

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 6 March 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved St James's	
Subject of Report	1 Heathcock Court, London, WC2R 0JT		
Proposal	Use of part ground and the upper floors of the building as a hotel (Class C1) with ancillary cafe at ground floor level; extensions within existing lightwell; alterations to existing and new windows and doors to rear elevation; and installation of new and relocated plant and photovoltaics at roof level.		
Agent	Mr Phillip Taylor		
On behalf of	Mr Bev King		
Registered Number	17/09494/FULL	Date amended/ completed	25 October 2017
Date Application Received	25 October 2017		
Historic Building Grade	Unlisted		
Conservation Area	Covent Garden		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

1 Heathcock Court forms part of 415 Strand. Planning permission is sought to change the use of part ground and the six upper floors from office to hotel use to provide a 118-bed hotel with ancillary café. The application includes infill extensions within two lightwells, alterations to fenestration and new and replacement plant and photovoltaics at roof level.

The key issues for consideration are:

- The impact of the proposed works on the character and appearance of the building and the Covent Garden Conservation Area.
- The land use implications of the proposal;
- The impact of the proposal on the amenity of surrounding residents; and
- The impact of the proposals on the surrounding highway network.

The proposed hotel use is considered acceptable in design, conservation, land use, amenity and highway terms in accordance with the City Plan Strategy and Unitary Development Plan (UDP) policies

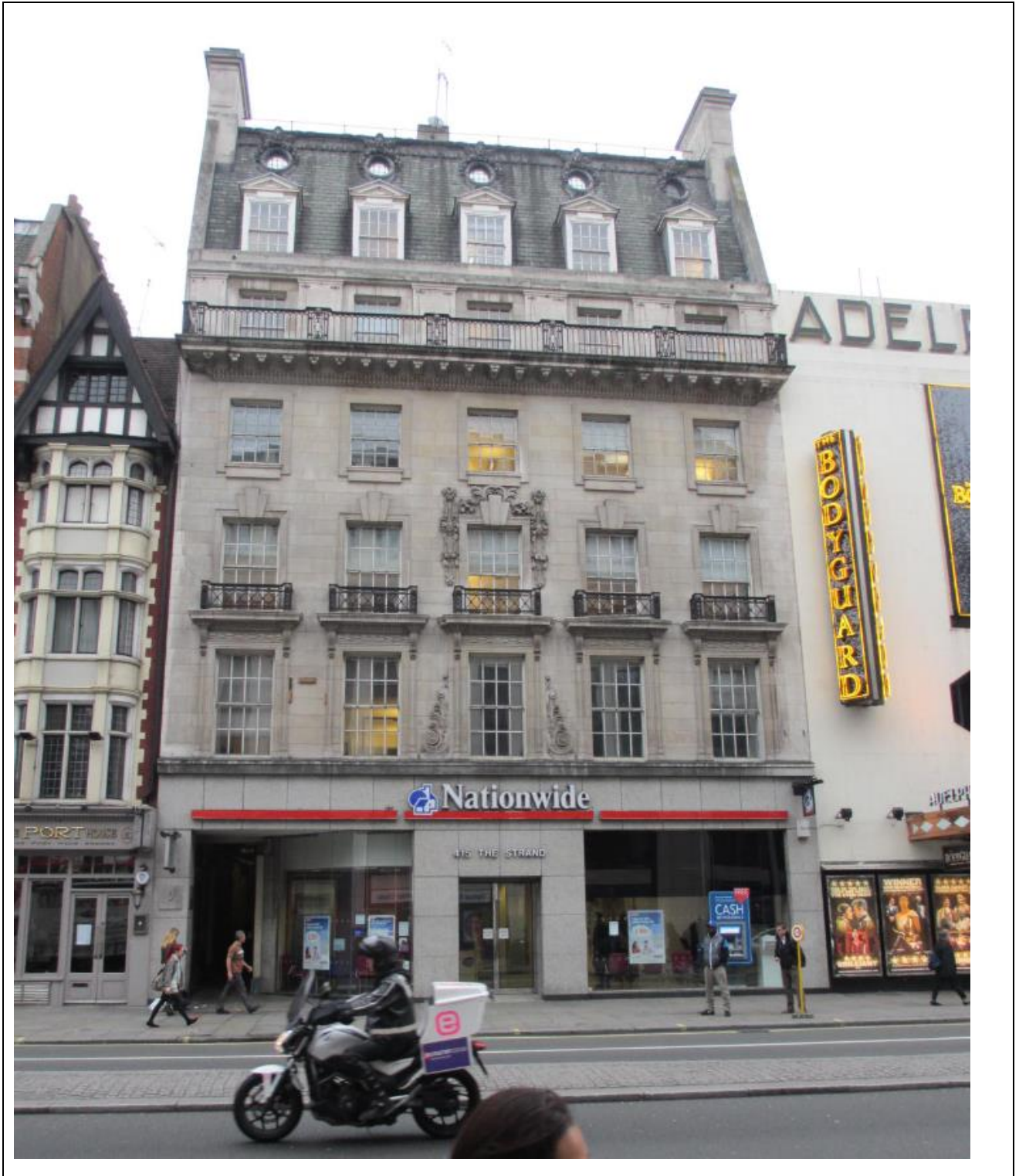
3. LOCATION PLAN



Existing Block Plan
www.ordnancesurvey.co.uk

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4. PHOTOGRAPHS



5. CONSULTATIONS

COVENT GARDEN COMMUNITY ASSOCIATION

Object to the introduction of a hotel use in this location in a small, narrow, pedestrian residential court (Exchange Court). Planning permission was recently granted for a hotel at 418-422 Strand and 50 Bedford Street which also faces onto Exchange Court. The current application is for a much more intensive use, in addition to the hotel use already permitted.

Potential noise, disturbance and overlooking impacts on local residents. The Hotel entrance and activity would take place in the quiet, narrow pedestrianised passageway Heathcock Court. These passageways are valued by the local residential community, and are highly characteristic of this part of the conservation area. Increasing footfall in the passageway would harm the character of the conservation area whilst creating unprecedented disturbance in these residential areas.

The applicant has not identified a clear process for managing taxis and private hire vehicles arrivals/ departures including measures to deter coaches. Increase in servicing and delivery needs will result in an obstruction to the Strand, and noise and disturbance associated with increased deliveries. The installation of plant at rooftop level will further compound noise and disturbance to residents in the area.

Infilling and extending the lightwells will increase the building's massing, resulting in an increased built-up character given the building's location in a narrow passageway.

The proposals indicate the existing gates from Strand to Heathcock Court will be removed so hotel guests can access the hotel entrance which will give rise to security implications.

COVENT GARDEN AREA TRUST

Any response to be reported verbally.

THEATRES TRUST

Any response to be reported verbally.

CRIME PREVENTION DESIGN ADVISOR

Any response to be reported verbally.

ENVIRONMENTAL HEALTH

No objection subject to conditions.

HIGHWAYS PLANNING MANAGER

The proposed hotel use will result in higher levels of activity at different times to the existing office use, however, the activity of guests arriving and departing the site (both vehicular and pedestrian) will not result in a significant detrimental impact on highway safety or operation.

Nine cycle parking spaces are proposed which exceeds London Plan Policy 6.9.

No off-street servicing is provided which is not consistent with policies S42 of the Westminster's City Plan or TRANS20 of the UDP. All servicing will need to comply with on-street restrictions. There are single yellow lines in the vicinity where servicing can occur, but these are already in high demand from other surrounding users and transporting goods along the footway may obstruct pedestrian movement, however, the current B1 use is serviced in a similar fashion.

No provision for coach party arrivals or departures is provided which may result in coaches stopping on the public highway and obstruct traffic (including buses). No additional space is available on-street to provide coach facilities for the proposed use. A Servicing and Operational Management Plan would be required prior to occupation of the hotel to identify process, internal storage locations, scheduling of deliveries and staffing as well as a clear process for managing coach party arrivals and departures.

Alterations are proposed to the elevations and lighting within Heathcock Court which is public highway. Details should be secured by condition.

CLEANSING OFFICER

No objection subject to condition.

ADJOINING OWNERS/OCCUPIERS

No. Consulted: 77

No. Replies: 2

One letter received on behalf of the 21 residents of Turner House (which overlooks the back of proposed development) raising no objection provided that the following comments are met:

Amenity

- privacy: opaque lower-half windows for floors three upwards;
- noise: no loud roof-level noise, no parties, no one externally to the premises, treble glazed non-openable windows;
- smartening up the back outside exterior of the building;
- no one loitering out the back of the premises which can cause late night disturbance to residents;
- installation of a bottle crusher.

The Adelphi Theatre seek to ensure that protective measures are secured to ensure that the Theatre is not adversely affected by noise and vibration.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

1 Heathcock Court forms part of 415 Strand. It is located on the northern side of the Strand and oversails the entrance to Heathcock Court a pedestrianised alleyway to the western side which runs through to Maiden Lane.

The building comprises basement, ground and six upper floors. The basement and front half of the ground floor are in use as a building Society (class A2) with an entrance on the Strand, this does not form part of the application. The application relates to the rear part of the ground floor, accessed from Heathcock Court, at the centre of the building and the six upper floors which are currently in office use (Class B1). The rear of the building faces onto a publicly accessible courtyard, opposite the rear of The Porter House Public House and Turner House, a residential block of flats above.

The building dates from the early 20th century, it is not listed, but is adjacent to the Grade II listed Adelphi Theatre and 409-410 Strand. It lies within the Covent Garden Conservation Area and the Core Central Activities Zone (CAZ).

6.2 Recent Relevant History

31 August 1995 - Certificate of lawfulness for the existing use of the second to sixth floors as class B1 offices granted.

22 January 2007 – Permission was granted for the installation of two gates, one at either end of Heathcock Court. This included a condition to ensure that the gates were left open between the hours of 7am and 7pm to ensure that public access was maintained.

7. THE PROPOSAL

Planning permission is sought for the use of part ground and the upper floors of the building as a 118-bed hotel (Class C1) with an ancillary cafe at ground floor level.

Infill extensions are proposed within the two flank lightwells. A glazed extension is proposed in the northern lightwell to provide a stair core, with the southern infill extension to provide bedroom accommodation with no glazing. New windows and doors are proposed to the rear at ground, second, third and fifth floor levels and all windows to the rear elevation will contain obscure glass to the lower pane and contain secondary glazing. New and relocated plant and photovoltaics are proposed at roof level.

The application has been submitted on behalf of Z-hotels. It is their intention to provide high quality, limited service, affordable hotel accommodation, with an ancillary cafe facility at ground floor level.

DETAILED CONSIDERATIONS

7.1 Land Use

The existing and proposed land uses can be summarised as follows.

	Existing GIA (sqm)	Proposed GIA (sqm)
Office (class B1)	1,756	0
Hotel (class C1)	0	1,954
Total	1,756	1,954

(Applicants calculations)

Loss of office use

The proposal will result in the loss of 1,756sqm of office floorspace. Policy S20 of Westminster's City Plan (November 2016) relates to offices and seeks to restrict the loss of office space to housing, however, the loss of offices to other commercial uses is acceptable. The proposal is therefore in accordance with this policy.

Hotel use

Policy S23 of the City Plan and TACE 2 of the UDP relate to new hotels, which are directed to the Core CAZ. Policy TACE 2 states that within the CAZ, in streets that do not have a predominantly residential character, planning permission will be granted for new hotels where no environmental and traffic effects would be generated and adequate on-site facilities are incorporated within developments proposing significant amounts of new visitor accommodation, including spaces for the setting down and picking up of visitors by coaches and taxis serving the hotel.

The proposal is for a high intensity 118-bedroom hotel by Z-hotels whose concept is to achieve a feeling of comfort and luxury within a limited floor area. The hotel bedrooms are of a compact size (between 7sqm - 13sqm) with 60 rooms (51%) without windows. This is an established concept within Z-hotels who currently have four other hotels in Westminster at 17 Moor Street, 5 Lower Belgrave Street, 2 Orange Street and 23 Gloucester Place and a further permitted scheme on Bedford Street.

The hotel entrance and reception will be located at ground floor level half way along Heathcock Passage, away from the residential windows of Turner House. The reception will be staffed 24 hours a day and provide natural surveillance to this part of the passage. Heathcock Court is covered by a Gating Order, allowing the highway to be gated between 12 midnight and 0700, daily. This application does not alter this order. The applicant has confirmed that 'out of hours' access into the hotel by guests and staff will be via a swipe-card entry system for both gates and includes a video/call entry system for visitors which will be monitored by the hotel reception on a 24hr basis.

The café at ground floor level will provide 35 covers (approximately 36sqm) and provide breakfast, hot and cold drinks and light snacks. The applicant states that the café will cater for hotel guests and up to two of their visitors and will be closed at 23.00. No other facilities such as a spa/gym, meeting rooms or restaurant/bar often associated with hotels are proposed and hotel guests are therefore likely to be out for most of the day.

The proposed hotel is considered an appropriate use in this central area of Westminster, close to many of London's top tourist attractions and with good access to public transport. The applicant states that the primary function of the hotel operation will be to ensure that guests benefit from a quiet environment during night time hours. Therefore, it is in the hotels interests to ensure that noise disturbance from hotel guests is kept to a minimum. It is recommended that an operational management plan and a servicing management plan be secured by condition to ensure that the proposed hotel would not have a significant effect on residential amenity or local environmental quality.

Concern has been raised regarding the cumulative impact of hotel developments within the area. Whilst other hotel uses have been approved in the area recently, it is not considered that there is an over proliferation of hotel use and the proposal would complement the existing multifaceted mix of uses in the Covent Garden area as well as cater for tourist and business travellers. It is considered that this location within the Core CAZ and Covent Garden would be appropriate for a new hotel use.

The Adelphi Theatre is located next door to the application site. Understandably they have sought to ensure that protective measures are secured to ensure that the theatre is not adversely affected by noise and vibration from the development. It will also be necessary for the applicant to demonstrate that the hotel has proper soundproofing to ensure that hotel guests are not disturbed by activities within the theatre. It is therefore recommended that our standard noise conditions are used to ensure that the plant and machinery and the internal noise environment within the hotel meets policies ENV 6 and ENV 7 of the UDP. Furthermore a condition specifically requiring details of soundproofing measures for the hotel to ensure compliance with ENV 6 is recommended.

The servicing and highways implications of the development are detailed in section 7.4 of this report.

7.2 Townscape and Design

The proposed external works include the infilling of the two lightwells at the sides of the building. One infill extension is proposed above first floor level adjacent to the Adelphi Theatre (the ground floor is already infilled as is part of the first floor level), and the other is proposed above first floor level adjacent to no. 417 Strand. Infilling the lightwell with a small setback at the party wall with no. 417 Strand and introducing a glazed extension in the east lightwell to accommodate a staircase, is considered acceptable in design terms. Given the enclosed locations of the two lightwells, the infill extensions would only be visible from limited views within the public realm. They would not be visible in long views up and down the Strand or from Maiden Lane.

Rationalisation of plant and the addition of PV panels are proposed at roof level. The proposed vent shaft at 6th floor level and proposed roof top plant and associated enclosures would not rise any higher than the existing roof top plant enclosure. At the rear of the building, the proposed windows would match the existing fenestration pattern with the brickwork arch retained and introduced where necessary.

The proposals in the passage include new lighting and the introduction of fenestration at ground floor level which are considered to improve the quality of the space and are welcomed in design terms.

The proposals are considered acceptable in design and conservation terms and comply with policies in chapter 12 of the NPPF, strategic policies S25 and S28 in Westminster's City Plan and UDP Policies DES 1, DES 5, DES 6, DES 9 and DES 10.

7.3 Residential Amenity

Policy S29 of the City Plan and ENV 13 of the UDP aim to protect the amenity of residents from the effects of development. Policy ENV13 states that the Council will resist proposals that would result in a material loss of daylight/sunlight, particularly to dwellings, and that developments should not result in a significant increased sense of enclosure, overlooking or cause unacceptable overshadowing.

The City Council generally has regard to the standards for daylight and sunlight as set out in the Building Research Establishment (BRE) 'Site Layout Planning for Daylight and Sunlight' (as revised 2011). The applicant has submitted a sunlight and daylight report using the methodology set out in the BRE guidelines in relation to the nearest, most affected residential properties at 1-5 Exchange Court; Turner House; 406-408 Strand and 12 Maiden Lane. The report confirms that the proposed extensions will comply with BRE guidelines and there will be no material loss of sunlight or daylight in relation to all surrounding residential properties

The CGCA and one letter on behalf of residents of Turner House have raised concern about overlooking and noise from the rear windows of the proposed hotel. The windows to the rear elevation looking towards Turner House will have obscure glass in the lower pane up to 1.75m in height to protect the privacy of residents opposite. All rooms will have comfort cooling and it is proposed to introduce secondary glazing and have sealed non-openable windows to prevent noise outbreak.

Plant is proposed at main roof level. Environmental Health have raised no objection to the proposal subject to conditions to secure full details and a supplementary acoustic report when plant has been selected, location and hours finalised, and the attenuation measures are available to confirm compliance with the Council's standard noise condition.

The application is therefore considered acceptable in amenity terms in accordance with policies C29, C32, of the City Plan and ENV13, ENV6 and ENV7 of the UDP.

7.4 Transportation/Parking

Servicing and deliveries

The existing building currently has no vehicular access and no off-street servicing or parking. Servicing and refuse collection is currently undertaken on-street. Although policies S42 of the City Plan and TRANS20 of the UDP require the provision of off-site

servicing arrangements in new developments, it is accepted that this is not possible as part of this scheme which does not involve comprehensive redevelopment of the site.

It is proposed to service the hotel from The Strand using the on street servicing bay (7.00 - 10.30am only). The applicant estimates that a maximum of five deliveries will be required per day for food, beverages and linen. Whilst on-street servicing is not an ideal solution, given the existing uncontrolled servicing arrangements for the offices, it is considered that planning permission could not reasonably be withheld on servicing grounds. Subject to the submission of a Servicing and Operational Management Plan, it is considered that the hotel use would not generate an unacceptable level of highways disruption sufficient to warrant refusal.

The Highways Planning Manager requests details of how coaches and taxis will be managed. The applicant has confirmed that bookings for coach parties will not be accepted. In addition to a Servicing and Management Plan, a further condition is recommended to explicitly rule out coach parties, to ensure that any future change would need approval by the Council.

Cycle Parking

Nine secure cycle parking spaces are proposed at ground floor level which exceeds London Plan Policy 6.9 which requires 1 cycle parking space per 20 bedrooms (6 spaces). It is recommended that this be secured by condition.

Heathcock Court

The Gating Order to Heathcock Court will remain. Improved lighting, new fenestration and enhanced finishes are proposed at ground floor level within Heathcock Court which are welcomed and it is recommended that full details be secured by condition.

7.5 Economic Considerations

The economic benefits associated with the creation of a new hotel are welcomed.

7.6 Access

The proposed development has been designed to meet the requirements of the Disability Discrimination Act (DDA) and incorporates the principles of inclusive design. Level access is proposed into the building with lift access to all floor levels. Six hotel bedrooms (5%) are proposed to be fully wheelchair accessible, with a further 6 rooms (5%) being adaptable in accordance with the London Plan's requirement for 10% of rooms to be wheelchair accessible. The accessible bedrooms are dispersed throughout the hotel to give a choice of room options.

7.7 Other UDP/Westminster Policy Considerations

Sustainability

The applicant has submitted an Energy and Renewables Statement in support of their application. The existing building envelope will be improved and the development will

incorporate energy efficient mechanical and electrical elements including a combined heat and power unit (CHP) and 57sqm of PV cells at roof level, which will achieve a 36.6% improvement in carbon emissions based on the current Building Regulations (2013).

Refuse /Recycling

The waste store is proposed to be located at ground floor level. The Cleansing Manager is satisfied that the refuse and recycling storage requirements for the development can be met. The waste store is currently accessed through the cycle store which is not considered an appropriate arrangement, and it is therefore recommended that the detailed design of the refuse store be secured by condition

7.8 London Plan

This application raises no strategic issues.

7.9 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.

7.10 Planning Obligations

Planning obligations are not relevant in the determination of this application. The applicant has agreed to provide an employment and training opportunities strategy for the hotel use and it is recommended that this be secured through a Grampian condition.

The estimated CIL payment is £59,632.79 (£45,737.27 Westminster CIL and £13,895.52 Mayor's CIL).

7.11 Other Issues

Crime and security

The hotel will have a 24-hour reception which will provide active surveillance of Heathcock Court. Improved lighting is proposed at ground floor level within Heathcock Court which will enhance the environment of this area and it is recommended that these works be secured by condition. The installation of Z- Hotels own CCTV system covering the hotel entrances is proposed and again it is recommended that details be secured by condition.

8. BACKGROUND PAPERS

1. Application form.
2. Memorandum from Environmental Health dated 16 November 2017.

3. Memorandum from Highways Planning Manager dated 10 January 2018.
4. Memorandum from Cleansing dated 10 January 2018.
5. Letter from Covent Garden Community Association dated 12 December 2017.
6. Letter from occupier of Flat 11, Turner House, dated 28 November 2017.
7. E-mails from Dentons on behalf of The Adelphi Theatre dated 15 January and 31 January 2018.

(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: **MATTHEW MASON** BY EMAIL AT MMASON@WESTMINSTER.GOV.UK

9. KEY DRAWINGS



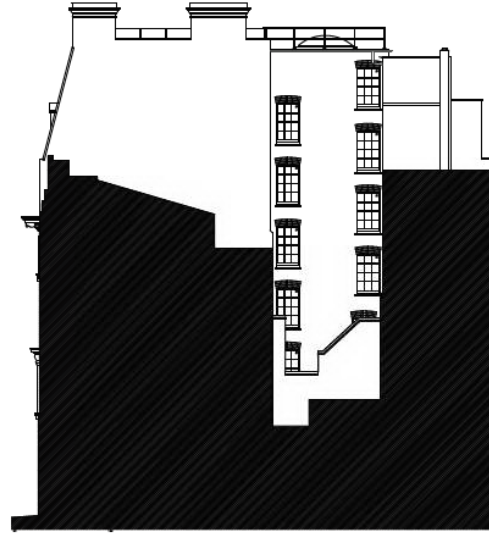
Existing elevation 01 - facing the Strand



Existing elevation 02 - rear courtyard

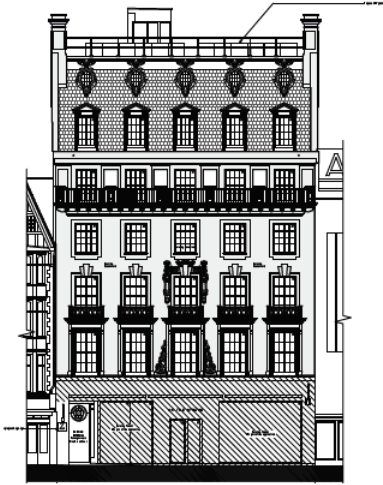


Existing elevation 03 - facing south-west

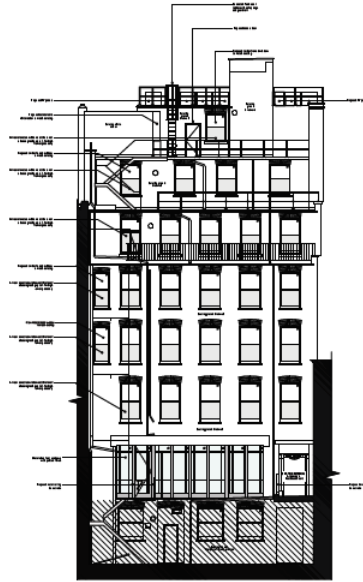


Existing elevation 04 - facing north-east

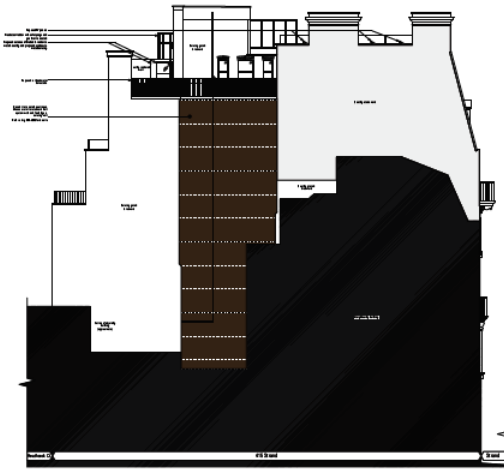
Existing Elevations



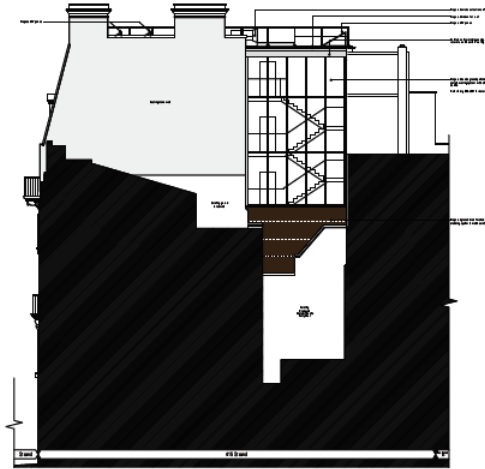
Proposed elevation 01 - facing Strand



Proposed elevation 02 - facing rear courtyard

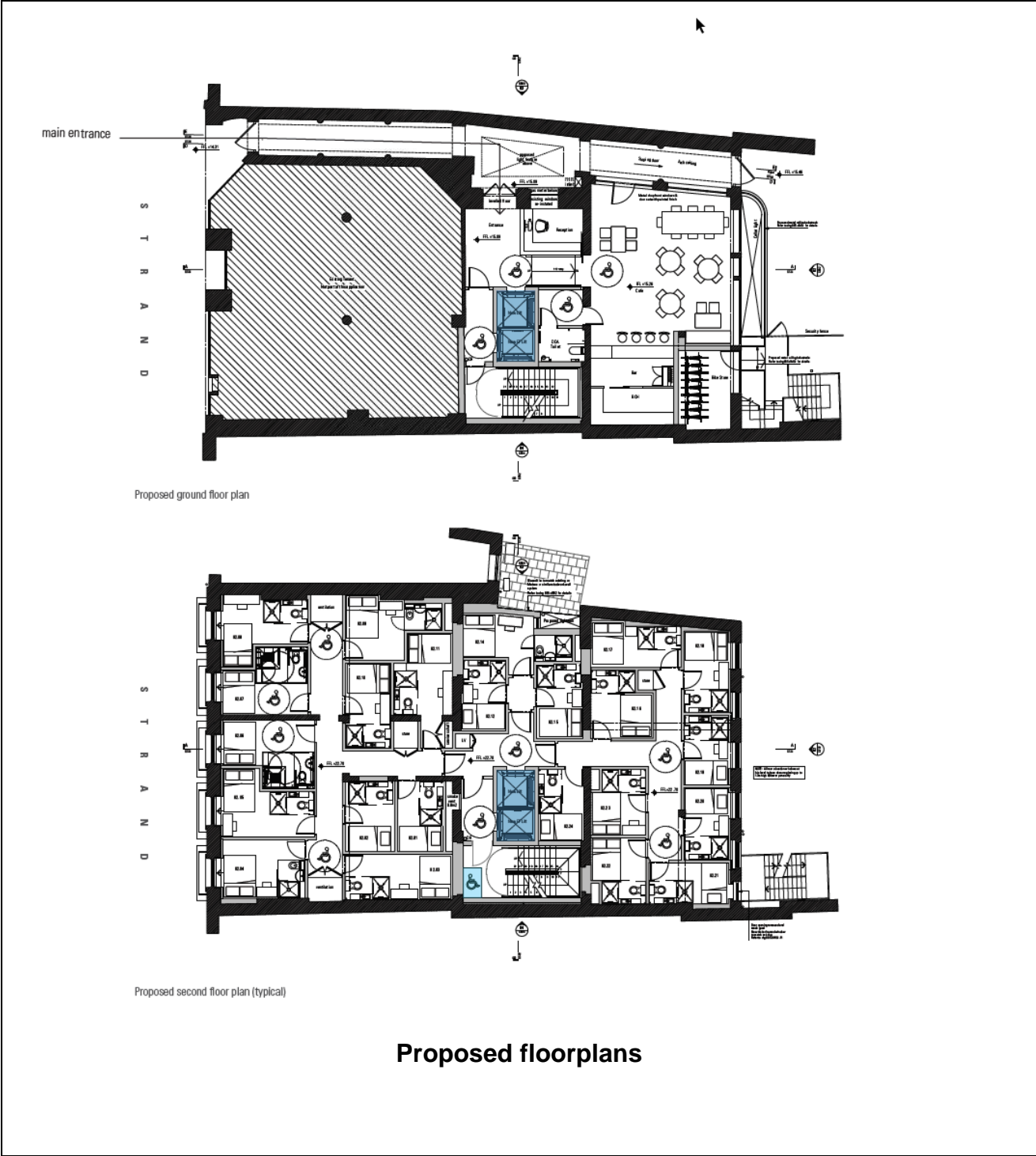


Proposed elevation 03 - facing south-west

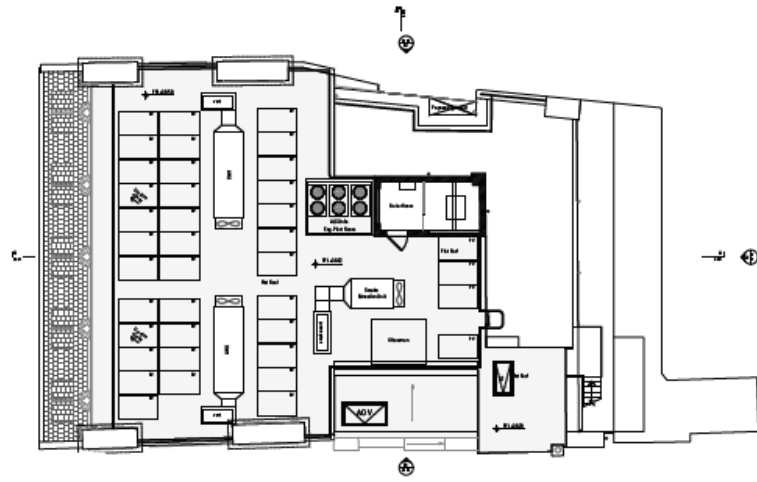


Proposed elevation 04 - facing north-east

Proposed Elevations



Proposed floorplans



Proposed roof level

Proposed roofplan

DRAFT DECISION LETTER

Address: 1 Heathcock Court, London, WC2R 0JT

Proposal: Use of part ground and the upper floors of the building as a hotel (Class C1) with ancillary cafe at ground floor level; extensions within existing lightwell; alterations to existing and new windows and doors to rear elevation; and installation of new and relocated plant and photovoltaics at roof level.

Reference: 17/09494/FULL

Plan Nos: 885_EXS01/P1; 885_EXGAB1/P1; 885_EXGA00/P1; 885_EXGA01/P1; 885_EXGA02/P1; 885_EXGA03/P1; 885_EXGA04/P1; 885_EXGA05/P1; 885_EXGA06/P1; 885_EXGARF/P1; 885_EXGE01/P1; 885_EXGE02/P1; 885_EXGE03/P1; 885_EXGE04/P1; 885_EXGS01/P1; 885_EXGS02/P1; 885_EXGS03/P1; 885_EXGS04/P1; 885_S01/P1; 885_GAB1/P1; 885_GA00/P2; 885_GA01/P1; 885_GA02/P1; 885_GA03/P1; 885_GA04/P1; 885_GA05/P1; 885_GA06/P1; 885_GARF/P1; 885_GE01/P1; 885_GE02/P1; 885_GE03/P1; 885_GE04/P1; 885_GS01/P1; 885_GS02/P1; 885_GS03/P1; 885_dW01/P1; 885_dE01/P1; 885_dE02/P1; Planning statement by Planning Resolution; Design and Access Statement dated October 2017; Heritage Statement dated October 2017; Energy and Renewables statement dated 31 March 2017; BREEAM Pre-Assessment dated 3 October 2017; Acoustic and Vibration Survey dated 14 March 2017 Rev P1; Sustainable Design and Construction Statement dated 24 October 2017 Rev D; Transport Statement dated October 2017 Rev 01; Sunlight & Daylight Report dates 29 March 2017; Air Quality Assessment, prepared by Air Quality Consultants; Delivery and Servicing Management Plan dated January 2018 Rev 01.,

Case Officer: Julia Asghar

Direct Tel. No. 020 7641 2518

Recommended Condition(s) and Reason(s)

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

Reason:

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

- 2 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only: , o between 08.00 and 18.00 Monday to Friday; , o between 08.00 and 13.00 on Saturday; and , o not at all on Sundays, bank holidays and public holidays. , , You must carry out piling, excavation and demolition work only: , o between 08.00 and 18.00 Monday to Friday; and , o not at all on Saturdays, Sundays, bank holidays and public holidays. , , Noisy work must not take place outside these hours unless otherwise agreed through a Control of

Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in 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 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings we have approved or are required by conditions to this permission. (C26AA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Covent Garden Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 4 The facing brickwork must match the existing original work in terms of colour, texture, face bond and pointing. This applies unless differences are shown on the approved drawings. (C27CA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Covent Garden Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 5 You must not put any machinery or associated equipment, ducts, tanks, satellite or radio aerials on the roof, except those shown on the approved drawings. (C26PA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Covent Garden Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 6 The glass that you put in the lower pane of the windows in the rear elevation at first to sixth floor level 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 fit 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. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

- 7 Customers shall not be permitted within the ancillary cafe before 0600 or after 2300 each day. (C12AD)

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 and TACE2 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 8 (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 LA90, 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.

- 9 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.

- 10 You must apply to us for approval of details of a supplementary acoustic report demonstrating that the plant will comply with the Council's noise criteria as set out in Condition 8 of this permission. You must not start work on this part of the development until we have approved what you have sent us.

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.

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

above (or a suitable representative position), at times when background noise is at its lowest during the permitted hours of use. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures; (d) The lowest existing LA90, 15 mins measurement recorded under (c) above; (e) Measurement evidence and any calculations demonstrating that the activity complies with the planning condition; (f) The proposed maximum noise level to be emitted by the activity.

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 (UDP), 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.

- 12 No music shall be played in the hotel such as to be audible outside the premises.

Reason:

To protect neighbouring residents from noise and vibration nuisance, as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13AC)

- 13 The design and structure of the development shall be of such a standard that it will protect hotel guests within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

Reason:

As set out in ENV6 (4) of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at sections 9.84 to 9.87, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for hotel guests of the development from the intrusion of external noise.

- 14 You must not cook raw or fresh food on the premises. (C05DA)

Reason:

The plans do not include any kitchen extractor equipment. For this reason we cannot agree to unrestricted use as people using neighbouring properties would suffer from cooking smells. This is as set out in S24 and S29 of Westminster's City Plan (November 2016) and ENV 5 of our Unitary Development Plan that we adopted in January 2007. (R05EC)

- 15 You must apply to us for approval of a Servicing and Operational Management Plan prior to occupation. The plan should identify process, internal storage locations, scheduling of deliveries and staffing, and a

clear process for managing taxis and private hire vehicles arrivals/, departures including measures to deter coaches. You must not commence the hotel use until we have approved what you have sent us. The Servicing and Operational Management Plan must thereafter be maintained and followed by the occupants for the life of the development.

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)

- 16 The hotel shall not knowingly accept bookings from parties using a vehicle with a capacity of 14 or more persons to travel to and from the premises.

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)

- 17 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)

- 18 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 building. 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)

- 19 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 2015.

- 20 You must apply to us for approval of details of the following parts of the development :- , (i) detailed design and methodology of work to Heathcock Passage including full details of lighting (including luminance/lux levels)., (ii) CCTV cameras to hotel entrances., , You must not occupy the hotel until we have approved what you have sent us. You must then carry out the work according to these details. (C26DB)

Reason:

In the interests of public safety 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. (R24BC)

- 21 You must not use any part of the development until we have approved appropriate arrangements to secure the following., , i)An employment and training opportunities strategy for the hotel use., , In the case of each of the above benefits, you must include in the arrangements details of when you will provide the benefits, and how you will guarantee this timing. You must only carry out the development according to the approved arrangements. (C19BA)

Reason:

To make sure that the development provides the planning benefits that have been agreed, as set out in S33 of Westminster's City Plan (November 2016) and in STRA7 of our Unitary Development Plan that we adopted in January 2007. (R19AC)

- 22 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., , Photovoltaics, , 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)

- 23 You must apply to us for approval of details of a supplementary acoustic report and sound insulation measures demonstrating that the hotel bedrooms will comply with the Council's internal noise criteria as set out in Condition 13 of this permission. You must not allow the public to occupy any hotel room until we have approved what you have sent us and the sound insulation measures have been installed.

Reason:

As set out in ENV6 (4) of our Unitary Development Plan that we adopted in January 2007 in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for hotel residents of the development from the intrusion of external noise.

- 24 **Pre Commencement Condition.** No development shall take place, including any works of demolition, until a construction management plan for the proposed development has been submitted to and approved in writing by the City Council as local planning authority. The plan shall provide the following details:; (i) a construction programme including a 24 hour emergency contact number; ; (ii) parking of vehicles of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);; (iii) locations for loading/unloading and storage of plant and materials used in constructing the development;; (iv) erection and maintenance of security hoardings (including decorative displays and facilities for public viewing, where appropriate);; (v) wheel washing facilities and measures to control the emission of dust and dirt during construction; and; (vi) a scheme for recycling/disposing of waste resulting from demolition and construction works. ; (vii) details of mitigation measures to reduce impact on the neighbouring theatre during matinee performances.; (viii) details of liaison with the neighbouring Adelphi Theatre.; You must not start work until we have approved what you have sent us. You must then carry out the development in accordance with the approved details.

Reason:

To protect the environment of neighbouring residents, businesses and the Adelphi Theatre 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.

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in 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 Under condition 22, we are likely to accept a legal agreement under section 106 of the Town and Country Planning Act to secure an employment and training opportunities strategy for the hotel use. Please look at the template wordings for planning obligations (listed under 'Supplementary planning guidance') on our website at www.westminster.gov.uk. Once the wording of the agreement has been finalised with our Legal and Administrative Services, you should write to us for approval of this way forward under this planning condition. (I77AA)
- 3 You may need to get separate permission under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 if you want to put up an advertisement at the property. (I03AA)

- 4 Please contact our Environmental Health Service (020 7641 2000) to make sure you meet their requirements under the Control of Pollution Act 1974 and the Environmental Protection Act 1990. (I07AA)
- 5 Please contact our Cleansing section on 020 7641 7962 about your arrangements for storing and collecting waste. (I08AA)
- 6 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)
- 7 You will need to re-apply for planning permission if another authority or council department asks you to make changes that will affect the outside appearance of the building or the purpose it is used for. (I23AA)
- 8 Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please phone our Highways Licensing Team on 020 7641 2560. (I35AA)
- 9 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)
- 10 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.
- 11 The construction manager should keep residents and others informed about unavoidable disturbance such as noise, dust and extended working hours, and disruption of traffic. Site neighbours should be given clear information well in advance, preferably in writing, perhaps by issuing regular bulletins about site progress.

- 12 Please contact a Metropolitan Police Crime Prevention Design Adviser about suitable security measures for your development. You should also check whether any measures will need planning approval., , You should contact:, David Fisher on 020 8217 3813 or by email docomailbox.ne@met.police.uk, , He is based at:, Lower Ground, Bow Road Police Station , 111-117 Bow Road , London E3 2AN , (I74AA)
- 13 Conditions 9 and 11 control noise from the approved machinery. It is very important that you meet the conditions and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (I82AA)
- 14 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.**
- 15 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)
- 16 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)

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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.