

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 2 July 2019	Classification For General Release	
Report of Director of Place Shaping and Town Planning		Ward(s) involved St James's	
Subject of Report	Unit 35, Jubilee Hall Jubilee Market, The Piazza, Covent Garden, London, WC2E 8BE,		
Proposal	Amalgamation of 1A Tavistock Street and 35 The Piazza to form a restaurant and late night entertainment, live music and performance venue (Sui Generis) including associated internal alterations and external alterations to entrances and ground and mezzanine windows.		
Agent	Gerald Eve		
On behalf of	Capital & Counties		
Registered Number	19/03044/FULL and 19/03045/LBC	Date amended/ completed	18 April 2019
Date Application Received	18 April 2019		
Historic Building Grade	Jubilee Hall: Grade II 1A Tavistock: Unlisted		
Conservation Area	Covent Garden		

1. RECOMMENDATION

1. Grant conditional permission and conditional listed building consent.
2. Agree the reasons for granting conditional listed building consent as set out in Informative 1 of the draft decision letter.

2. SUMMARY

35 The Piazza is a basement unit within Jubilee Hall, which is a grade II listed building located within the Covent Garden Conservation Area. The unit is a restaurant/ late night drinking/ dancing/ live music venue (sui generis) known as The Roadhouse.

1A Tavistock Street is a part of an unlisted building located within the Covent Garden Conservation Area. The unit is primarily at basement level, with an entrance at the corner of Tavistock and Southampton Streets. It is a vacant restaurant (Class A3), formerly operated as a Wagamama. This building contains residential flats on the upper floors and is known as Driscoll House.

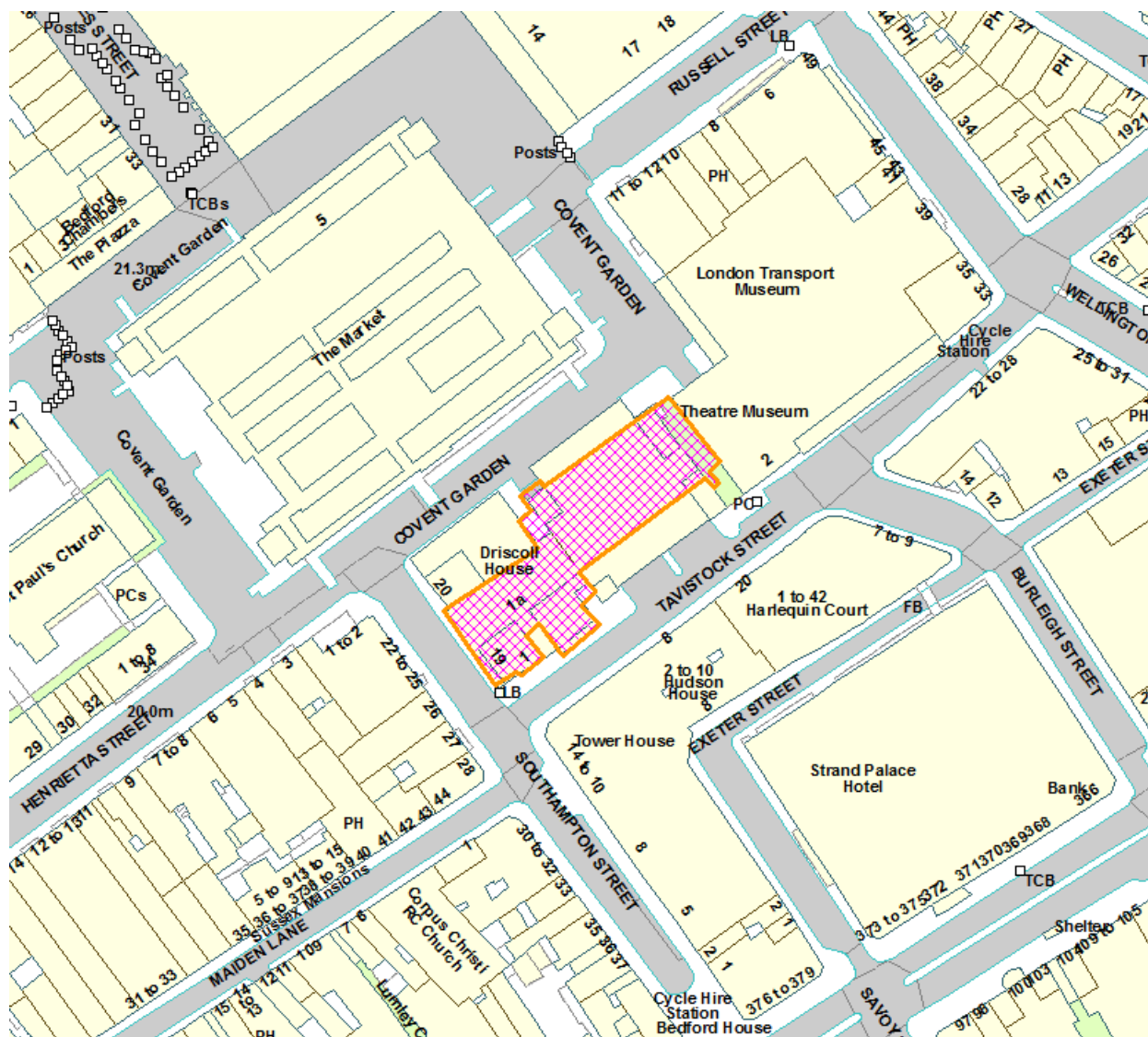
Permission and listed building consent are sought to amalgamate the basements of 1A Tavistock Street and 35 The Piazza to form a single restaurant and late-night entertainment, live music and performance venue (sui generis) including associated internal alterations and external alterations to entrances and ground and mezzanine windows. The food offer would remain operational throughout the trading hours, dinner sessions would be to a backdrop of interactive entertainers, in the style of Cirque du Soleil, including dance acts and live music.

The key issues in this case are:

- the impact of the proposals on the significance of designated heritage assets including the impact on the listed building, archaeological assets and the Covent Garden Conservation Area; and
- the impact of the proposals on the amenity enjoyed by neighbouring residential occupiers.

For the reasons set out in this report, the proposed development is considered to accord with relevant policies within the Unitary Development Plan adopted in January 2007 (the UDP) and Westminster's City Plan adopted in November 2016 (the City Plan). As such, it is recommended that planning permission and listed building consent are granted, subject to the conditions set out in the draft decision letters.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Entrances: 1A Tavistock on the Left, 35 The Piazza on the Right



1A Tavistock



35 The Piazza

5. CONSULTATIONS

HISTORIC ENGLAND:

Authorised to determine.

HISTORIC ENGLAND (ARCHAEOLOGY):

No objection, subject to a condition.

COVENT GARDEN COMMUNITY ASSOCIATION:

The CGCA does not object to the proposal provided that: the use remains as described in the application; and the City Council attaches appropriate conditions to mitigate harm to residents. To avoid noise nuisance to the area there must be no noise/music break out from the venue. The updated Operating Management Statement is welcomed.

COVENT GARDEN AREA TRUST:

The Trust is supportive of proposals which improve the viability and vitality of Covent Garden, and protects the historic fabric of the building. It improves upon the 2018 proposals, as it no longer requires excavation. Live music/ performance is retained, which adds to the character and interest of Covent Garden. The operational management and leasehold conditions are to be imposed to protect residents.

METROPOLITAN POLICE:

No objection to the principle of the proposals, subject to a condition to ensure a 'Secured by Design' accreditation is received.

ENVIRONMENTAL HEALTH:

No objection, subject to conditions.

HIGHWAY PLANNING MANAGER:

No objection, subject to conditions.

PROJECT OFFICER (WASTE):

No objection, subject to conditions.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 274

No. of objections: 3

No. neutral: 2

No. support: 1

Three neighbouring residents object to the proposal on the following grounds:

- The properties are surrounded by residential properties and the use would harm these residents, including those within Driscoll house, in terms of noise and other impacts such as worsening security;
- The main entrance should be on The Piazza and not on Tavistock/ Southampton Street where residents are located; and

- An earlier closing time and later opening time would be preferred, and operational measures are recommended to ensure servicing and patrons/ staff do not harm neighbours.

One neighbouring resident and a representative of a residents association state neither objection nor support, but raises the following issues:

- Servicing/ refuse collection should not happen from Tavistock Court as this would harm those within Harlequin Court in terms of noise from service vehicles; and
- Operational measures must ensure patrons and staff do not disturb neighbours in terms of noise.

One neighbouring resident states support, but raises the following issues:

- Conditions should be imposed to minimise noise and measures should be taken to ensure the building is sound insulated.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

35 The Piazza is a basement unit (with access at ground level) within Jubilee Hall, which is a grade II listed building located within the Convent Garden Conservation Area. The unit is a restaurant/ late night drinking/ dancing/ live music venue (sui generis) known as The Roadhouse.

1A Tavistock Street is a part of an unlisted building located within the Covent Garden Conservation Area. The unit is primarily at basement level, with an entrance at the corner of Tavistock and Southampton Streets. It is a vacant restaurant (Class A3). This building contains residential flats on the upper floors and is known as Driscoll House.

There are other residential occupiers within the area, including within Harlequin Court on Tavistock Street and on Southampton Street. The area is characterised by a mix of uses however, and these include office, retail, cultural and entertainment uses.

The site is located within the Core Central Activities Zone, West End Stress Area and within a Tier 1 Archaeological Priority Area.

6.2 Recent Relevant History

35 The Piazza

On 26 April 2018, the City Council granted permission and consent for alterations to ground floor entrances to the Piazza and Tavistock Court; lowering of existing basement floor level and associated internal and external alterations.

On 25 October 2017, the City Council issued a Certificate of Lawful Development (Existing) for 35 The Piazza for the use of the basement unit (with ground floor entrance) as a restaurant and late night drinking and dancing venue playing live music (Sui Generis).

1A Tavistock Street

On 29 October 1998, the City Council granted planning consent for internal and external alterations in connection with the use of 1A Tavistock Street as a restaurant (Class C3).

7. THE PROPOSAL

The applicant seeks permission and listed building consent to amalgamate the basements of 1A Tavistock Street and 35 The Piazza to form a single restaurant and late-night entertainment, live music and performance venue (*sui generis*) including associated internal alterations and external alterations.

The works include:

- creating an additional opening in the current party wall to join the two units;
- altering the entrances on The Piazza, Tavistock Court and on the corner of Tavistock and Southampton Streets;
- internal alterations, including the provision of universal access across the entire space and levelling the floor within 35 The Piazza; and the
- installation of mechanical plant at roof level and associated alterations.

The proposals seek to deliver an all-day dining and evening entertainment use, operating in a style the applicant describes as 'Vibe Dining'. The food offer would remain operational throughout the trading hours, dinner sessions would be to a backdrop of interactive entertainers, in the style of Cirque du Soleil, including dance acts and live music.

Figure 1: Floorspace Figures

	Existing GIA (sqm)	Proposed GIA (sqm)	+/-
Restaurant and live music/ performance venue (<i>sui generis</i>)	760	1577	+817
Restaurant (class A3)	810	0	-810
Total	1570	1577	+7

8. DETAILED CONSIDERATIONS

8.1 Land Use

The lawful use of 35 The Piazza is a restaurant/ late night drinking/ dancing/ live music venue. The City Council confirmed this in a certificate issued on 25 October 2017. It is a '*sui generis*' use meaning that it does not fit in any use class, and any material change in the use of 35 The Piazza would require planning permission. 1A Tavistock Street is a vacant restaurant, within use class A3.

The proposed use, consisting of both restaurant and live music/ performance uses, is also a '*sui generis*' use. Arguably, this use is sufficiently similar to the lawful use of 35 The Piazza to mean no material change of use of this land would occur. As the applicant proposes to amalgamate 35 The Piazza with 1A Tavistock Street so that the proposed

restaurant and live music/ performance use would operate across the site, a change of use of 1A Tavistock Street would occur resulting in the loss of the existing A3.

Loss of restaurant at 1A Tavistock Street

Restaurants are important facilities for residents, workers and visitors to the City, and these uses contribute toward the vitality and vibrancy of Covent Garden, and the wider Core CAZ. Policy SS 5 of the Unitary Development Plan (UDP) relates to the management of shopping and other services within the Core CAZ, it seeks to encourage a balanced mix of appropriate street-level activities and seeks to protect and enhance the attraction of the Core CAZ as a shopping and entertainment destination. It affords no specific protection to restaurants or other A3 uses. It states that proposals for non-A1 uses must not lead to, or add to, a concentration of non-A1 uses, or cause or intensify an existing over-concentration of A3 and entertainment uses in a street or area. The reasoned justification for Policy S6 of the City Plan also states that within the West End Stress Area proposals for additional entertainment uses would be unacceptable in many instances.

As the proposal is to change the use of the unit to an alternative entertainment use (which includes a restaurant element), it would not alter the concentration of non-A1 uses or intensify a concentration of A3 and entertainment uses (indeed the number of entertainment premises would reduce because of the amalgamation). Therefore, the loss of the restaurant would be acceptable subject to the acceptability of providing this enlarged single entertainment use within the West End Stress Area.

Provision of a restaurant and live music/ performance use

Policy S1 of the City Plan states that within the CAZ the City Council will promote a mix of uses consistent with supporting its vitality, function and character. The justification for policy S1 states mixed use means offices, shopping, entertainment, cultural, social and community and residential uses sharing buildings, streets and localities. The unique and varied use character across the CAZ is fundamental in ensuring the vitality, attraction and continued economic success of Central London. Although, policy S6 of the City Plan states that within the West End Stress Area, new entertainment uses will only be allowed where the council considers that they are small-scale, low impact and they will not result in an increased concentration of late-night uses.

The Mayor's Draft New London Plan and draft 'Culture and the Night Time Economy' SPG are also material considerations in planning decisions. These promote the night-time economy, particularly in the CAZ, and state boroughs should support proposals for new night time uses where appropriate (Emerging London Plan Policies HC6 and HC7).

An objector considers the restaurant and live music/ performance use in this location would conflict with the residential flats in the area. However, a mix of uses, including entertainment uses such as this, is appropriate within the CAZ and consistent with the above policy and guidance. The main land use issue is whether an entertainment use of the scale proposed would accord with requirements of the City Council's entertainment policies.

The proposed restaurant and live music/ performance use measures 1,577 sqm (GIA), which constitutes a large entertainment use as defined in Chapter 8 of the UDP. Policy

TACE 10 of the UDP states that entertainment uses of this size will only be acceptable in exceptional circumstances. Policies TACE 10 of the UDP and S6 of the City Plan recognises that larger entertainment uses can have a disproportionate impact on residential amenity and local environmental quality and can contribute to the loss of character, and unacceptably change the function, of an area. They have the greatest potential to generate noise and disturbance in nearby streets and to adversely affect local amenity. However, the plan acknowledges that there can be considerable variation between the effects of different types of entertainment uses.

Following appeal decisions relating to entertainment uses (for example: APP/X5990/A/12/2183693), the City Council has adopted the approach that if the use would not result in any material harm to residents' amenity and local environmental quality, this would be enough to constitute an exceptional circumstance. Therefore, any proposals should provide enough information to demonstrate that the development would have no adverse effect upon residential amenity or local environmental quality and the use should have no adverse effect on the character or function of the area.

Impact of the proposed use

The restaurant and live music/ performance use would open at 07:00 each day and would close at 03:30 the next day, except for Sundays when it would close earlier at 01:00 the next day. The premise would have maximum capacity of 790 patrons. This compares to the existing capacities of 575 at 35 The Piazza and 120 at 1A Tavistock Street - which means the proposal would allow an additional 95 patrons on the site at any one time. The proposed use would maintain the two patron entrances, one on the corner of Tavistock and Southampton Streets and the other on The Piazza. The unit would not benefit from an external area, and therefore patrons would smoke outside the front of the building on The Piazza in a designated area (no drinking or eating would be allowed outside).

Policies ENV 6 and ENV 7 of the UDP and policy S32 of the City Plan require developments to contain noise and to demonstrate that any noises emitted by plant and machinery and from internal activities, including noise from music (amplified or unamplified), and human voices, complies with relevant standards. Where appropriate, developments should incorporate design features and operational measures to minimise and contain noise and vibration from developments, to protect noise sensitive properties.

Noise issues of potential concern would be the impact of mechanical plant and the impact of patron/ staff activity inside and outside the premises. The applicant has provided an acoustic report to assess the noise impact. The Council's Environmental Health team have confirmed the report demonstrates that noise from patrons, even at peak times, would not disturb the residents above or residents adjacent as the acoustic/ operational measures proposed are sufficient. The impacts in terms of noise from plant and the kitchen extract system are discussed elsewhere in this report, where it is explained that these elements would not harm the amenity of neighbours or local environmental quality.

In terms of the detailed operation and management of the premises, the applicant has submitted a plan which sets out policies and procedures for the management of the site. This includes policies on entrance, dispersal and neighbourhood relations to ensure patrons do not harm neighbouring residents and on operations of servicing, plant and waste to ensure staff do not harm residents.

While the applicant seeks permission for the unit to be open from 07:00 until 03:30 the next day on Monday to Saturday (which is longer than usually would be allowed with the West End Stress Area) and 01:00 on Sunday, the existing use at 35 The Piazza closes at 03:00 Tuesday to Saturday and so the closing time would be extended by only 30 minutes on these days. Still, the unit would be open for a greater portion of each day, and for more days of the week. The unit currently closes on Sunday and Monday and it opens at 17:30 on the other days. However, it is important to note that this existing use is not controlled by planning conditions and so could currently close even later and open even earlier without being in breach of planning control (although, their operations would also be separately controlled through licencing).

The existing restaurant use at 1A Tavistock Street is controlled by planning condition to ensure it closes at midnight, accordingly the proposed closing time would be three and a half hours later than currently permitted for this portion of the site. However, the Operational Management Strategy proposes that the entrance on Tavistock Street would be closed at midnight (as existing) and after this point only the entrance on The Piazza would be open. This is because this entrance is closest to residential occupiers, and so late-night activity here could harm neighbours and an objection has been received on these grounds. Environmental Health had suggested that this entrance closer earlier to prevent external queues forming in this location (the noise associated with a queue could harm neighbours), but the applicant has instead amended the Operational Management Strategy to ensure that no external queuing occurs (at any time) by redirecting patrons to the Piazza entrance. These measures would prevent patrons from congregating outside this entrance, and so would protect residential neighbours.

There of course would be increased activity within the 1A Tavistock portion of the site compared to the existing restaurant use, but the applicant proposes various measures to ensure that a harmful noise impact on nearby residential premises is prevented. These include lobbied entrances to prevent noise escaping from the entrances, sounding insulating measures to the ceilings, walls and columns in high noise areas, ensuring loudspeakers are not fixed to the building's structure and that noise limiters are installed. Some neutral commenters on the application state they wish to see controls and/or conditions to prevent noise transfer to other properties. Environmental Health Officers have confirmed that the internal activity within the premises would not be audible from within residential properties, subject to conditions to prevent internal and external transfer of music noise. These include conditions relating to the design and structure of the basement to ensure it is acoustically enhanced, that a sound limiter device is installed and that the entrances are lobbied as proposed. With these measures in place, noise from inside the new unit would not be audible from surrounding properties.

A further issue is whether the additional patrons entering and exiting at 35 The Piazza, earlier than existing, for more days than existing and half an hour later than existing on Tuesday to Saturday, would result in harm to residential occupiers. The existing unit does not have any planning controls on its use, there is no management plan or other operational conditions managing its use. The proposal is supported by an Operational Management Plan which when implemented would ensure the management of patrons and staff. This includes actively monitoring any queues and the vicinity and discouraging noisy behaviour and preventing patrons from congregating; supervising taxi/ mini cab pick-ups; ensuring the tenants security team cooperate fully with the freeholders security team;

and managing the dispersal of patrons at close, in accordance with the Metropolitan Police safer streets protocols. The plan also outlines procedures for neighbourhood liaison and dealing with any complaints, as well as designating and managing a smoking area to the front of the property on The Piazza. These measures would constitute an improvement over the existing uncontrolled situation. Combined with new measures to sound insulate the building to prevent noise break out, the proposals would not result in a significant worsening of the existing situation.

In terms of the wider area, on the Piazza and the surrounding streets there are relatively few late-night entertainment uses considering the site is within the West End Stress Area. Dirty Martini at 11-12 Russell Street closes at 03:00 Thursday to Saturday, and this bar along with the existing use at 35 The Piazza operate later than is typical within the immediate area where most entertainment use cease operations by midnight. Taking into account this context, that the proposals would not create add to the number of late night uses, and the measures with the measures outline above implemented, the cumulative impact of the proposals would not worsen the West End Stress Area. Indeed, with the management plan in place, which is recommended to be ensured by condition, and the other operational conditions attached, this large single entertainment use would not worsen residential amenity or environmental quality compared to the existing two entertainment uses, and this constitutes an exceptional circumstance in terms of TACE 10. Therefore, the proposal is acceptable in land use terms.

8.2 Townscape and Design

UDP Policies DES 1 (urban design / conservation principles), DES 5 (alterations and extensions), DES 9 (conservation areas) and DES 10 (listed buildings) apply to the consideration of these applications, whilst S26 and S28 of the City Plan provide the strategic planning policies relevant to design.

Sections 7 and 12 of the National Planning Policy Framework (NPPF) require great weight be placed on design quality and on the preservation of designated heritage assets. Paragraph 133 makes it clear that 'substantial harm' must only be approved in exceptional circumstances in return for substantial public benefits and subject to various tests. Paragraph 134 meanwhile requires a similar but proportionate assessment of 'less than substantial harm' against public benefits.

35 The Piazza is part of the grade II listed Jubilee Hall, and its historic interest principally relates to its elevations, particularly its Anglo-Baroque façade to The Piazza, and the primary structure at ground and first floor levels. The basement was designed to be utilitarian in character as a storage space and, until the 1970s, it retained its original subdivided nature which comprised compartmentalised storage and mezzanine areas. Since then, the basement has been significantly altered and the partitions removed.

1A Tavistock Street is part of the unlisted Driscoll House built in the 1980s. It has frontages to Southampton Street and Tavistock Street and is nine storeys high. The corner entrance which allows access to the basement level restaurant was constructed in the late 1990s when this restaurant was formed.

Externally, the existing main entrance doors to 35 The Piazza have a heavy metal frame and are of no architectural interest, and given their appearance their replacement is not

opposed, subject to their detailed design which will be ensured by condition. Internally, the existing internal fit out and staircases are all modern features, likely to have been added in the 1970's, and 80's as part of the buildings use. They do not contribute to the significance of the building and as such, their loss is not harmful. The proposed internal works, which include the demolition of a modern wall which separates the basements of 35 The Piazza and 1A Tavistock Street, would not result in harm to the significance of this already highly altered basement.

The existing entrance to 1A Tavistock Street is a blank and unappealing modern entrance that adds little to the character and appearance of the building or conservation area. The altered fenestration details to 1A Tavistock Street are appropriate to the architecture of the building and will not diminish its appearance. Consequently, these works are also acceptable.

In terms of plant, the applicant proposes a similar arrangement to the current situation, with the plant area in the north-west corner of the building at roof level. A new water tank is proposed adjacent to the existing plant, which will be largely concealed by the bottle balustrades and screened from long views by the neighbouring building.

On the eastern side of the building, fronting Tavistock Court, existing duct work and extracts are to be retained causing no additional harm to the appearance of the building. overall the services, plant and duct work avoid the principal elevations of the building, where long and open public views of the property can be achieved.

Archaeological Impact

The site is within a Tier 1 Archaeological Priority Area (Lundenwic and the Strand) which is known to contain archaeological heritage assets of national importance. Historic England's Greater London Archaeological Advisory Service (GLAAS) have been consulted and consider that further exploratory fieldwork and assessment will be required to determine the nature and significance of remains, and to refine an appropriate mitigation strategy if required. As such, GLAAS advise that a condition be attached to secure a staged programme of archaeological work in the usual way. This would ensure any archaeological assets are protected.

8.3 Residential Amenity

Policies S29 of the City Plan and ENV13 of the UDP seek to protect residential amenity in terms of light, privacy, sense of enclosure and encourage development that enhances the residential environment of surrounding properties.

The external works are modest alterations that would not harm neighbouring residents in terms of light, enclosure or loss of privacy.

8.4 Transportation/Parking

Trip Generation, Cycle Parking and Car Parking

The Highway Planning Manager advises most trips associated with the site (excluding servicing activity) would be via public transport or other sustainable modes (eg walking,

cycling). It is noted, the proposed use would alter the time profile of trips associated with the site, with a slight increase in late night movements, but the Highway Planning Manager states this would not have a significantly adverse highway impact.

11 cycle parking spaces are proposed within the basement, which is in accordance with London Plan requirements. In terms of car parking, the site is within a Control Parking Zone which means anyone who does drive to the site will be subject to those controls.

Delivery Service

To minimise the impact of the restaurant and live music/ performance use on the road network, the Highway Planning Manager advised that no delivery service should operate from this location, which is recommended to be ensured by condition.

Servicing

S42 and TRANS20 require off-street servicing. No off-street servicing is provided, although a small ground floor holding area is included within the site, and limited servicing detail is provided within the Operational Management Plan. Therefore, the Highway Planning Manager advised that in order to minimise the impact of servicing on highway users, including pedestrians and reduce localised congestion, a Servicing Management Plan should be secured by condition.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size.

8.6 Access

Currently there is no level access for patrons to enter 35 The Piazza. There is an existing lift for patrons at the Tavistock/ Southampton Street entrance for 1A Tavistock Street. The proposals involve upgrading the Tavistock/ Southampton Street entrance, including by installing a replacement lift and by linking the two units and internal alterations to create level access throughout the basement. This improved access is welcomed.

8.7 Other UDP/Westminster Policy Considerations

Refuse and Recycling:

A commenter has raised concern regarding waste being left out near the Tavistock Court entrance, and that when it is collected the noise harms residential occupiers. The proposal would improve servicing and waste management. Waste would be stored within the basement until schedule for removal during the 7.00am and 10.30am Piazza servicing hours. The waste would be taken out to the Piazza via Tavistock Court, but it would not be left by that entrance. The Project Officer for Waste has confirmed the waste arrangements are acceptable.

8.8 Westminster City Plan

The City Council is currently working on a complete review of its City Plan. The draft City Plan was published for public consultation purposes under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations on 19 June 2019. Consultation will close on 31 July. Given the very early stage of the consultation process and having regard to the tests set out in para. 48 of the NPPF, the policies of the emerging draft City Plan are given little to no weight at the present time.

8.9 Neighbourhood Plans

None relevant.

8.10 London Plan

This application raises no strategic issues.

8.11 National Policy/Guidance Considerations

None relevant.

8.12 Planning Obligations

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

The development is not CIL liable.

8.13 Environmental Impact Assessment

Not relevant to this application.

8.14 Other Issues

Crime and security

The Metropolitan Police state that whilst in principle they have no objections to the proposal, a condition is recommended to ensure the applicant achieves a Secured by Design Accreditation. They confirmed that the applicant should be able to achieve this if they follow their advice and so the condition and informative are attached.

Statement of Community Involvement

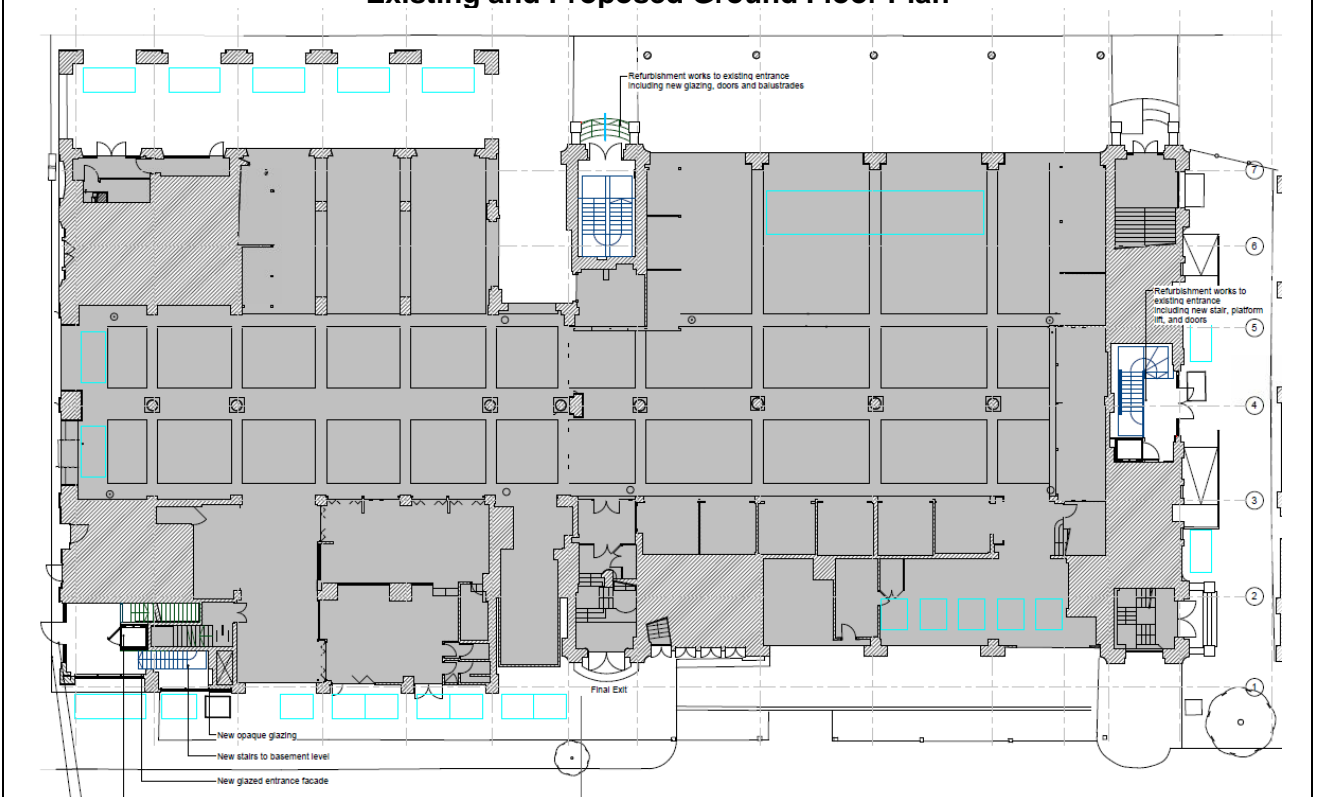
The applicant has submitted a statement outlining their engagement with interested people and organisations in the years leading up to the submission of this application. This included neighbours and amenity societies, as well as the City Council.

(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: JOSHUA HOWITT BY EMAIL AT jhowitt@westminster.gov.uk

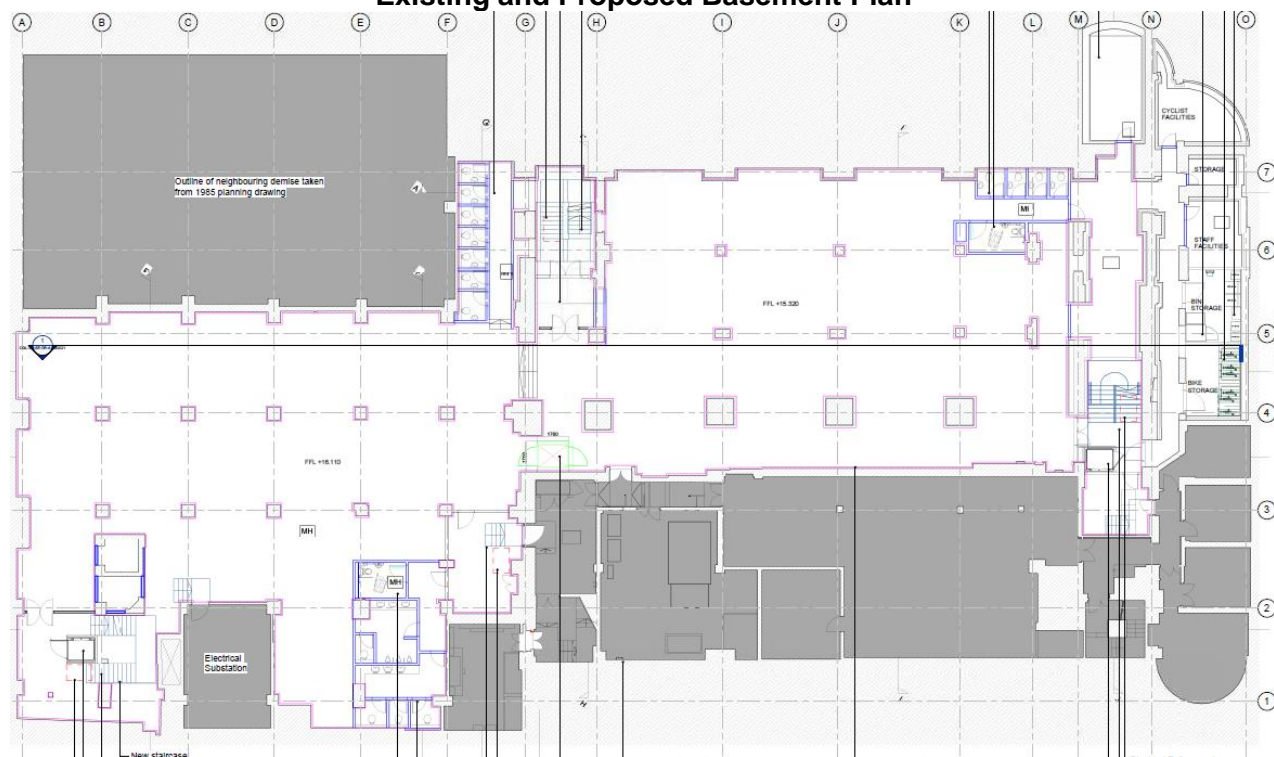
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9. KEY DRAWINGS

**Existing and Proposed Ground Floor Plan**

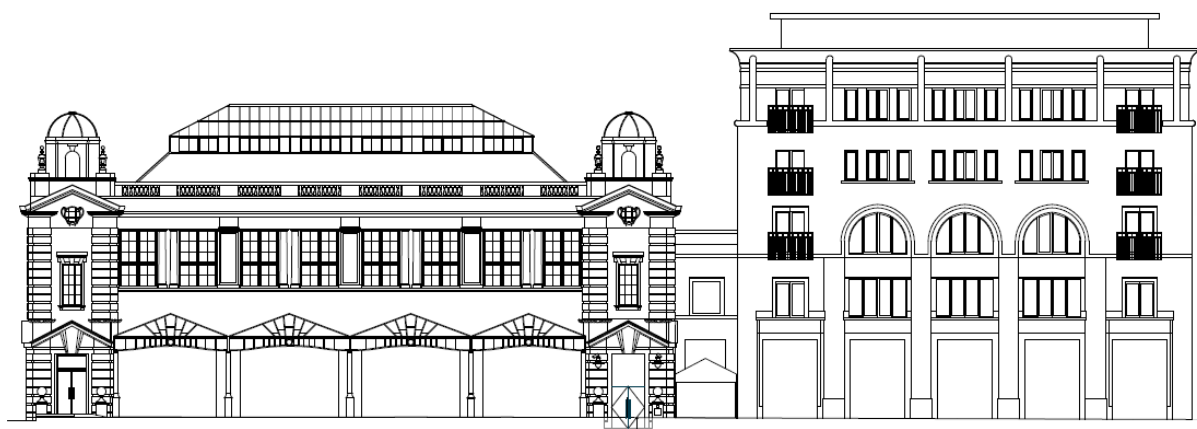


Existing and Proposed Basement Plan





Existing and Proposed North Elevation

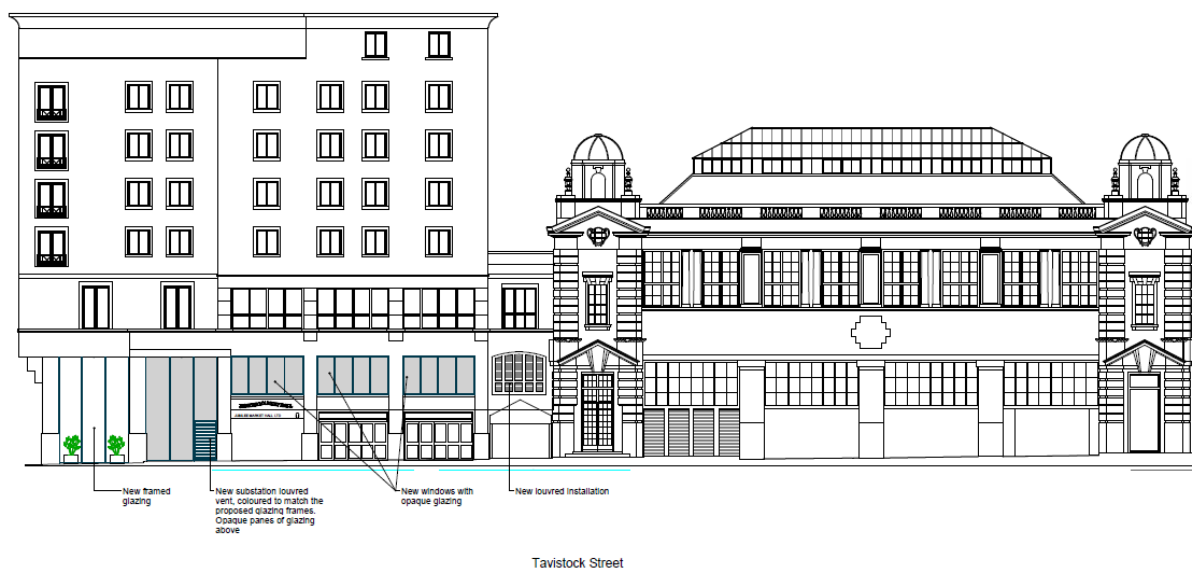


—New entrance door, glazing, balustrade and intercom.
Allow for repairs to the external stairs as well as
cleaning where required.

The Piazza



Existing and Proposed South Elevation



Tavistock Street



Existing and Proposed West Elevation





Computer Generated Image of new entrance.

DRAFT DECISION LETTER – PLANNING APPLICATION

Address: Unit 35, Jubilee Hall Jubilee Market, The Piazza, Covent Garden, London, WC2E 8BE,

Proposal: Amalgamation of 1A Tavistock Street and 35 The Piazza to form a restaurant and late night entertainment, live music and performance venue (Sui Generis) including associated internal alterations and external alterations to entrances and ground and mezzanine windows.

Reference: 19/03044/FULL

Plan Nos: Site Location Plan

Proposed Drawings:

CGL-XX-EL-EL-A-070XX1 rev PG; CGL-XX-EL-EL-A-070XX2 rev PG; CGL-XX-EL-EL-A-070XX3 rev PG; CGL-XX-EL-EL-A-070XX4 rev PH; CGL-XX-SE-DR-A-070XX1 rev PF; CGL-XX-XX-GA-A-060RF1 rev PF; CGL-Z1-00-GA-A-060001 rev PH; CGL-Z1-01-GA-A-060011 rev PI; CGL-Z1-B1-GA-A-060B11 rev PH; CGL-XX-EL-EL-A-070XX4 rev PH; CGL-XX-EL-EL-EW-070XX1 rev PA; CGL-XX-EL-EL-EW-070XX2 rev PA; CGL-XX-EL-EL-EW-070XX3 rev PA; CGL-XX-SE-DR-EW-070XX1 rev PA; CGL-Z1-00-GA-EW-060001 rev PA; CGL-Z1-01-GA-EW-060011 rev PA; CGL-Z1-B1-GA-EW-060B11 rev PA.

Existing Drawings:

CGL-XX-SE-DR-A-020XX1 rev PF; CGL-Z1-00-GA-A-010001 rev PG; CGL-Z1-01-GA-A-010011 rev PF; CGL-Z1-B1-GA-A-010B11 rev PF; CGL-Z1-EL-EL-A-020XX1 rev PG; CGL-Z1-EL-EL-A-020XX2 rev PF; CGL-Z1-EL-EL-A-020XX3 rev PF; CGL-Z1-EL-EL-A-020XX4 rev PF; CGL-Z1-XX-GA-A-010RF1 rev PF.

Demolition Drawings:

CGL-XX-SE-DR-A-050XX1 rev PE; CGL-XX-XX-GA-A-040RF1 rev PF; CGL-Z1-00-DR-A-040001 rev PH; CGL-Z1-01-DR-A-040011 rev PG; CGL-Z1-B1-DR-A-040B11 rev PF; CGL-Z1-EL-EL-A-050XX1 rev PF; CGL-Z1-EL-EL-A-050XX2 rev PH; CGL-Z1-EL-EL-A-050XX3 rev PF; CGL-Z1-EL-EL-A-050XX4 rev PG.

Mechanical Drawings:

TPS/JH/R/M&E/EX rev 0; TPS/JH/R/M&E rev B; TPS/JH/M/M&E rev A; TPS/JH/EL/NE/M&E rev 0; TPS/JH/EL/M&E/EX rev 0; TPS/JH/EL/M&E rev B.

Documents:

Schedule of Structural Works; Mechanical and Electrical Services Strategy (April 2019); Noise Report (17 April 2019); Cover Letter (18 April 2019); Planning Statement (April 2019); Design and Access Statement (18 April 2019); Operational Management Strategy (11 June 2019); Historic Building Report (April 2019).

For Info Only:

Construction Management Plan (April 2019); Marketing Letter Davis Coffey Lyons (16 April 2019); Statement of Community Involvement (April 2019); Transport Statement (April 2019).

Case Officer: Joshua Howitt

Direct Tel. No. 020 7641 2069

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 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. (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 protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance 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, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 4 You must apply to us for approval of detailed drawing of the following parts of the development:

- i) New external doors to Jubilee Hall

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 according to these drawings (C26DB)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance 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, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 5 You must manage the premises according to the Operational Management Statement dated 11 June 2019 for the lifetime of the development.

Reason:

To protect the environment of people in neighbouring properties as set out in S24, S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6, ENV 7 and TACE 10 of our Unitary Development Plan that we adopted in January 2007

- 6 You must apply to us for approval of a Servicing Management Plan to show how you will service the property. The plan must identify process, internal storage locations, scheduling of deliveries and staffing as well as a clear process for managing vehicle sizes. You must not start the new restaurant and live music/ performance use until we have approved what you have sent us. You must then carry out the measures included in the Servicing Management Plan at all times that the property is in use.

Reason:

To protect the environment of people in neighbouring properties and the highway network as set out in S24, S29, S32 and S42 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6, ENV 7, TACE 10 and TRANS 20 of our Unitary Development Plan that we adopted in January 2007

- 7 The restaurant and live music/ performance venue shall only be open to patrons between 07:00 and 03:30 the next day on Monday to Saturday, and 07:00 and 01:00 the next day on Sunday.

Reason:

To protect the environment of people in neighbouring properties, as set out in 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. (R13BC)

- 8 You must not allow more than 790 patrons into the restaurant and live music/ performance venue at any one time.

Reason:

We cannot grant planning permission for unrestricted use in this case because it would not meet S24 and S29 of Westminster's City Plan (November 2016) and TACE 10 of our Unitary Development Plan that we adopted in January 2007.

- 9 You must not operate a delivery service from any part of the site, even as an ancillary part of the primary restaurant and live music/ performance venue use.

Reason:

We cannot grant planning permission for unrestricted use in this case because it would not meet S24 and S29 of Westminster's City Plan (November 2016) and TACE 10 of our Unitary Development Plan that we adopted in January 2007.

- 10 No goods shall be received at, or despatched from, the premises except between 07:00 and 10.30 hours on Monday to Saturday (excluding Bank Holidays and public holidays) and no goods shall be received at, or despatched from, the premises except between 8:30 and 10:30 hours on Sundays, public holidays and Bank Holidays.

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 TACE 10 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 11 (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. (R46AB)

- 12 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. (R48AA)

- 13 You must not operate the plant/ machinery that we have allowed (other than to carry out the survey required by this condition) until you have carried out and sent us a post-commissioning noise survey and we have approved the details of the survey in writing. The post-commissioning noise survey must demonstrate that the plant/ machinery complies with the noise criteria set out in conditions 11 and 12 of this permission. The supplementary acoustic report also must include:
- (a) A schedule of all plant and equipment installed;
 - (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 all most affected noise sensitive receptor locations and the most affected windows;
 - (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) The lowest existing L A90 (15 minutes) measurement as already established.
 - (g) New noise monitoring data, measurement evidence and any calculations demonstrating that plant complies with the planning condition.

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. (R51AB)

- 14 The design and structure of the development shall be of such a standard that it will protect other users within the same building or in adjoining buildings from noise and vibration from the development, so that they are not exposed to noise levels indoors of more than 30 dB LAeq.

The design and construction of the separating building fabric should be such that the received noise value in the residential habitable spaces, with music/entertainment occurring, should

achieve a value of 10 dB below that measured/assessed without music/entertainment events taking place, at the quietest time of day and night, measured/assessed over a period of 5 minutes and in the indices of Leq & LfMax in the octave bands of 63 Hz & 125 Hz. The limits of NR30 (day) , NR25 (night) and NR40 (LAFMax, night time) should be used to demonstrate that the intrusive noise would be effectively inaudible.

Reason:

As set out in ENV6 of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at section 9.76, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the same or adjoining buildings from noise and vibration from elsewhere in the development. (R49BA)

- 15 A Sound Limiter device shall be installed and set to the satisfaction of Environmental Health service to ensure that the Maximum Music Noise Level meet the design, criteria and/or mitigation specified in condition 14. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Applicant. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.

Reason:

As set out in ENV6 of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at section 9.76, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the same or adjoining buildings from noise and vibration from elsewhere in the development. (R49BA)

- 16 You must not use the lobbies on approved drawings CGL-Z1-B1-GA-A-060B11 rev PH for any activities associated with the restaurant and live music/ performance venue. You must not put covers in it or allow customers to congregate.

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)

- 17 You must apply to us for approval of details of the ventilation system to get rid of cooking smells, 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. (C14AB)

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)

- 18 (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 restaurant and live music/ performance venue 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 restaurant and live music/ performance venue 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. (R47AB)

- 19 You must provide each cycle parking space shown on the approved drawings prior to occupation. Thereafter the cycle spaces must be retained and the space used for no other purpose without the prior written consent of the local planning authority.

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 2016 (R22FA)

- 20 You must provide the waste store shown on drawing CGL-Z1-B1-GA-A-060B11 rev PH before anyone moves into the property. You must clearly mark it and make it available at all times to everyone using the premises. You must store waste inside the property and only put it outside just before it is going to be collected. You must not use the waste store for any other purpose. (C14DC)

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)

- 21 **Pre Commencement Condition.** No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works., , If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. this part of the condition shall not be

discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

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. (R32BC)

- 22 Prior to the first use of the restaurant and live music/ performance venue, a 'Secured by Design' accreditation shall be obtained for the premises and thereafter all features are to be permanently retained.

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)

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, neighbourhood plan (where relevant), 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 need to speak to our Highways section about any work which will affect public roads. This includes new pavement crossovers, removal of redundant crossovers, changes in threshold levels, changes to on-street parking arrangements, and work which will affect pavement vaults. You will have to pay all administration, design, supervision and other costs of the work. We will carry out any work which affects the highway. When considering the desired timing of highway works in relation to your own development programme please bear in mind that, under the Traffic Management Act 2004, all works on the highway require a permit, and (depending on the length of the highway works) up to three months advance notice may need to be given. For more advice, please phone 020 7641 2642. However, please note that if any part of your proposals would require the removal or relocation of an on-street parking bay, this is unlikely to

be approved by the City Council (as highway authority). (I09AC)

- 3 The term 'clearly mark' in condition 19 means marked by a permanent wall notice or floor markings, or both. (I88AA)
- 4 Please contact our Cleansing section on 020 7641 7962 about your arrangements for storing and collecting waste. (I08AA)
- 5 Please contact our District Surveyors' Services to discuss how you can design for the inclusion of disabled people. Email: districtsurveyors@westminster.gov.uk. Phone 020 7641 7240 or 020 7641 7230. If you make a further planning application or a building regulations application which relates solely to providing access or facilities for people with disabilities, our normal planning and building control fees do not apply.

The Equality and Human Rights Commission has a range of publications to assist you, see www.equalityhumanrights.com. The Centre for Accessible Environment's 'Designing for Accessibility', 2004, price £22.50 is a useful guide, visit www.cae.org.uk

If you are building new homes you must provide features which make them suitable for people with disabilities. For advice see www.habinteg.org.uk

It is your responsibility under the law to provide good access to your buildings. An appropriate and complete Access Statement as one of the documents on hand-over, will provide you and the end user with the basis of a defence should an access issue be raised under the Disability Discrimination Acts.

- 6 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. For further information on how to make an application and to read our guidelines on street naming and numbering, please visit our website: <https://www.westminster.gov.uk/street-naming-numbering> (I54AB)
- 7 The Servicing Management Plan (SMP) required by condition 6 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 (ie set out how the occupant is expected to service the unit). A supplier instructions sheet is a helpful part of the SMP.

- 8 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.
- 9 Conditions 11 and 12 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)
- 10 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.
- 11 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)
- 12 One or more of the uses we have approved are referred to as being 'sui generis'. This means that the use or uses are not in any particular class. Any future plans to materially (significantly) change the use that we have approved will need planning permission. (I78AA)
- 13 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)

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.

DRAFT DECISION LETTER – LISTED BUILDING CONSENT

Address: Unit 35, Jubilee Hall Jubilee Market, The Piazza, Covent Garden, London, WC2E 8BE

Proposal: Amalgamation of 1A Tavistock Street and 35 The Piazza to form a restaurant and late night entertainment, live music and performance venue (Sui Generis) including associated internal alterations and external alterations to entrances and ground and mezzanine windows.

Reference: 19/03045/LBC

Plan Nos: Site Location Plan;

Proposed Drawings:, CGL-XX-EL-EL-A-070XX1 rev PG; CGL-XX-EL-EL-A-070XX2 rev PG; CGL-XX-EL-EL-A-070XX3 rev PG; CGL-XX-EL-EL-A-070XX4 rev PH; CGL-XX-SE-DR-A-070XX1 rev PF; CGL-XX-XX-GA-A-060RF1 rev PF; CGL-Z1-00-GA-A-060001 rev PH; CGL-Z1-01-GA-A-060011 rev PI; CGL-Z1-B1-GA-A-060B11 rev PH; CGL-XX-EL-EL-A-070XX4 rev PH; CGL-XX-EL-EL-EW-070XX1 rev PA; CGL-XX-EL-EL-EW-070XX2 rev PA; CGL-XX-EL-EL-EW-070XX3 rev PA; CGL-XX-SE-DR-EW-070XX1 rev PA; CGL-Z1-00-GA-EW-060001 rev PA; CGL-Z1-01-GA-EW-060011 rev PA; CGL-Z1-B1-GA-EW-060B11 rev PA.

Existing Drawings:

CGL-XX-SE-DR-A-020XX1 rev PF; CGL-Z1-00-GA-A-010001 rev PG; CGL-Z1-01-GA-A-010011 rev PF; CGL-Z1-B1-GA-A-010B11 rev PF; CGL-Z1-EL-EL-A-020XX1 rev PG; CGL-Z1-EL-EL-A-020XX2 rev PF; CGL-Z1-EL-EL-A-020XX3 rev PF; CGL-Z1-EL-EL-A-020XX4 rev PF; CGL-Z1-XX-GA-A-010RF1 rev PF.

Demolition Drawings:

CGL-XX-SE-DR-A-050XX1 rev PE; CGL-XX-XX-GA-A-040RF1 rev PF; CGL-Z1-00-DR-A-040001 rev PH; CGL-Z1-01-DR-A-040011 rev PG; CGL-Z1-B1-DR-A-040B11 rev PF; CGL-Z1-EL-EL-A-050XX1 rev PF; CGL-Z1-EL-EL-A-050XX2 rev PH; CGL-Z1-EL-EL-A-050XX3 rev PF; CGL-Z1-EL-EL-A-050XX4 rev PG.

Mechanical Drawings:

TPS/JH/R/M&E/EX rev 0; TPS/JH/R/M&E rev B; TPS/JH/M/M&E rev A; TPS/JH/EL/NE/M&E rev 0; TPS/JH/EL/M&E/EX rev 0; TPS/JH/EL/M&E rev B.

Documents:

Schedule of Structural Works; Mechanical and Electrical Services Strategy (April 2019); Cover Letter (18 April 2019); Planning Statement (April 2019); Design and Access Statement (18 April 2019); Historic Building Report (April 2019).,

Case Officer: Joshua Howitt

Direct Tel. No. 020 7641 2069

Recommended Condition(s) and Reason(s)

- 1 The works 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 All new work and improvements inside and outside the building must match existing original adjacent work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the approved drawings or are required in conditions to this permission. (C27AA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance 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 paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 3 You must not disturb existing ornamental features including chimney pieces, plasterwork, architraves, panelling, doors and staircase balustrades. You must leave them in their present position unless changes are shown on the approved drawings or are required by conditions to this permission. You must protect those features properly during work on site. (C27KA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance 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 paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 4 You must apply to us for approval of detailed drawing of the following parts of the development:
 - i) New external doors to Jubilee Hall

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 according to these drawings (C26DB)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance 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 paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

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, neighbourhood plan (where relevant), 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 will need to contact us again if you want to carry out work on the listed building which is not referred to in your plans. This includes:
 - * any extra work which is necessary after further assessments of the building's condition;
 - * stripping out or structural investigations; and
 - * any work needed to meet the building regulations or other forms of statutory control.

Please quote any 'TP' and 'RN' reference numbers shown on this consent when you send us further documents.

It is a criminal offence to carry out work on a listed building without our consent. Please remind your client, consultants, contractors and subcontractors of the terms and conditions of this consent. (I59AA)

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.