work in them and for visiting members of the public., Detailed advice on the provision of sanitary conveniences, washing facilities and the provision of drinking water can be found in guidance attached to the Workplace (Health, Safety and Welfare) Regulations 1992. www.opsi.gov.uk/SI/si1992/Uksi_19923004_en_1.htm, , The following are available from the British Standards Institute - see shop.bsigroup.com/:, , BS 6465-1:2009: Sanitary installations. Code of practice for the design of sanitary facilities and scales of provision of sanitary and associated appliances , BS 6465-3:2009: Sanitary installations. Code of practice for the selection, installation and maintenance of sanitary and associated appliances. (I80HA)
- 5 For advice on how you can design for the inclusion of disabled people please see the guidance provided by the Equality and Human Rights Commission, the Centre for Accessible Environments and Habinteg. The Equality and Human Rights Commission has a range of publications to assist you (www.equalityhumanrights.com). The Centre for Accessible Environment's 'Designing for Accessibility' (2012) is a useful guide (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.

- 6 In relation to Condition 3 of this consent the Servicing Management Plan should clearly identify process, storage locations, scheduling of deliveries and staffing arrangements; as well as how delivery vehicle size will be managed and how the time the delivered items spend on the highway will be minimised. This must be provided for waste / recycling collection and storage as well.

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.