

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 27 February 2018	Classification For General Release	
Addendum Report of Director of Planning		Ward(s) involved Bryanston And Dorset Square	
Subject of Report	Westcourt House , 191 Old Marylebone Road, London, NW1 5DZ		
Proposal	Redevelopment of the site to provide hotel (Use Class C1) with ancillary ground floor cafe / restaurant in 13 storey building.		
Agent	Miss Suzanne Crawford		
On behalf of	Whitbread Group PLC		
Registered Number	17/04194/FULL	Date amended/ completed	17 May 2017
Date Application Received	12 May 2017		
Historic Building Grade	Unlisted		
Conservation Area	None		

1. RECOMMENDATION

1. Subject to referral to the Mayor of London, grant conditional permission, subject to a section 106 agreement to secure:
 - a) A financial contribution of £45,000 (index linked and payable on commencement of development) for the expansion of a nearby cycle hire docking station;
 - b) A financial contribution of £25,000 (index linked and payable on commencement of development) toward wayfinding (Legible London);
 - c) A financial contribution of £27,239 (index linked and payable on commencement of development) toward the funding of Crossrail;
 - d) A financial contribution of £35,000 (index linked and payable on commencement of development) toward bi-annual pruning of the three Ginkgo trees on Old Marylebone Road by TFL and for a period of 50 years from the date of this permission;
 - e) In the event that the three Ginkgo trees need to be removed within 50 years from the date of this permission, a financial contribution of £135,000 (index linked) toward street tree planting on Old Marylebone Road payable to TFL;
 - f) Payment of the cost of highway works associated with the development on Old Marylebone Road and Harcourt Street;
 - g) Offering local employment opportunities during construction and operation of the hotel;
 - h) The provision, monitoring and review of a travel plan; and
 - i) Payment of cost of monitoring the agreement (£500 per head of term).
2. If the S106 legal agreement has not been completed within 6 weeks then:

- a) The Director of Planning shall consider whether it would be possible and appropriate to issue the permission with additional conditions attached to secure the benefits listed above. If so, the Director of Planning is authorised to determine and issue the decision under Delegated Powers; however, if not;
 - b) The Director of Planning shall consider whether the permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits which would have been secured; if so, the Director of Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.
3. That Committee authorises the making of a draft order pursuant to s247 of the Town and Country Planning Act 1990 for the stopping up of parts of the public highway and creation of new public highway to enable this development to take place. That the Director of Planning, Executive Director of City Management, or other such proper officer of the City Council responsible for highway functions, be authorised to take all necessary procedural steps in conjunction with the making of the orders and to make the orders as proposed. The applicant will be required to cover all costs of the Council in progressing the stopping up orders

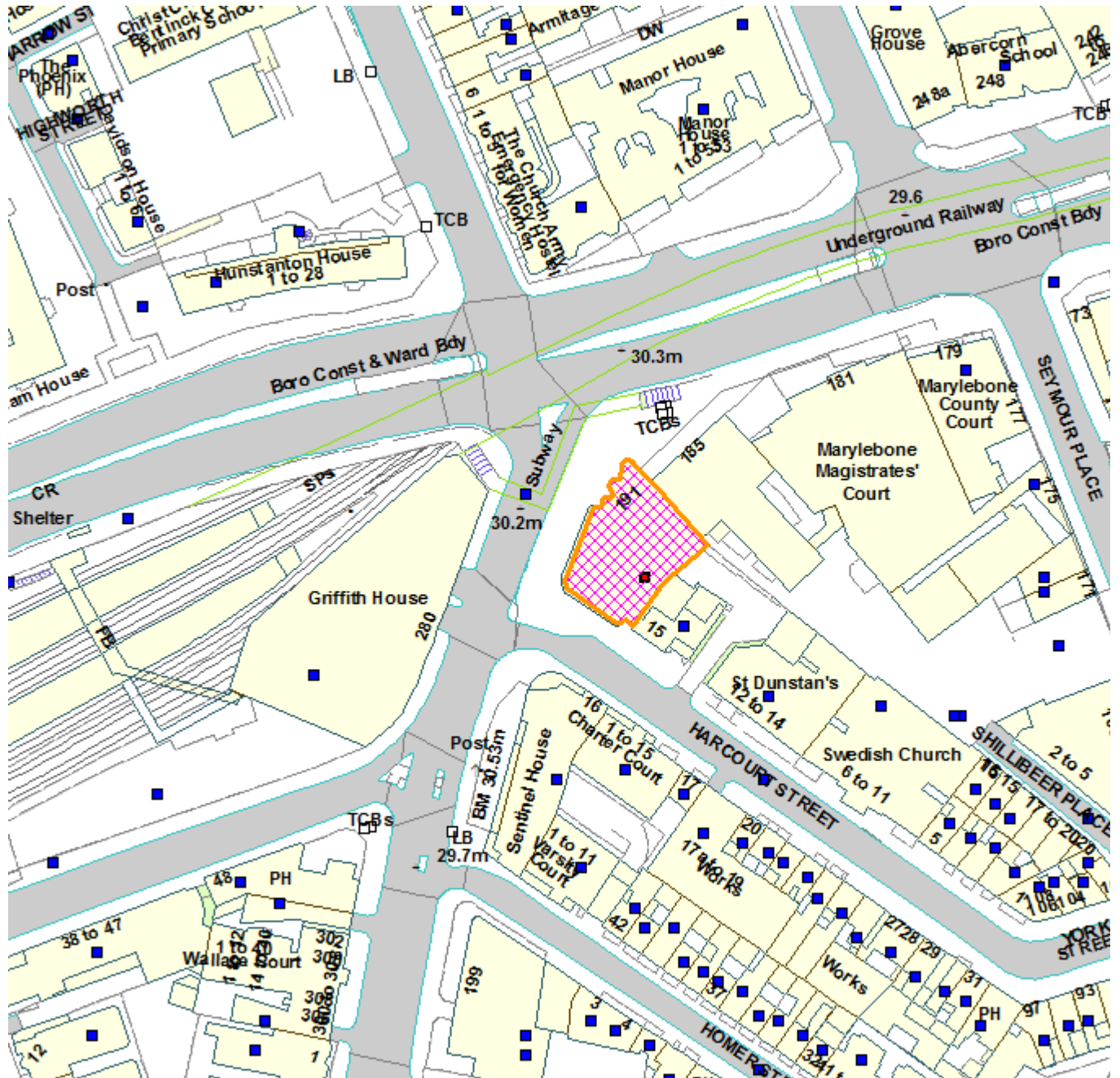
2. SUMMARY

This application was reported to the Planning Applications Sub-Committee on 24 October 2017. The Committee resolved to defer the application for the applicant to reconsider the following:

1. revising the proposal to provide off-street servicing at ground floor level;
2. the location/provision of coach and car/taxi drop-off and access;
3. retention or replacement of the three Ginkgo trees on Old Marylebone Road that are owned by TfL; and
4. ensuring employment opportunities for Westminster residents.

The applicant has provided additional supporting information as requested by committee and this is discussed in detail in the main body of this report. The application is therefore reported back to committee for consideration.

3. LOCATION PLAN



4. PHOTOGRAPHS



Application site as seen from Marylebone Road



Application site as seen from Harcourt Street and Marylebone Road intersection.

5. CONSULTATIONS

ADDITIONAL REPRESENTATIONS RECEIVED AFTER REPORT FOR 24 OCTOBER 2017 MEETING WAS PUBLISHED AND CIRCULATED TO MEMBERS PRIOR TO THE COMMITTEE MEETING (BLUES)

Applicant's Agent

Details in support of their application and discussed below.

LATE REPRESENTATIONS RECEIVED AFTER REPORT FOR 24 OCTOBER 2017 MEETING WAS PUBLISHED AND CIRCULATED TO MEMBERS AT THE COMMITTEE MEETING (REDS)

Applicant's Agent

Memo addressing officer comments in report in relation to the hotel use in this location, the height of the proposed building, tree removal and replacement and the proposed on-street servicing strategy.

Transport for London

Letter requesting that the three Ginkgo trees at the front of the site are retained and requesting a £35,000 contribution toward bi-annual pruning of these trees. In the event that these trees do die, they request a payment in lieu to provide for their replacement.

REPRESENTATIONS RECEIVED AFTER COMMITTEE MEETING OF 24 OCTOBER 2017

Transport for London (TFL)

Welcome confirmation from the applicant that the scheme will be delivered with the trees on Old Marylebone Road initially retained in situ. The applicant has also committed to accepting the following:

- The trees are retained in situ adjacent to the new structure proposed to give them an opportunity to survive.
- As part of the section 106 agreement for the development, the applicant pays TfL £35,000 for bi-annual pruning of the trees for 50 years. In the event that the trees need to be removed, the section 106 agreement should provide for compensation, removal costs and funding for replacement trees as previously proposed.

TFL object to any servicing taking place from Old Marylebone Road and consider that the development clearly needs a formally designated servicing area for vehicles to stop and make deliveries. TFL consider that the number of expected servicing movements is low in the context of existing local traffic conditions.

In principle, TFL consider changing the loading bay on Old Marylebone Road (northbound, prior to the junction with Chapel Street) so it can also be used by coaches is acceptable. Further capacity study and discussion will be required with TfL and the changes to on-street parking need to take place as part of the S278 process.

TfL supports the applicant's proposal for taxi pick up/drop off from Old Marylebone Road subject to further discussions post-determination to agree the detailed design and funding of a section 278 agreement. Request that this is secured via the section 106 agreement.

Highways Planning Manager

Objection to absence of off-street servicing.

Adjoining Owners/Occupiers and Other Representations Received

Two objections have been received. In summary, they raise the following issues:

- Concern at the proliferation of hotels in this area, exacerbated by short term letting of residential units in the area;
- Concern that this hotel is aimed at the "cheaper end of the tourist market" and that this will result in anti-social behaviour in the area;
- The increased height of the building will affect the balance between the residential and business character of the area;
- Vehicles servicing the hotel will cause a major disruption to traffic flow by blocking the red route flow and buses pulling away from the adjacent bus stop;
- The hotel will increase pedestrians in the area and therefore the risk of increased congestion and accidents;
- Increased vehicular and pedestrian traffic will increase congestion in Chapel, Cabbell and Transept Streets;
- Increased vehicle and pedestrian traffic will add to noise levels, pollution and accident risk to resident families and children and to tourists;
- Taxis dropping off guests, delivery vans and service vans will block on-street parking spaces; and
- Demolition would be a nuisance for the neighbourhood, with lorries, deliveries and constant noise.

6. BACKGROUND INFORMATION

6.1 The Application Site

See report for 24 October 2017 meeting.

6.2 Recent Relevant History

See report for 24 October 2017 meeting.

7. THE PROPOSAL

These applications were reported to the Planning Applications Sub-Committee on 24 October 2017. The Sub-Committee resolved to defer the application for the applicant to reconsider the following:

1. revising the proposal to provide off-street servicing at ground floor level;
2. the location/provision of coach and car/taxi drop-off and access;
3. retention or replacement of the three Ginkgo trees on Old Marylebone Road that are owned by TfL; and
4. ensuring employment opportunities for Westminster residents.

8. DETAILED CONSIDERATIONS

Taking the reasons for deferral in turn, the applicant has amended the proposal or provided further justification as set out below:

8.1 Off-Street Servicing

The applicant has not provided off-street servicing as requested by the Sub-Committee. Instead, the applicant has provided further justification for not providing off-street servicing.

The applicant advises that they are unable to provide off-street servicing for the following reasons:

- A legal covenant prohibits vehicles with a wheel load of greater than five tonnes from using the rear access to the site;
- The proposed development must provide a UKPN sub-station at ground floor level. This is located at ground floor level on the Harcourt Street side of the building, in the only location where an off-street servicing bay can be provided given TFL's objection to any servicing from Old Marylebone Road. This sub-station must also be accessible to UKPN from the street and therefore cannot be moved;
- The introduction of a servicing bay in the Harcourt Street elevation would harm the character and appearance of this building by introducing a large void and roller door in the ground floor façade;
- If delivery vehicles were to reverse into a loading bay on this part of the site, they would conflict with vehicles turning into Old Marylebone Road. If delivery vehicles, including smaller 8.3 tonne vehicles, were required to turn on-site this would result in an unacceptable ground floor layout, loss of a large number of hotel rooms and require the ground floor ceiling heights to be increased to 4.5m or greater from the currently shown 3m, thus increasing the overall height of the building by approximately 1.5m; and
- Compared against the lawful office use on-site, the proposed hotel use would result in a reduction of 35 two-way Large Goods Vehicle (LGV) movements and only an additional 2 two-way Heavy Goods Vehicle (HGV) movements a day. This is a net reduction of 33 two-way movements by goods vehicles using Harcourt Street. The proposed development is therefore an improvement insofar as it reduces on-street servicing compared to the lawful office use of the site.

Following discussion with officers, the applicant has also explored the possibility of utilising the proposed taxi bay on Old Marylebone Road (discussed below) to accommodate delivery and servicing activity, using an 8.3m rigid vehicle. The taxi bay would have to be enlarged to accommodate servicing vehicles and it was found that this would result in the following issues:

- The enlarged bay would be more costly, requiring the relocation of at least one utility chamber;
- The enlarged bay is very close to the existing phone booth, which could be impacted;
- Footway widths are reduced along the site's frontage, which TfL may have concerns with. Bollards would also need to be positioned outside the vehicle track/overhang further reducing effective footway widths;
- The enlarged bay would encroach further into the Root Protection Area of the central Ginkgo tree along Old Marylebone Road, necessitating its removal. As discussed below, these trees are to be retained, at the request of TfL;
- The use of the bay for delivery and servicing activity would require the canopy of the Ginkgo trees to be lifted significantly to accommodate high side vehicles; and
- The travel distance between the taxi bay and the goods entrance is approximately 37m. This is a greater distance than currently proposed by the servicing bay on Harcourt Street, and as such would impact on highway users, increasing the potential for goods to conflict with pedestrians and impede their movement. This in turn would reduce the ability to efficiently deliver goods and supplies.

Given the above, the applicant has discounted the use of the taxi bay for servicing.

The applicant has confirmed that they remain committed to provision of an on-street servicing bay on Harcourt Street and a condition requiring a Servicing Management Plan (SMP), as set out in the original officer's report.

The Highways Planning Manager objects to the proposed servicing arrangement. It is unclear what benefit the on-street loading bay will have to all highway users (including residents who are able to park on the single yellow line outside of controlled hours currently) or how it will mitigate the impact of the development on other highway users, as opposed to other on-street restrictions which would allow for a more flexible and efficient use of the limited highway space. It is also unlikely that the Highway Authority would implement a loading bay on Harcourt Street. Furthermore, the applicant is indicating a need for 45 minutes loading time, whereas the standard on-street for continuous loading in Westminster is 40 minutes. The hours for the loading bay (0830 to 1830 – 7 days) is excessive, given the applicant's position that they are able to rigorously control the servicing of the hotel. These variations are unexplained but further highlights the demands of the proposed development on highway space, as well as the length of time pedestrians will face disruption.

The Highways Planning Manager also notes that it is unclear why bollards are being retained/relocated to provide for the proposed taxi bay. A more holistic highway/public realm scheme could reduce street clutter (including the developer working with the telecommunication company to remove the telephone kiosk). A wider scheme would assist in mitigating the impact of the development on the highway required to support the proposed development. Further, with a wider scheme, on-street servicing could be accommodated on Old Marylebone Road (using a slightly longer loading pad and revised ground floor layout). Given the applicant's own taxi and low servicing figures, any potential conflict between the times of servicing and peak taxi arrival and departures could be managed. This approach would have the added advantage of removing servicing activity from Harcourt Street and its approach roads. While this may require some further intervention with existing utility provision within the highway, this is

expected and a very common part of construction of new buildings in Westminster and it is unclear why this cannot be pursued in this instance.

Whilst the Highways Planning managers concerns are understood, paragraph 32 of the NPPF states that “*Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe*”. In this instance, the impact of on-street servicing is unlikely to be severe given the small number of servicing trips anticipated and the ability to provide some mitigation via the recommended condition requiring an updated and site specific Servicing Management Plan. On balance, and whilst it is regrettable that the applicant has not amended the development to provide for on-site servicing, refusal of this application on this basis would not be sustainable.

8.2 Location/provision of Coach and Car/taxi Drop-off and Access

The applicant has agreed in principle with TFL that the existing on-street loading bay on Old Marylebone Road (northbound, prior to the junction with Chapel Street), can be amended to a dual use bay to allow coach drop off for a maximum of 20 minutes. Once pick-up and drop-off is complete, the coach will proceed to a dedicated coach parking area nearby. Notwithstanding this, the applicant states that the hotel is unlikely to receive coach arrivals as it is not part of their business model to source bookings in this way.

With regards to taxi's the applicant proposes a taxi-bay adjacent to the site on Old Marylebone Road and this has been agreed with TFL. This taxi bay would be inset and would not impede vehicle or pedestrian traffic flow on Old Marylebone Road.

Given the above, the applicant has addressed the Sub-Committees concerns. It is recommended that provision for enlargement of the existing loading bay and a taxi bay is secured through the section 106 agreement.

8.3 Retention of the Ginkgo Trees on Old Marylebone Road.

The applicant has agreed with TFL to retain the three Ginkgo trees and give them an opportunity to survive. The applicant has also agreed to pay TFL a commuted sum of £35,000 for bi-annual pruning of these trees for a 50-year period. In the event that these trees do need to be removed, as agreed in writing by the City Council, TFL and the applicant (or a future landowner of the site), the applicant agrees to pay TFL £135,000 for their loss, removal costs and funding for replacement trees.

To safeguard these trees during construction, the applicant also agrees to a condition requiring an Arboricultural Method Statement ('AMS') and this condition is recommended. Given the above, the applicant has addressed the Sub-Committees concerns.

8.4 Employment Opportunities for Westminster residents.

The applicant has confirmed that they are committed to providing employment opportunities for local residents and it is recommended that this is secured via the

section 106 agreement. Accordingly, the applicant has addressed the Sub-Committees concerns.

8.5 London Plan

See report for 24 October 2017 meeting.

8.6 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.

8.7 Planning Obligations

The draft 'Heads' of agreement are proposed to cover the following issues:

- a) A financial contribution of £45,000 (index linked and payable on commencement of development) for the expansion of a nearby cycle hire docking station;
- b) A financial contribution of £25,000 (index linked and payable on commencement of development) toward wayfinding (Legible London);
- c) A financial contribution of £27,239 (index linked and payable on commencement of development) toward the funding of Crossrail;
- d) A financial contribution of £35,000 (index linked and payable on commencement of development) toward bi-annual pruning of the three Ginkgo trees on Old Marylebone Road by TFL and for a period of 50 years from the date of this permission;
- e) In the event that the three Ginkgo trees need to be removed within 50 years from the date of this permission, a financial contribution of £135,000 (index linked) toward street tree planting on Old Marylebone Road payable to TFL;
- f) Payment of the cost of highway works associated with the development on Old Marylebone Road and Harcourt Street;
- g) Offering local employment opportunities during construction and operation of the hotel;
- h) The provision, monitoring and review of a travel plan; and
- i) Payment of cost of monitoring the agreement (£500 per head of term).

The subject building is vacant and appears to have been for some time. The proposed development may therefore not be subject to an exemption for the existing floor space on-site. Accordingly, and subject to any other relief or exemption available to the applicant, the estimated Westminster CIL payment would be £1,119,300.00. An additional estimated CIL payment of £373,100.00 would be payable to the Mayor.

8.8 Environmental Impact Assessment

See report for 24 October 2017 meeting.

8.9 Other Issues

Subsequent to the 24 October 2017 meeting, additional objections to the development have been received. The issues raised are largely addressed in the officer's original report and in this report. However, the following is also noted:

8.9.1 Concern at the proliferation of hotels in this area, exacerbated by short term letting of residential units in the area.

As set out in the original officer's report, the location of a hotel in this area is acceptable in terms of the development plan. Concerns with regards to short term letting are an enforcement issue.

8.9.2 Concern that this hotel is aimed at the "cheaper end of the tourist market" and that this will result in anti-social behaviour in the area.

This is not a material planning consideration. Where anti-social behaviour does occur, this should be reported to the Metropolitan Police and the applicant to address.

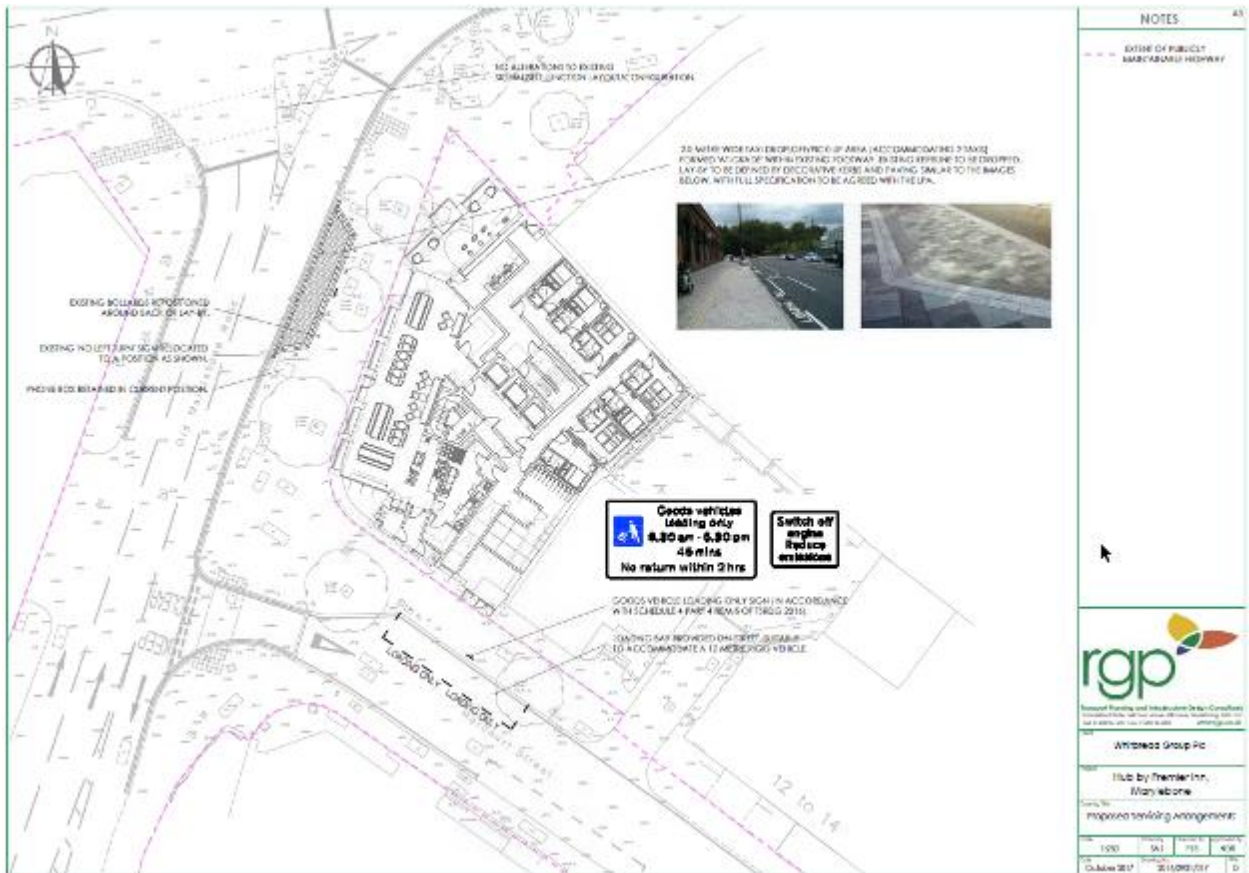
9 BACKGROUND PAPERS

1. Report and minutes of meeting dated 24 October 2017, including original representations.
2. Additional representations received after report for 24 October 2017 meeting was published and circulated to members prior to the committee meeting (blues):
 - a) Note from applicant's agent, dated October 2017.
3. Late representations received after report for 24 October 2017 meeting was published and circulated to members at the committee meeting (reds):
 - a) Note from applicant's agent, dated October 2017; and
 - b) Email correspondence from TFL, dated 24 October 2017.
4. Representations and correspondence received following 24 October 2017 meeting:
 - a) Note from applicant's agent, dated 29 January 2018;
 - b) Email from TFL, dated 10 November 2017;
 - c) Email from Highways Planning Manager, dated 15 February 2018;
 - d) Letter from occupier of 8M Hyde Park Mansions, Cabbell Street, dated 17 November 2017
 - e) Letter from occupier of 1D Oxford & Cambridge Mansions, Old Marylebone Road, dated 20 November 2017

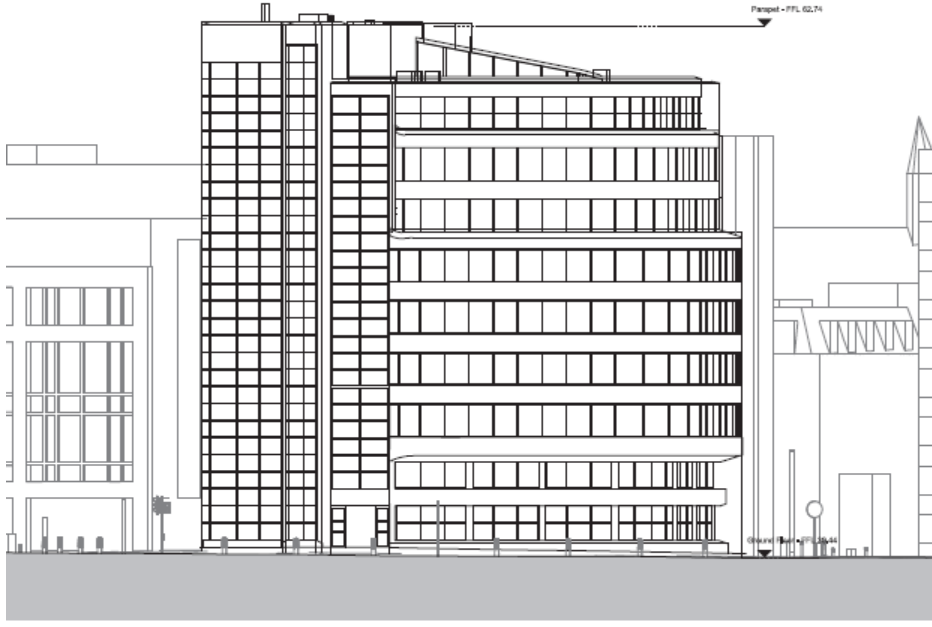
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: SARAH WHITNALL BY EMAIL AT swhitnall@westminster.gov.uk.

10 KEY DRAWINGS



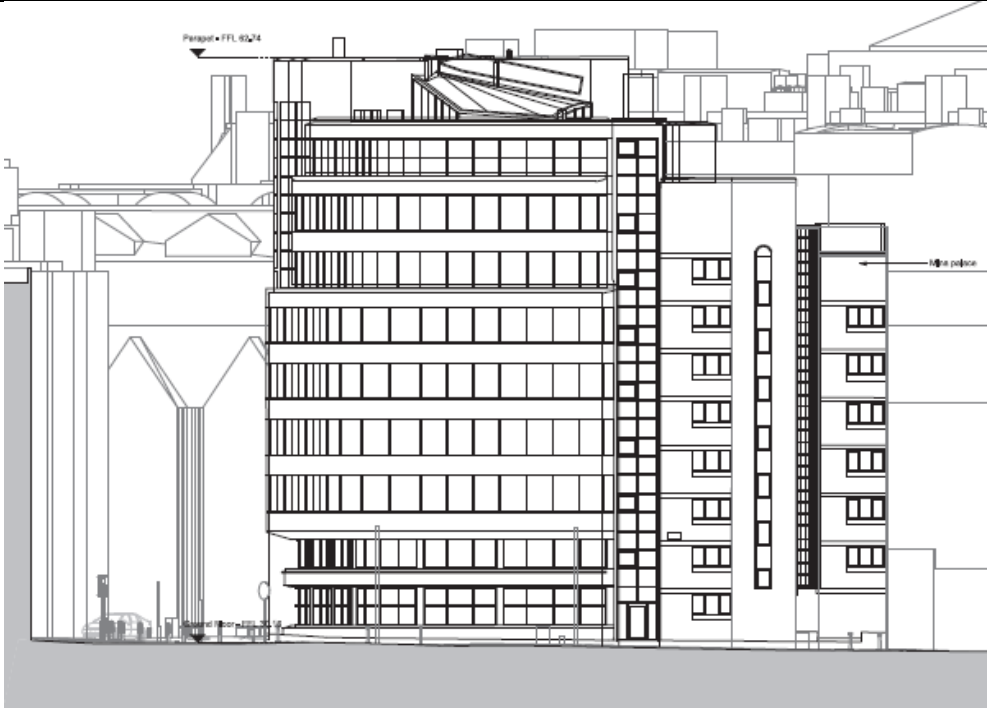
Proposed On-street Servicing Arrangement and Taxi Bay Following 24 October 2017 Meeting.



Existing Old Marylebone Road (North West) Elevation



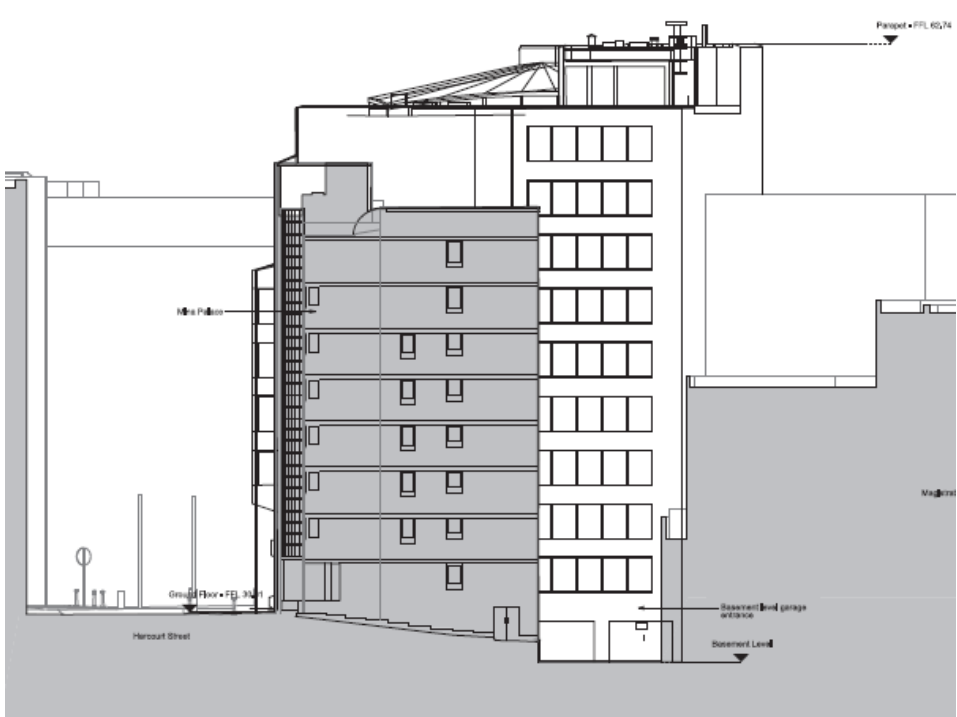
Proposed Old Marylebone Road (North West) Elevation



Existing Harcourt Street (South West) Elevation



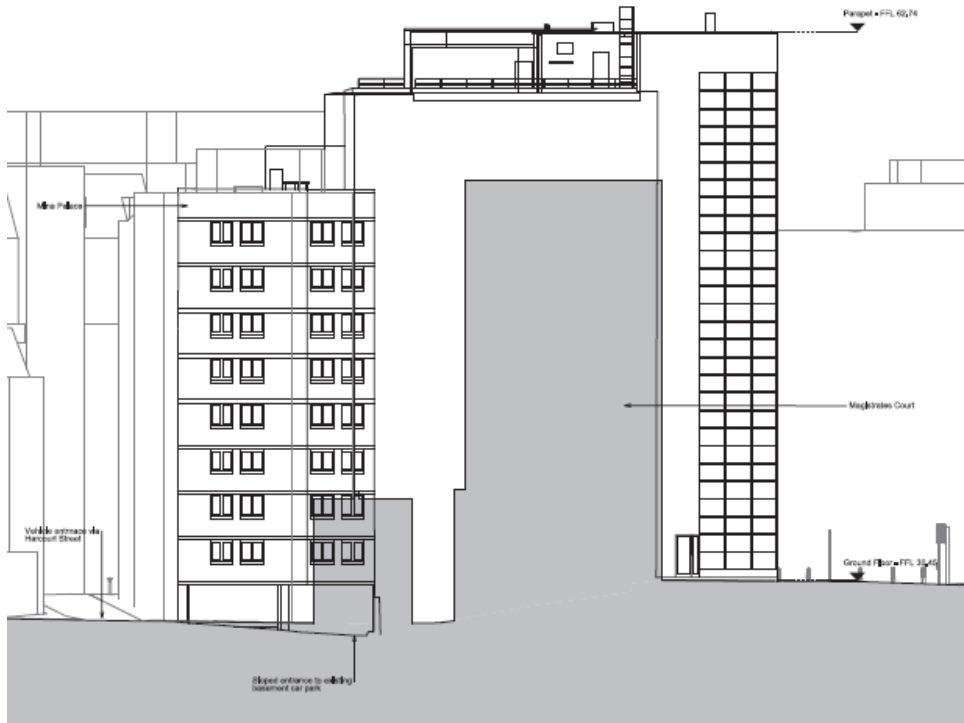
Proposed Harcourt Street (South West) Elevation



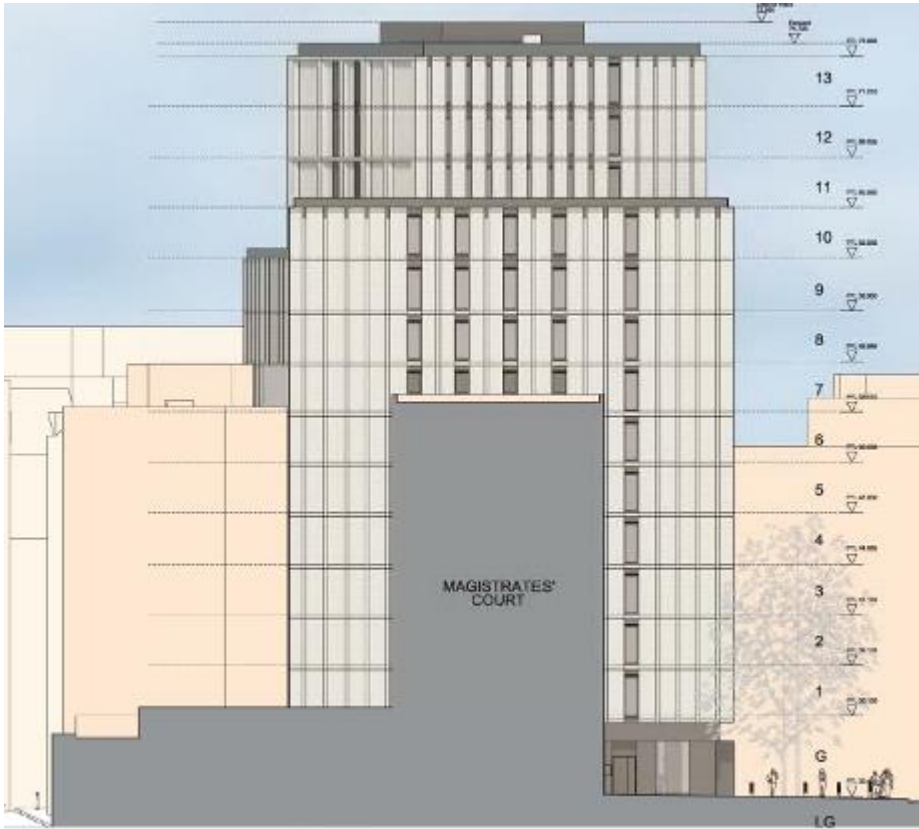
Existing South East Elevation



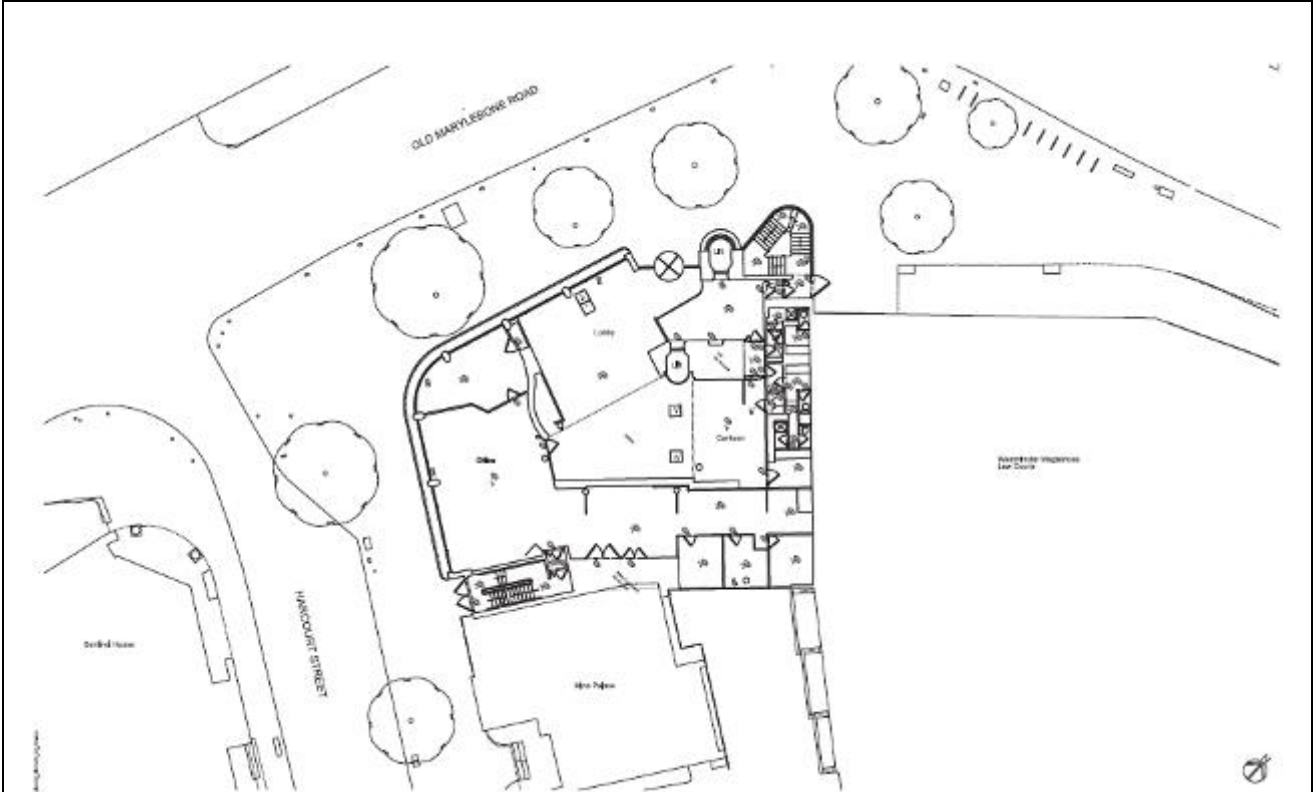
Proposed South East Elevation



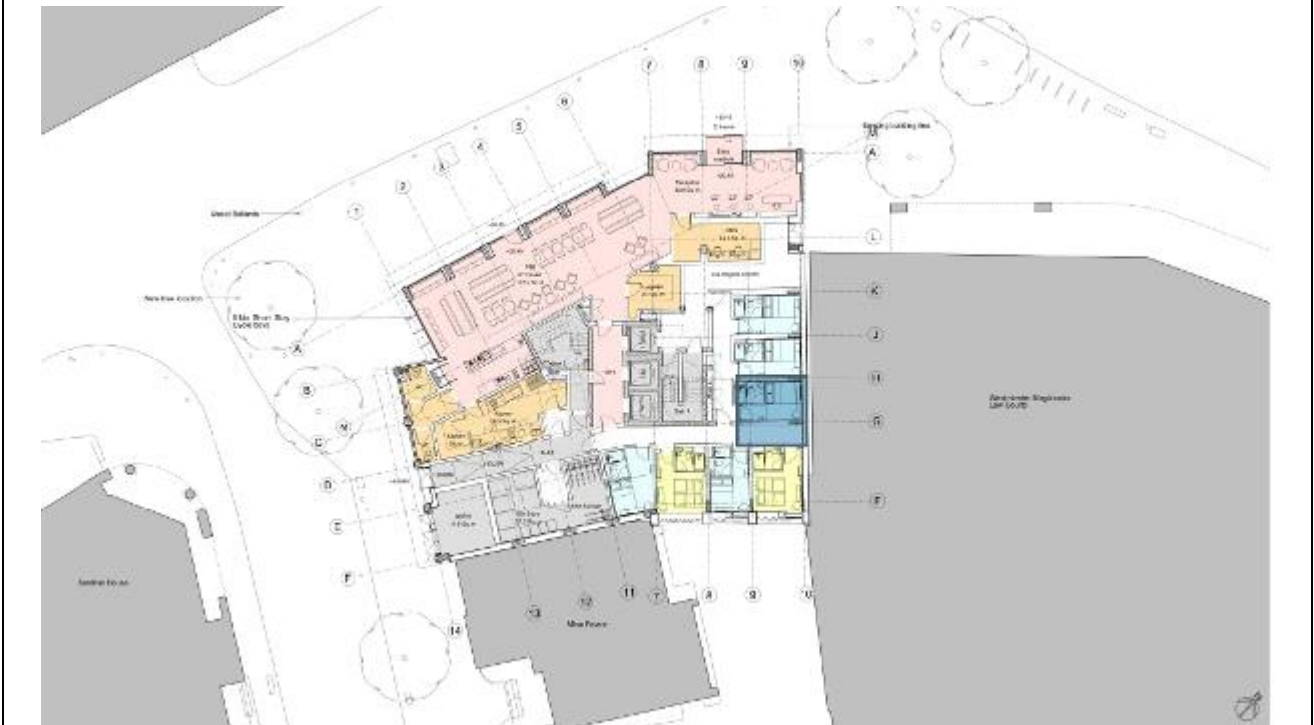
Existing North-East Elevation



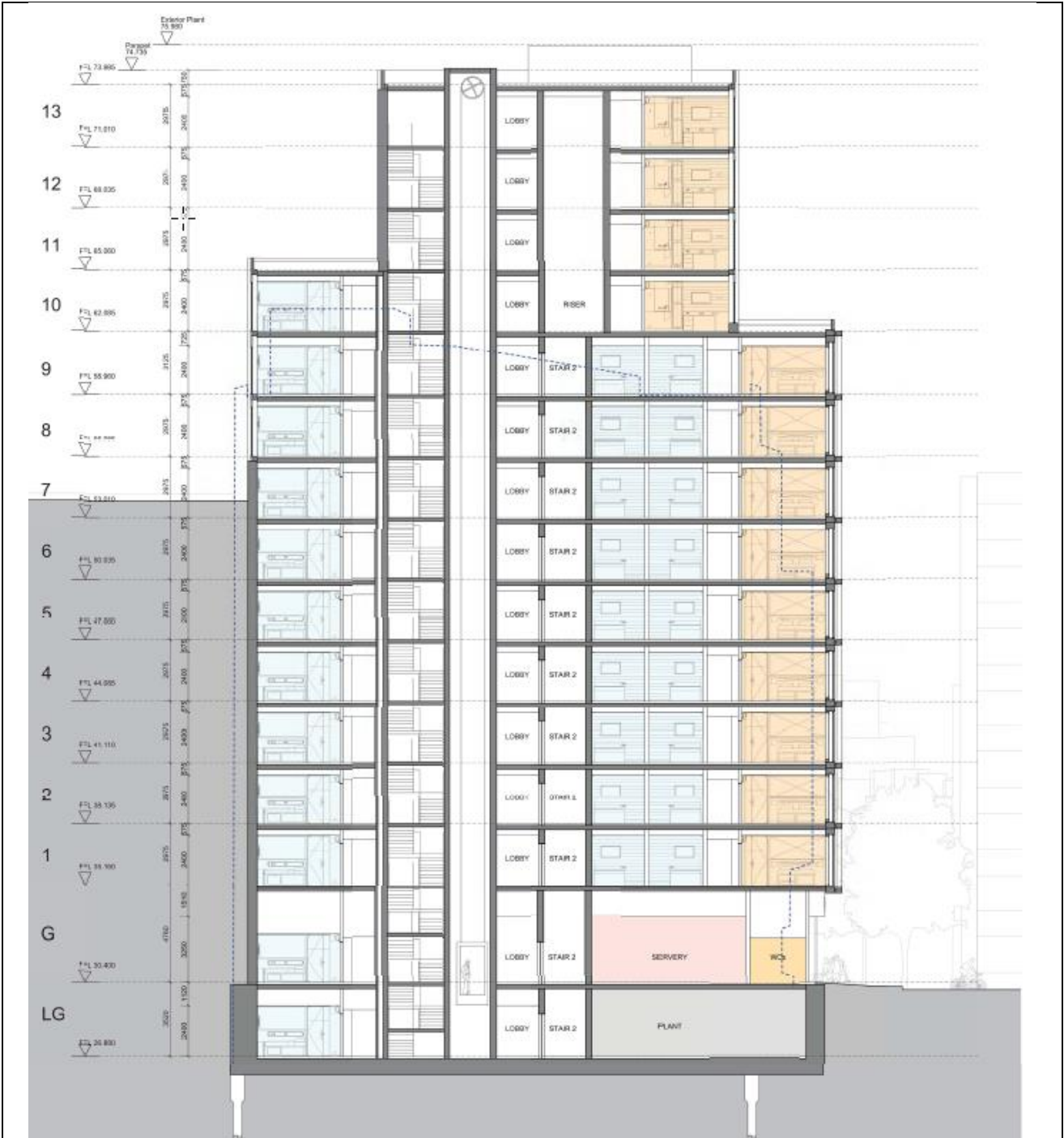
Proposed North-East Elevation



Existing Ground Floor Plan



Proposed Ground Floor Plan



Proposed Section



Visuals of Proposed Development from Old Marylebone Road

DRAFT DECISION LETTER

Address: Westcourt House , 191 Old Marylebone Road, London, NW1 5DZ

Proposal: Redevelopment of the site to provide hotel (Use Class C1) with ancillary ground floor cafe / restaurant in 13 storey building.

Reference: 17/04194/FULL

Plan Nos: Drawing numbers 5616-20-001, 5616-20-002, 5616-00-199 Rev B, 5616-00-200 Rev B, 5616-00-201 Rev B, 5616-00-202 Rev B, 5616-00-203 Rev B, 5616-00-204, 5616-00-205, 5616-00-206, 5616-00-207, 5616-00-208 Rev B, 5616-00-209, 5616-00-260, 5616-00-261, 5616-00-300, 5616-00-301, 5616-00-302, 5616-00-303, 5616-01-199, 5616-01-200, 5616-01-201, 5616-01-202, 5616-01-203, 5616-01-204, 5616-01-205, 5616-01-206, 5616-01-207, 5616-01-208, 5616-01-209, 5616-01-300, 5616-01-301, 5616-01-302, 5616-01-303, 5616-20-199, 5616-20-200, 5616-20-201, 5616-20-202, 5616-20-203, 5616-20-208, 5616-20-209, 5616-20-260, 5616-20-261, 5616-20-262, 5616-20-263, 5616-20-264, 5616-20-270, 5616-20-271, 5616-20-272, 5616-20-250, 5616-20-251, 5616-21-001, 5616-21-002, 5616-21-003, 5616-21-004, 5616-21-005, 5616-21-006, 5616-21-007, 5616-21-008, 5616-21-009, 5616-21-010, 5616-21-011, 5616-21-012, 5616-21-013, 5616-21-014, 5616-21-015, 5616-21-016, 5616-21-017, 5616-21-018, 5616-21-019; Energy Report by Applied Energy (Rev A – dated 4 May 2017); and other documents and attachments from JLL, dated 29 January 2018.

Case Officer: [Redacted]

Direct Tel. No. 020 7641 5943

Recommended Conditions and Reason(s)

- 1 The development hereby approved 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 **Pre-commencement Condition:** Prior to the commencement of any demolition or construction on site the applicant shall submit an approval of details application to the City Council as local planning authority comprising evidence that any implementation of the scheme hereby approved, by the applicant or any other party, will be bound by the council's Code of Construction Practice. Such evidence must take the form of a completed Appendix A of the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Inspectorate, which constitutes an agreement to comply with the code and requirements contained therein. Commencement of any demolition or construction cannot take place until the City Council as local planning authority has issued its approval of such an application (C11CB)

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)

- 4 You must apply to us for approval of samples of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work using the approved materials.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 5 You must apply to us for approval of 3m x 3m fabricated sample panels of the following parts of the development:

i) typical facade bays.

The sample(s) should demonstrate the colour, texture, face bond, pointing, component interfaces and means of construction (including any typical expansion/movement joints). You must not start any work on the external cladding of the development until we have approved the sample panels.

You must then carry out the work according to these approved sample(s).

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan

(November 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 6 You must apply to us for approval of detailed drawings of the following parts of the development:

- i) windows;
- ii) external doors;
- iii) shopfront including fascia details;
- iv) location and size of movement joints;
- v) interfaces with windows;
- vi) any ventilation and other services terminations at façade and roof;
- vii) CCTV cameras - showing details of cameras and precise location;
- viii) rooftop structures, including plant enclosures;
- ix) external lighting - including details of extent, type, colour and location; and
- x) signage strategy - showing extent and intended location.

You must not start any work on the superstructure of the development until we have approved what you have sent us. You must then carry out the work according to these approved drawings.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 7 You must not paint or apply vinyl films or obscure the window glass to the ground floor of the hotel reception or café area or block it in any other way. The windows must be clear glazed and maintained as such.

Reason:

To maintain an active ground floor and enhance the character and appearance of this part of the City. This is as set out in S28 and S29 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007.

- 8 You must apply to us for approval of a scheme of public art. You must not start work on the public art until we have approved what you have sent us. Before anyone moves into the building you must carry out the scheme according to the approved details. You must maintain the approved public art and keep it on this site. You must not move or remove it.

Reason:

To make sure the art is provided for the public and to make sure that the appearance of the building is suitable. This is as set out in DES 7 (A) of our Unitary Development Plan that we adopted in January 2007. (R37AB)

- 9 You must not paint any outside walls of the building without our permission. This is despite the fact that this work would normally be 'permitted development' (under class C of part 2 of schedule 2 to the Town and Country Planning General Permitted Development (England) Order 2015) (or any order that may replace it). (C26WB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 10 You must provide the following environmental sustainability features (environmentally friendly features) before you start to use any part of the development, as set out in your application.

-biodiverse roof

You must not remove any of these features. (C44AA)

Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in S28 or S40, or both, of Westminster's City Plan (November 2016). (R44AC)

- 11 **Pre-commencement Condition:** The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority which:

- provide details on all structures;
- provide details on the use of tall plant and scaffolding;
- accommodate the location of the existing London Underground structures and tunnels;
- accommodate ground movement arising from the construction thereof; and
- mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels.

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

Reason:

To ensure that the development does not impact on existing transport infrastructure, in accordance with policy 6.2 of The London Plan (March 2016).

Pre-Commencement Condition: You must apply to the City Council (in consultation with Transport for London) for approval of a Construction Logistics Plan, which identifies efficiency and sustainability measures to be carried out while the development is being built. You must not carry out the development until the plan has been approved. You must then carry out the development in accordance with the approved plan.

Reason:

To ensure that the construction logistics for the development minimise nuisance and disturbance in the interests of the amenities of neighbouring occupiers and of the area generally, and to avoid hazard and obstruction to the public highway. This is as set out in S29 of Westminster's City Plan (adopted November 2016) and TRANS 2 and ENV 5 of our Unitary Development Plan that we adopted in January 2007.

- 13 The development hereby approved shall not be occupied until a Servicing Management Plan has been submitted to and approved in writing by the City Council, in consultation with Transport for London. You must then carry out the development 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 (adopted November 2016) and TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007.

14 **Pre Commencement Condition.**

(a) You must apply to us for approval of a written scheme of investigation for a programme of archaeological work. This must include details of the suitably qualified person or organisation that will carry out the archaeological work. You must not start work until we have approved what you have sent us.

(b) You must then carry out the archaeological work and development according to this approved scheme. You must produce a written report of the investigation and findings, showing that you have carried out the archaeological work and development according to the approved scheme. You must send copies of the written report of the investigation and findings to us, to Historic England, and to the Greater London Sites and Monuments Record, 1 Waterhouse Square, 138-142 Holborn, London EC1N 2ST.

(c) You must not use any part of the new building until we have confirmed that you have carried out the archaeological fieldwork and development according to this approved scheme. (C32BC)

Reason:

To protect the archaeological heritage of the City of Westminster as set out in S25 of Westminster's City Plan (November 2016) and DES 11 of our Unitary Development Plan that we adopted in January 2007.

The glass that you put in the south east elevation below level 7 (adjacent to Mina Palace) must not be clear glass, and you must fix it permanently shut. You must apply to us for approval of a sample of the glass (at least 300mm square). You must not start work on the relevant part of the development until we have approved the sample. You must then install the type of glass we have approved and must not change it without our permission. (C21DB)

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out in S29 of Westminster's City Plan (November 2016) and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

16 (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.

- 17 No vibration shall be transmitted to adjoining or other premises and structures through the building structure and fabric of this development as to cause a vibration dose value of greater than 0.4m/s (1.75) 16 hour day-time nor 0.26 m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.

Reason:

As set out in ENV6 (2) and (6) of our Unitary Development Plan that we adopted in January 2007, to ensure that the development is designed to prevent structural transmission of noise or vibration.

- 18 (1) Noise emitted from the emergency plant and generators hereby permitted shall not increase the minimum assessed background noise level (expressed as the lowest 24 hour LA90, 15 mins) by more than 10 dB one metre outside any premises.

(2) The emergency plant and generators hereby permitted may be operated only for essential testing, except when required by an emergency loss of power.

(3) Testing of emergency plant and generators hereby permitted may be carried out only for up to one hour in a calendar month, and only during the hours 09.00 to 17.00 hrs Monday to Friday and not at all on public holidays.

Reason:

As set out in S32 of Westminster's City Plan (November 2016) and ENV 7 (B) of our Unitary Development Plan that we adopted in January 2007. Emergency and auxiliary energy generation plant is generally noisy, so a maximum noise level is required to ensure that any disturbance caused by it is kept to a minimum and to ensure testing and other non-emergency use is carried out for limited periods during defined daytime weekday hours only, to prevent disturbance to residents and those working nearby.

- 19 The design and structure of the development shall be of such a standard that it will protect occupier from structural borne noise from the district and circle line so that they are not

exposed to levels indoors of more than 35 dB LASmax within habitable rooms during day and night.

Reason:

As set out in ENV6 (2) and (6) of our Unitary Development Plan that we adopted in January 2007, to ensure that the development is designed to prevent structural transmission of noise or vibration.

- 20 All servicing must take place between 07:00 and 18:00 on Monday to Saturday and not at all on Sunday. Servicing includes loading and unloading goods from vehicles and putting rubbish outside the building. (C23DA)

Reason:

To protect the environment of residents and the area generally as set out in S29 of Westminster's City Plan (November 2016) and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R22CC)

- 21 **Pre Commencement Condition.** You must carry out a detailed site investigation to find out if the building or land are contaminated with dangerous material, to assess the contamination that is present, and to find out if it could affect human health or the environment. This site investigation must meet the water, ecology and general requirements outlined in 'Contaminated land, a guide to help developers meet planning requirements' - which was produced in October 2003 by a group of London boroughs, including Westminster.

You must apply to us for approval of the following investigation reports. You must apply to us and receive our approval for phases 1 and 2 before any demolition or excavation work starts, and for phase 3 when the development has been completed.

Phase 1: Site investigation - to assess the contamination and the possible effect it could have on human health, pollution and damage to property.

Phase 2: Remediation strategy - details of this, including maintenance and monitoring to protect human health and prevent pollution.

Phase 3: Validation report - summarises the action you have taken during the development and what action you will take in the future, if appropriate.
(C18AA)

Reason:

To make sure that any contamination in the building or of the ground under the site is identified and treated so that it does not harm anyone who uses the site in the future. This is as set out in STRA 34 and ENV 8 of our Unitary Development Plan that we adopted in January 2007.
(R18BA)

- 22 You must apply to us for approval of details of the ventilation system to get rid of fumes, including details of how it will be built and how it will look. You must not begin the use allowed

by this permission until we have approved what you have sent us and you have carried out the work according to the approved details. (C14BB)

Reason:

To protect the environment of people in neighbouring properties as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R14AC)

- 23 The restaurant/cafe shall only be used in an ancillary capacity to the hotel use.

Reason:

To protect neighbouring residents from noise and disturbance as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and TACE 11 of our Unitary Development Plan that we adopted in January 2007.

- 24 Customers shall not be permitted within the restaurant/cafe premises before 06:00 or after 23:00 each day. (C12AD)

Reason:

To protect the environment of residents and the area generally as set out in S29 of Westminster's City Plan (November 2016) and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R22CC)

- 25 The development hereby approved shall not be occupied until a Coach and Taxi Management Plan has been submitted to and approved in writing by the City Council, in consultation with Transport for London. You must then carry out the development 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)

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

Reason:

To provide cycle parking spaces for people using the development as set out in Policy 6.9 (Table 6.3) of the London Plan (March 2016).

- 27 You must apply to us for approval of details of how waste is going to be stored on the site. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then provide the waste store in line with the approved details, and clearly mark it and make it available at all times to everyone using the hotel. You must not use the waste store for any other purpose. (C14CD)

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)

- 28 You must apply to us for approval of a detailed glazing and ventilation scheme to ensure that the overheating risk to the new dwellings is minimised. You must not start work on these parts of the development until we have approved what you have sent us.

You must then carry out the work according to the approved glazing and ventilation scheme and all measures outlined in this document must be in place and operational prior to the first occupation of the development hereby approved. All measures shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

Reason:

To prevent overheating and energy use, in accordance with policy 5.9 of the London Plan (March 2016).

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

Reason:

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

- 30 **Pre Commencement Condition:** You must apply to us for approval of the ways in which you will protect the trees which you are keeping, as shown on drawing. You must not start any demolition, site clearance or building work, and you must not take any equipment, machinery or materials for the development onto the site, until we have approved what you have sent us. The tree protection must follow the recommendations in section 7 of British Standard BS5837: 2012. You must then carry out the work according to the approved details. (C31AC)

Reason:

To make sure that the trees on the site are adequately protected during building works. This is as set out in S38 of Westminster's City Plan (November 2016) and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R31AC)

- 31 **Pre-Commencement Condition:** You must apply to the City Council (in consultation with the Metropolitan Police) for approval of safety and security features to be installed on the development, having regard to Secured by Designs "Commercial Developments 2015" Guide and "Resilient Design Tool for Counter Terrorism". You must not carry out the development until the safety and security features have been approved. You must then carry out the development in accordance with the approved features.

Reason:

To reduce the chances of crime without harming the appearance of the building as set out in S29 of Westminster's City Plan (November 2016) and DES 1 (B) of our Unitary Development Plan that we adopted in January 2007. (R16AC)

- 32 You must not use the roof of the building for sitting out or for any other purpose. You can however use the roof to escape in an emergency and/or for maintenance purposes.

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out in S29 of Westminster's City Plan (November 2016) and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

- 33 Any structure over the footway (highway) must maintain 2.6 metres vertical clearance from the footway surface at all times and not extend closer than 1 metre to the kerb edge. Any structure within 1 metre of the kerb or over carriageway must maintain a minimum vertical clearance of 5.3 metres.

Reason:

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

Informatives:

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 You are advised that any indicative signage locations should be confined to the ground floor fascia zone. Any high-level signage is unlikely to be considered acceptable. Proposals for signage may be subject to advertisement consent.

- 3 When carrying out building work you must do all you can to reduce noise emission and take suitable steps to prevent nuisance from dust and smoke. Please speak to our Environmental Health Service to make sure that you meet all requirements before you draw up the contracts for demolition and building work.

Your main contractor should also speak to our Environmental Health Service before starting work. They can do this formally by applying to the following address for consent to work on construction sites under Section 61 of the Control of Pollution Act 1974.

24 Hour Noise Team
Environmental Health Service
Westminster City Hall
64 Victoria Street
London
SW1E 6QP

Phone: 020 7641 2000

Our Environmental Health Service may change the hours of working we have set out in this permission if your work is particularly noisy. Deliveries to and from the site should not take place outside the permitted hours unless you have our written approval. (I50AA)

- 4 Under the Construction (Design and Management) Regulations 2007, clients, the CDM Coordinator, designers and contractors must plan, co-ordinate and manage health and safety throughout all stages of a building project. By law, designers must consider the following:

* Hazards to safety must be avoided if it is reasonably practicable to do so or the risks of the hazard arising be reduced to a safe level if avoidance is not possible;

* This not only relates to the building project itself but also to all aspects of the use of the completed building: any fixed workplaces (for example offices, shops, factories, schools etc) which are to be constructed must comply, in respect of their design and the materials used, with any requirements of the Workplace (Health, Safety and Welfare) Regulations 1992. At the design stage particular attention must be given to incorporate safe schemes for the methods of cleaning windows and for preventing falls during maintenance such as for any high level plant.

Preparing a health and safety file is an important part of the regulations. This is a record of information for the client or person using the building, and tells them about the risks that have to be managed during future maintenance, repairs or renovation. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/risk/index.htm.

It is now possible for local authorities to prosecute any of the relevant parties with respect to non-compliance with the CDM Regulations after the completion of a building project, particularly if such non-compliance has resulted in a death or major injury.

Asbestos is the largest single cause of work-related death. People most at risk are those working in the construction industry who may inadvertently disturb asbestos containing materials (ACM₂s). Where building work is planned it is essential that building owners or occupiers, who have relevant information about the location of ACM₂s, supply this information to the main contractor (or the co-ordinator if a CDM project) prior to work commencing. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/asbestos/regulations.htm (I80AB)

- 6 Regulation 12 of the Workplace (Health, Safety and Welfare) Regulations 1992 requires that every floor in a workplace shall be constructed in such a way which makes it suitable for use. Floors which are likely to get wet or to be subject to spillages must be of a type which does not become unduly slippery. A slip-resistant coating must be applied where necessary. You must also ensure that floors have effective means of drainage where necessary. The flooring must be fitted correctly and properly maintained.
Regulation 6 (4)(a) Schedule 1(d) states that a place of work should possess suitable and sufficient means for preventing a fall. You must therefore ensure the following:
- * Stairs are constructed to help prevent a fall on the staircase; you must consider stair rises and treads as well as any landings;
 - * Stairs have appropriately highlighted grip nosing so as to differentiate each step and provide sufficient grip to help prevent a fall on the staircase;
 - * Any changes of level, such as a step between floors, which are not obvious, are marked to make them conspicuous. The markings must be fitted correctly and properly maintained;
 - * Any staircases are constructed so that they are wide enough in order to provide sufficient handrails, and that these are installed correctly and properly maintained. Additional handrails should be provided down the centre of particularly wide staircases where necessary;
 - * Stairs are suitably and sufficiently lit, and lit in such a way that shadows are not cast over the main part of the treads.
- 7 You are advised to permanently mark the plant/ machinery hereby approved with the details of this permission (date of grant, registered number). This will assist in future monitoring of the equipment by the City Council if and when complaints are received.
- 8 Condition 21 refers to a publication called 'Contaminated land, a guide to help developers meet planning requirements' - produced in October 2003 by a group of London boroughs, including Westminster. You can get a copy of this and more information from our environmental health section at the address given below.

Contaminated Land Officer
Environmental Health Consultation Team
Westminster City Council
Westminster City Hall
64 Victoria Street
London SW1E 6QP

Phone: 020 7641 3153
(I73AB)

- 9 Although the canopy has 'deemed' consent, it does not meet our design guidelines and we may make you remove it. We recommend that you replace the canopy with one that meets our guidelines 'Shopfronts, Blinds and Signs'. You can get a copy of these guidelines from our website at www.westminster.gov.uk. (I44AA)
- 10 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. (I54AA)
- 11 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 phone 020 7641 2642. (I69AA)
- 12 Please contact our Cleansing section on 020 7641 7962 about your arrangements for storing and collecting waste. (I08AA)
- 13 The term 'clearly mark' in condition 27 means marked by a permanent wall notice or floor markings, or both. (I88AA)
- 14 You will have to apply separately for a licence for any structure that overhangs the road or pavement. For more advice, please phone our Highways section on 020 7641 2642. (I10AA)
- 15 The Servicing Management Plan (SMP) required by condition 13 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 collection as well.

It should clearly outline how servicing will occur on a day to day basis, almost as an instruction manual or good practice guide for the occupants. A basic flow chart mapping the process may be the easiest way to communicate the process, accompanied by a plan highlighting activity locations. The idea of the SMP is to ensure that goods and delivery vehicles spend the least amount of time on the highway as possible and do not cause an obstruction to other highway users. The SMP should inform the occupant on their requirements to minimise the impact of their servicing on the highway (i.e. set out how the occupant is expected to service the unit). A supplier instructions sheet is a helpful part of the SMP.

- 16 The development for which planning permission has been granted has been identified as potentially liable for payment of both the Mayor of London and Westminster City Council's Community Infrastructure Levy (CIL). Further details on both Community Infrastructure Levies, including reliefs that may be available, can be found on the council's website at: www.westminster.gov.uk/cil

Responsibility to pay the levy runs with the ownership of the land, unless another party has assumed liability. If you have not already you must submit an **Assumption of Liability Form** **immediately**. On receipt of this notice a CIL Liability Notice setting out the estimated CIL charges will be issued by the council as soon as practicable, to the landowner or the party that has assumed liability, with a copy to the planning applicant. You must also notify the Council before commencing development using a **Commencement Form**

CIL forms are available from the planning on the planning portal:
<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

Forms can be submitted to CIL@Westminster.gov.uk

Payment of the CIL charge is mandatory and there are strong enforcement powers and penalties for failure to pay, including Stop Notices, surcharges, late payment interest and prison terms.

- 17 This permission is governed by a legal agreement between the applicant and us under Section 106 of the Town and Country Planning Act 1990. The agreement relates to:
- a) A financial contribution of £45,000 (index linked and payable on commencement of development) for the expansion of a nearby cycle hire docking station;
 - b) A financial contribution of £25,000 (index linked and payable on commencement of development) toward wayfinding (Legible London);
 - c) A financial contribution of £27,239 (index linked and payable on commencement of development) toward the funding of Crossrail;
 - d) A financial contribution of £35,000 (index linked and payable on commencement of development) toward bi-annual pruning of the three Ginkgo trees on Old Marylebone Road by TFL and for a period of 50 years from the date of this permission;
 - e) In the event that the three Ginkgo trees need to be removed within 50 years from the date of this permission, a financial contribution of £135,000 (index linked) toward street tree planting on Old Marylebone Road payable to TFL;
 - f) Payment of the cost of highway works associated with the development on Old Marylebone Road and Harcourt Street;
 - g) Offering local employment opportunities during construction and operation of the hotel;
 - h) The provision, monitoring and review of a travel plan; and
 - i) Payment of cost of monitoring the agreement (£500 per head of term).

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.

Item No.

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