

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS COMMITTEE</b>	<b>Date</b> 14 February 2017	<b>Classification</b> For General Release	
<b>Report of</b> Director of Planning		<b>Ward(s) involved</b> Knightsbridge And Belgravia	
<b>Subject of Report</b>	<b>Marble Arch At, Marble Arch, London, W1H 7DX,</b>		
<b>Proposal</b>	Use of part of Marble Arch Island as theatre event space for a temporary period from 7th April 2017 to 6th December 2017, including installation of enclosed temporary theatrical production structure (with approximately 650 audience seats) associated structures and associated works.		
<b>Agent</b>	Gerald Eve		
<b>On behalf of</b>	Marble Arch Temporary Theatre		
<b>Registered Number</b>	16/11546/FULL	<b>Date amended/ completed</b>	6 December 2016
<b>Date Application Received</b>	6 December 2016		
<b>Historic Building Grade</b>			
<b>Conservation Area</b>	Royal Parks		

## 1. RECOMMENDATION

Grant conditional permission

## 2. SUMMARY

Permission is sought for the erection of a pop up theatre on the Marble Arch traffic island for a temporary period of 8 months from April 2017. The temporary theatre will be located in an open landscaped area to the west of the Grade 1 listed Marble Arch. The theatre will be operated by Underbelly who have an established record of delivering theatrical productions in pop up theatres.

The key issues for consideration are:

- The acceptability of using part of Marble Arch Island as an entertainment venue in land use terms
- The impact of the tented structure on the townscape, the character and appearance of the Royal Parks Conservation Area and the setting of the Grade 1 listed Marble Arch.

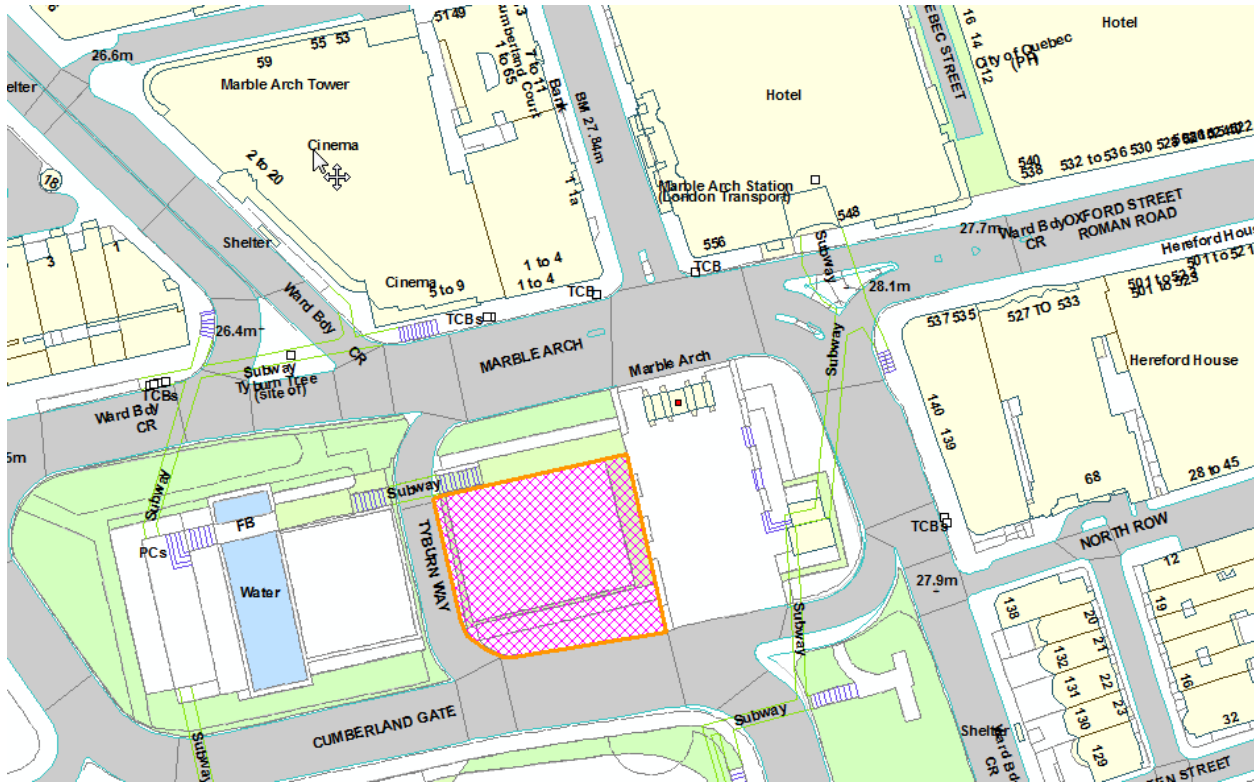
The location of the theatre is sensitive due to its setting adjacent to the Grade 1 Listed Marble Area and location on Metropolitan Open Land (MOL). Development on MOL will only be permitted in exceptional

circumstances. The proposed theatre tent structure is considered harmful to the setting of the grade I listed building. However this harm is identified as less than substantial.

The temporary theatre would provide a cultural venue which would be beneficial to the area. The public benefits of the scheme are considered to outweigh the harm to the townscape and the setting of the adjacent Grade 1 listed Marble Arch.

Subject to appropriate conditions including requiring the theatre to be operated in accordance with an appropriate Operational Management Plan (OMP) and securing site restoration the temporary scheme is considered acceptable.

### 3. LOCATION PLAN



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4. PHOTOGRAPHS



## 5. CONSULTATIONS

### COUNCILLOR FLORU

No objection provided that; a hoarding does not obstruct views of the Arch, there is no disruption of car traffic flow around the Arch, and organisers take care with regular cleaning and security of the entire area.

### GREATER LONDON AUTHORITY

No objection, the proposed temporary theatre is supported in this location within the CAZ. The less than substantial harm to the setting of Marble Arch would be outweighed by the public benefits to the scheme. A site restoration scheme, a pedestrian management plan should be secured by condition or a S106 agreement as appropriate. The scheme does not need to be referred back to the Mayor.

### TRANSPORT FOR LONDON

Any response to be reported verbally

### DESIGNING OUT CRIME

Any response to be reported verbally

### METROPOLITAN POLICE

Any response to be reported verbally

### THE ROYAL PARKS

No objection, advise as follows:

during the agreed Hyde Park concert dates (8 dates) that the theatre finishing times should not clash with the concert egress times for public safety reasons;  
concerns raised around impact on egress ( both standard and emergency);  
the theatre event should be responsible for providing stewards to assist road crossings before and after their event;  
the licensed db levels at monitored points will be adhered to, however the theatre programme may not be compatible with a concert taking place in Hyde Park in terms of possible sound impact at the same time;  
request assurances that the event organiser would work with Winter Wonderland regarding crowd management operations.

### MARYLEBONE ASSOCIATION

Objection to the impact on traffic and pedestrian circulation,  
Inappropriate setting for a theatre and the use of public open space,  
9 months is a relatively long period for a temporary use.

### RESIDENTS SOCIETY OF MAYFAIR AND ST JAMES'S

Any response to be reported verbally

### HYDE PARK ASSOCIATION

Any response to be reported verbally

### SOUTH EAST BAYSWATER ASSOCIATION

Any response to be reported verbally

**BAYSWATER ASSOCIATION**

Any response to be reported verbally

**KNIGHTSBRIDGE ASSOCIATION**

Any response to be reported verbally

**HISTORIC ENGLAND**

Do not wish to comment

**HIGHWAYS PLANNING MANAGER**

No objection, subject to a condition requiring a crowd management strategy and no goods to be left on the highway.

**ENVIRONMENTAL HEALTH**

Any response to be reported verbally

**CLEANSING**

No objection, subject to a condition requiring details of bin storage required

**ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED**

No. Consulted: 498

Total No. of replies: 5

No. of objections: 1

1 objection raising the following issues:

Open spaces are rare in London and should be protected;  
the site location in the middle of a busy roundabout will create problems for construction;  
traffic and also users of the facility unless using public transport;  
toilet facilities in the area are poor, the site is extremely busy when both summer concerts  
and winter wonderland are taking place use of the site as a theatre when both events are  
taking place will result in logistical problems.

2 neutral comment raising no objection to the theatre on the basis that  
the site is kept clean and well maintained;  
stewarding and the operation does not impede pedestrian and cyclist movement across  
the paved piazza directly in front of Marble Arch.

2 letters of support raising the following issues:  
Enhancement to the leisure and cultural offer locally;  
Reduction in anti- social; behaviour;  
Increased attractiveness of Marble Arch and identity.

**PRESS ADVERTISEMENT / SITE NOTICE: Yes**

## **6. BACKGROUND INFORMATION**

### **6.1 The Application Site**

The site comprises an area of open space made up of hard and soft landscaping around Marble Arch. This is an island area to the north east of Hyde Park. The site is enclosed by roads at Marble Arch to the north, Tyburn Way to the west, Cumberland Gate to the south and Park Lane to the west. All the roads bordering the traffic island are busy multi-lane routes. The site lies immediately west of the grade I listed Marble Arch and north of the north east corner of the grade I listed Hyde Park.

The site is also located on the fringes of the Royal Parks Conservation Area, and adjacent to the boundaries of the Portman Estate, Mayfair and Bayswater Conservation Areas. A number of grade II listed buildings are also sited to the east of the site, on the eastern side of Park Lane and to the north west of the site on Bayswater Road.

The site is designated Metropolitan Open Land and is within the Central Activities Zone outside the Core CAZ.

### **6.2 Recent Relevant History**

The eastern traffic island has been the subject of a number of temporary uses including public art installations, Olympic sports installations during the games in 2012, and use as an ice rink between November and January 2002-2008.

In 2011 permission was refused for a much larger development straddling Tyburn Way to provide a temporary event facility to promote the 2014 Sochi Winter Olympics. The application was refused due to concerns over scale, design, traffic generation, security and loss of trees.

## **7. THE PROPOSAL**

Permission is sought for the installation of a temporary pop up theatre tent for a period of eight months from 7 April 2017 to 6 December 2017. The intention is that the construction of the theatre will commence on 7 April 2017 with the build-up of the theatre and technical rehearsals, the overall installation will take three weeks. The theatre will then be open to the public from 1 May 2017 to 26 November 2017. The process of deconstruction will then commence on 27 November 2017 and will be completed by 6 December 2017.

The theatre will be operated by Underbelly and will host a new production 'Five Guys Named Moe'. There would be a maximum of 8 ticketed performances per week lasting 2 – 2.5 hours. The proposed start times for each performance are as follows: Monday- Tuesday 19.30, Wednesday 14.20 and 19.30, Thursday– Friday 19.30, Saturday 14.30 and 19.30 with no performances on Sundays. Fixed seating will be provided within the structure with a maximum capacity of 650.

The form of the tent would be based on travelling entertainment Spiegeltents from Belgium and Germany. The proposed structure primarily comprises a 26 metre diameter tent for the main arena, with smaller tents for bar, toilet, dressing rooms and foyer space. The proposed structure consists of a steel frame, with wood panel cladding, and a PVC roof canopy. The main structure is five metres in height, with a taller nine metre high element at its centre. The external walls of the

structure are punctured by coloured glass windows which, when lit, give the effect of stained glass windows. In order to accommodate the development an area of existing landscaping and grass mounds would need to be removed as well as existing railings and benches.

## **8. DETAILED CONSIDERATIONS**

### **8.1 Land Use**

The site is designated as Metropolitan Open Land (MOL). London Plan policy states that MOL should be afforded the same protection as Green Belt, which is protected at a national level, with inappropriate development only permitted in very special circumstances. The proposal is considered to be inappropriate development. As such very special circumstances are required to justify the proposal.

City Plan Policy S22 states that 'The Royal Parks, their settings, views and tranquillity will be protected from inappropriate development and activity. Developments will only be allowed where they are essential and ancillary to maintaining or enhancing the value of the park as open space and that do not harm the park's

- a) Open landscape character;
- b) Heritage value;
- c) Nature conservation value;
- d) Tranquillity; or
- e) Value as a public open space.

UDP policy ENV 14 V (A) states that proposals should protect and enhance MOL. UDP policy ENV15 states that development on public open space is prohibited unless essential and ancillary to maintaining or enhancing that land as valuable open space.

The fact that the site is located on an island separated from the main Hyde Park, there is extensive history for temporary uses over the past 14 years and that the scheme would result in the provision of a cultural attraction for a temporary period are considered to be extenuating circumstances to justify an exception to the strong policy presumption not to develop on MOL. On the basis that any permission is subject to a condition which requires the site to be restored to its present position there would be no permanent impact on the openness of the MOL in accordance with London Plan, Westminster City Plan and UDP policies.

In response to consultations there have been both letters support, neutral comments which refer to operational details and letters of objection. The objections from the Marylebone Association and a resident on Park Lane are made on the grounds that the island location is inappropriate for a theatre as the use would adversely impact on traffic and pedestrian movements for a relatively long period of 8 months. Letters from Councillor Floru, The Royal Parks, The Marble Arch Business Improvement District, London Cycling Campaign and a resident, whilst not objecting in principle all comment that any activity associated with the theatre should not hinder pedestrian or cycling flows across the Marble Arch Island. They further stress the importance that the theatre is well run in particular to ensure that there is no conflict with activities resulting from summer concerts and Winter Wonderland in Hyde Park.

The use will be carried out in accordance with an operational management plan (OMP which will cover;



Calendar and operational times; management structure roles and responsibilities, security, pedestrian and vehicular access, health and safety, evacuation procedure, and refuse waste management. The headlines in the suggested OMP appear to be comprehensive. A condition is recommended which requires the use to operate in accordance with an approved OMP. On this basis it is considered that the use would operate without detriment to the locality.

## **8.2 Townscape and Design**

### Background

The Marble Arch was designed by John Nash in 1828, originally as the ceremonial gateway to the forecourt of Buckingham Palace in commemoration of the Napoleonic wars. When the Palace was remodelled and extended in 1851, the arch was relocated to its current position as the north east entrance gateway to Hyde Park. In 1908, the arch was severed from the royal park by the introduction of a new road, designed to accommodate improved traffic movement through to Park Lane. This resulted in the arch becoming divorced from the park on a traffic island. In 1961-2 the traffic island was enlarged and split into two halves to allow for a gyratory (Tyburn Way) to link Cumberland Gate with the western extension of Oxford Street to the north of the traffic island, as evident in its current form. The Marble Arch was first listed at grade I in February 1970.

### Impact on the setting of Marble Arch

The proposed site is a sensitive location in heritage asset terms. Policy DES10 of the UDP states that planning permission will not be granted where it would adversely affect the setting of a listed building or an important view of a listed building.

The National Planning Policy Framework (NPPF) requires planning authorities to assess the significance of any heritage assets affected by a proposal, including any contribution made by their setting. The most important aspect of special interest in this instance is the setting of the grade I listed Marble Arch.

The significance of the Marble Arch is partly derived from its setting, adjacent to the north east corner of the royal park with open landscaped space to the south of it. This setting is demonstrative of its historic role as a ceremonial entrance gateway to Hyde Park. As already stated the physical and visual relationship between Marble Arch and Hyde Park is longstanding and historic. The setting of the listed building was seriously harmed by the creation of the traffic island and the gyratory, which physically severed the arch from the park with a busy, multi-lane road. However, the relationship between the two heritage assets remains evident to the extent that there is a visual connection between the two. The land to the south of the arch is designed to be open, ensuring the visual prominence of the arch is maintained and allowing for long views of the arch from the south and the west. Views of the arch from the east and north are less prominent, albeit still visible. The prominent setting of the arch, and its historic association with the nearby Royal Park, therefore makes a contribution to the significance of the listed building.

The proposed tent structure would result in some harm to the setting of the Marble Arch. The proposed tent structure would impact on views of the arch from a number of vantage points, including from the north east corner of the park looking north eastwards towards the arch. The tent would have a significant visual presence in the views from the Marble Arch to the royal park, and vice versa. Views of the arch from the west would also be almost entirely obscured by the proposed structure.

The prominence of the Marble Arch will be compromised to some extent by the introduction of a large tented structure, obscuring views and competing for visibility. There is however a history of temporary events taking place in this location. For the reasons stated it is considered that the proposal will cause some harm to the setting and significance of the Marble Arch. However, the impact of the proposed development is not so serious that it would constitute substantial harm. Thus, when taking into consideration the quality of the existing setting and the reversible, temporary nature of the proposals, the proposed development will constitute less than substantial harm.

Paragraph 134 of the NPPF requires local planning authorities to consider the public benefits of a development proposal and the optimum viable use of the heritage asset, when it will lead to less than substantial harm to the significance of the designated.

The public benefits of the proposal must therefore be taken into account. The quality of the Marble Arch's existing setting is poor and uninviting, isolated in the middle of a traffic island with poor access arrangements and surrounded by busy, multi-lane roads to all sides. As a result, the heritage asset is divorced from the otherwise busy pedestrian routes nearby. Although the installation of a large structure will not improve the quality of that setting, it would allow for a greater number of people to visit the traffic island. In this respect, the proposed development will enhance the ability to experience the heritage asset. The proposed theatre structure will also provide economic and cultural gains and these other considerations must be taken into account. The public benefit of a new cultural institution to this otherwise underused piece of land is considered to outweigh the less than substantial harm caused to the setting of the Marble Arch.

### **8.3 Residential Amenity ( Daylight Sunlight and Sense of Enclosure)**

The proposed structure would not result in a material loss of amenity to the occupants of any of properties surrounding the island block.

### **8.4 Transportation/Parking**

City Plan policy S14 prioritises pedestrian movement. The proposed use is likely to generate an increase in trips to the site. However given the accessibility to public transport facilities in the area it is considered that the increase is unlikely to have any significant adverse impact on the public highway.

The Highways Planning Manager raises no objection commenting that to ensure the entry and egress of patrons is managed safely and its impact minimised a crowd management strategy including staffing arrangements should be submitted. Pedestrian's queueing immediately outside the main entrance can do so within the confines of the site itself and clear of pedestrian routes. As stated a pedestrian management plan will form part of the OMP

#### Servicing

The application includes details how the site will be serviced. All vehicles will enter the site through the Cumberland Gate entrance on the Southern side of the roundabout. The level of servicing on a daily basis during the operational period is not expected to be high. The level of deliveries during the construction period is higher. The applicant advises that all deliveries to the site during the build up and take down stages will be scheduled and managed by Underbelly Limited. Delivery slots will be staggered and no more than two lorries will be on the site at one time. Full servicing arrangements will be included in the servicing management plan which would

be secured by condition. It is considered that vehicular activity associated with the development will not adversely impact on the highway

### **8.5 Economic Considerations**

The economic benefits associated with the provision of a theatre are welcomed

### **8.6 Access**

The scheme would maintain public access to the traffic island at all times. The structure would not obstruct the entrance to Marble Arch underground or the paved piazza in front of the Marble Arch monument. Access to the theatre/foyer would be through ticket agents sold in advance, through the official website and through the on-site box office. The theatre will be wheelchair accessible and DDA compliant.

### **8.7 Other UDP/Westminster Policy Considerations**

#### **Noise**

An acoustic report has been submitted in support of the application assessing the background noise levels measured at the nearest noise sensitive receptor the Marriott Hotel situated on Park Lane. The report assesses noise from the front of house area and plant. The applicant states that the noise report indicates that the theatre would operate at level in accordance with City Plan Policies S22 and S29 and UDP policy ENV 6. Subject to the normal noise conditions this aspect of the application is considered to be acceptable.

#### **Refuse**

Waste will be stored in dedicated bin storage and will be collected from Cumberland Gate. The Cleansing manager advises that the waste detail submitted does not comply with the Council's waste and storage requirements. Revised details are required which separate residual waste bins, food bins and recycling. It is recommended that this is secured by condition. Further details will be provided in the delivery and servicing plan.

### **8.8 London Plan**

The application is referable to the Greater London Authority because the development would involve the construction of a building of more than 1000 m<sup>2</sup> on Metropolitan Open Land (MOL). The Mayor considers that the application complies with the London plan. The less than substantial harm to the setting of Marble Arch would be clearly outweighed by the public benefits of the scheme. On the basis that a site restoration scheme, a pedestrian management plan and a delivery and servicing plan are secured by condition, the case does not need to be referred back to the GLA.

### **8.9 National Policy/Guidance Considerations**

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

### **8.10 Planning Obligations**

Not applicable

### **8.11 Environmental Impact Assessment**

The proposals are not of sufficient scale to require an Environmental Impact Assessment

### **8.12 Other Issues**

In order to enable the theatre structure to be constructed, an area of existing landscaping comprising a grassed area would need to be removed. This landscaping area will be re-instated at the end of the temporary period and the site restored to its existing condition once the theatre has been deconstructed.

Part of the existing railings which run along the northern and eastern boundaries of the site will be removed, stored off site and reinstated. In addition benches located on the eastern side of the grassed area will be temporarily relocated on elsewhere on the Marble Arch Island while the theatre is in operation and will then be reinstated. A condition is recommended to secure the site restoration.

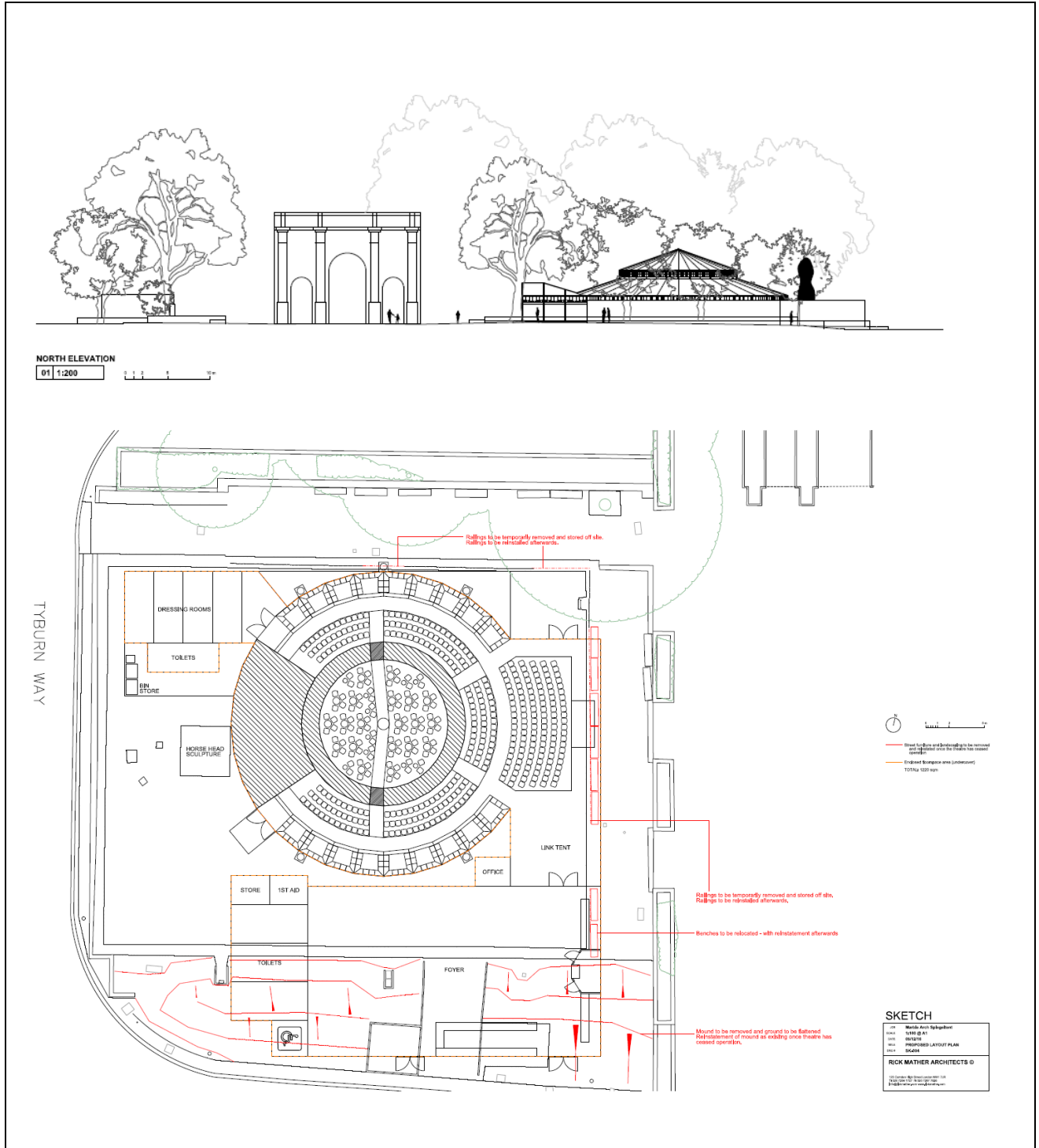
## **9 BACKGROUND PAPERS**

1. Application form
2. Letter from Councillor Floru dated 13 December 2016
3. Response from Historic England (Listed Builds/Con Areas), dated 14 December 2016
4. Response from Cleansing dated 6 January 2017
5. Response from Marylebone Association, dated 3 January 2017
6. Letter from occupier of Flat 12, Lampard House, dated 13 January 2017
7. Letter from occupier of The Old Police House, Hyde Park, dated 30 December 2016
8. Letter from occupier of flat 32, 129 Park St, dated 28 December 2016
9. Letter from occupier of 25 Nutford Place, London, dated 30 December 2016
10. Letter from occupier of York House, 45 Seymour Street, dated 5 January 2017
11. Letter from occupier of Flat 229, Dibdin House, Maida Vale, dated 13 January 2017
12. Memorandum from Highways Planning Manager dated 10 January 2017
13. Letter from Greater London Authority dated 16 January 2017

(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: MICHAEL WALTON BY EMAIL AT [mwalton@westminster.gov.uk](mailto:mwalton@westminster.gov.uk).

10 KEY DRAWINGS



**DRAFT DECISION LETTER**

**Address:** Marble Arch At, Marble Arch, London, W1H 7DX,

**Proposal:** Use of part of Marble Arch Island as a temporary theatre event space for a temporary period from 7th April 2017 to 6th December 2017, including installation of enclosed temporary theatrical production structure (with approximately 650 audience seats) associated structures and associated works.

**Reference:** 16/11546/FULL

**Plan Nos:** SK -003, SK-004, SK-005, SK-006, SK-008, SK-009, SK-010

**Case Officer:** Mike Walton

**Direct Tel. No.** 020 7641 2521

**Recommended Conditions and Reasons**

- 1 The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 2 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only: , o between 08.00 and 18.00 Monday to Friday; , o between 08.00 and 13.00 on Saturday; and , o not at all on Sundays, bank holidays and public holidays. , , You must carry out piling, excavation and demolition work only: , o between 08.00 and 18.00 Monday to Friday; and , o not at all on Saturdays, Sundays, bank holidays and public holidays. , , Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 The development hereby permitted shall not be begun before 7th April 2017 and can continue until 6th December 2017. After that the use must end and you must remove the building. You must then return the land to its previous condition and use.

## Reason:

The building shall not remain for a longer period because it would be contrary to policy S22 of Westminster's City Plan (November 2016) and ENV14 and ENV15 of our Unitary Development Plan that we adopted in January 2007.

- 4 Customers shall not be permitted within the premises before 13.30 or after 23.00 hours on Wednesdays, and Saturdays, and between 18.30 and 23.00 hours on Mondays, Tuesdays and Thursdays and not at all on Sundays.

## Reason:

To protect the environment of people in neighbouring properties as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 5 The use as a theatre hereby approved shall not commence until an Operational Management Plan has been submitted to and approved by the City Council as local planning authority. The plan must include a pedestrian management plan. The use must then carry out the use in accordance with the approved details.

## Reason:

To prevent a use that would be unacceptable because of the character and function of this part of the Royal Parks Conservation Area. This is in line with S25 of Westminster's City Plan (November 2016) and DES 9 of our Unitary Development Plan that we adopted in January 2007.

- 6 You must provide the access for people with disabilities as shown on the approved drawing(s) and as outlined in the Design and Access Statement dated 6 December 2016 before you use the building. (C20AB)

## Reason:

To make sure that there is reasonable access for people with disabilities and to make sure that the access does not harm the appearance of the building, as set out in S28 of Westminster's City Plan (November 2016) and DES 1 (B) of our Unitary Development Plan that we adopted in January 2007. (R20AC)

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

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

Reason:

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

- 8 The use as a theatre hereby approved shall not commence until a servicing management plan has been submitted to and approved by the City Council as local planning authority. The use must then carry out the use in accordance with the approved details.

Reason:

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

- 9 You must apply to us for approval of details of how waste is going to be stored on the site. The use hereby approved shall not commence until we have approved what you have sent us. You must then provide the waste store in line with the approved details, and clearly mark it and make it available at all times to everyone using the theatre. You must not use the waste store for any other purpose.

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan (November 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)



Item No.
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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.