

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS SUB COMMITTEE</b>	<b>Date</b> 29 November 2022	<b>Classification</b> For General Release	
<b>Report of</b> Director of Place Shaping and Town Planning		<b>Ward(s) involved</b> West End	
<b>Subject of Report</b>	<b>18 Greek Street, London, W1D 4DS,</b>		
<b>Proposal</b>	Variation of Conditions 1, 2 and 6 of planning permission dated 27 May 2021 (RN: 20/06174/FULL) for the: Use of the rear terrace areas at first and second floor level in association with the existing restaurant/bar use at 18 Greek Street and installation of new balustrades, artificial green wall areas, extended second floor terrace balcony and staircase and between the terraces NAMELY, to allow the use of the terraces at rear first and second floor levels for a further one year period; to provide living green walls and to vary Condition 6 to prevent vertical drinking but to allow customers to walk to or from tables at upper 2nd floor terrace level. (S73 Application)		
<b>Agent</b>	Monmouth Planning Ltd		
<b>On behalf of</b>	Soho Bars and Clubs Ltd		
<b>Registered Number</b>	21/07849/FULL	<b>Date amended/ completed</b>	16 November 2021
<b>Date Application Received</b>	16 November 2021		
<b>Historic Building Grade</b>	Unlisted		
<b>Conservation Area</b>	Soho		
<b>Neighbourhood Plan</b>	Soho Neighbourhood Plan		

## 1. RECOMMENDATION

Grant conditional planning permission including a condition to limit the use of the terraces for a temporary 1-year period.

## 2. SUMMARY & KEY CONSIDERATIONS

18 Greek Street is an unlisted building located within the Soho Conservation Area, the Central Activities Zone. The basement, ground and first floors of the property are occupied by a bar / restaurant called Zebrano and the upper floors are in use as offices. There are terrace areas at rear first and second floor levels. Planning permission was previously granted for the use of these terrace areas in association with the existing restaurant / bar use for a temporary period of six months. Permission is now sought to vary two of the conditions attached to that planning permission to allow the terraces to be used for a further period of one year and to amend the wording of a condition in

relation to the movement of patrons on the terrace. The drawings have also been amended to show the provision of living green walls on sections of the terrace where previously these were artificial walls and the lighting scheme has been amended.

The key issue is:

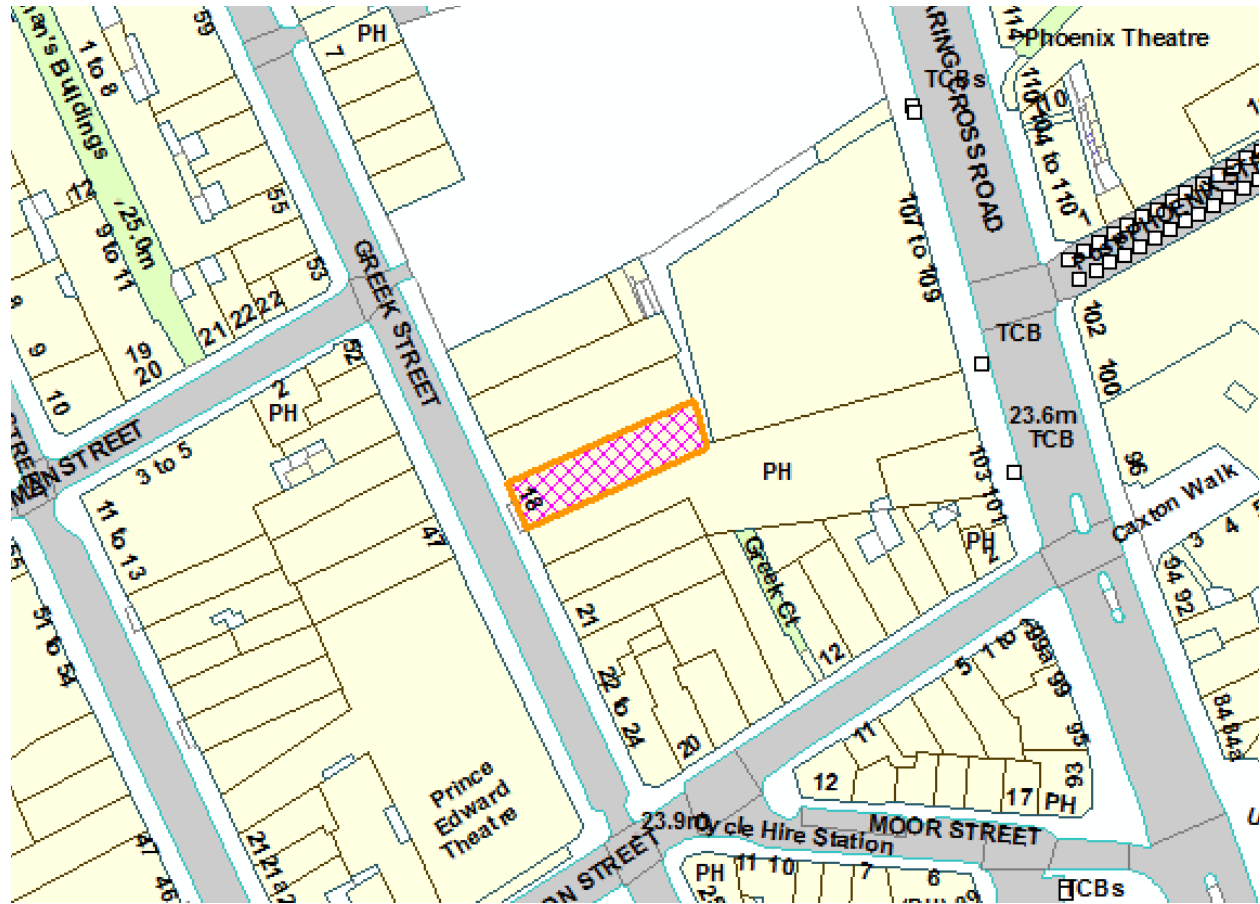
- The impact on residential amenity in terms of potential noise nuisance arising from use of the terraces in connection with the bar/restaurant.

Objections have been received from six local residents on the grounds of noise disturbance from the use of the terraces impacting residential amenity and that the terraces have not been operating in accordance with the Management Plan.

Subject to appropriate conditions including limiting the capacity and hours of use of the terraces and requiring the use of the terraces to operate in accordance with a Terrace Management Plan, the proposal is considered acceptable for a temporary period of 1 year.

With these conditions, the application is considered to comply with relevant adopted City Plan 2019-2040 policies and is therefore recommended for conditional approval.

### 3. LOCATION PLAN



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#### 4. PHOTOGRAPHS

View of the front of the building:



View of the terraces from the upper floors of 18 Greek Street:



View of the second floor terrace:



## 5. CONSULTATIONS

### 5.1 Application Consultations

#### SOHO SOCIETY

Any response to be reported verbally.

#### ENVIRONMENTAL HEALTH

No objection subject to conditions.

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

No. Consulted: 67

Total No. of replies: 9

No. of objections: 9 (from 6 respondents)

No. in support: 0

Objections on the following grounds:

\* Adverse impact on the amenity of neighbouring residential properties due to noise disturbance from the use of the terraces; terrace use has not been operating in accordance with the Management Plan and the use has continued beyond the approved terminal hour. Permission should not be renewed as the Management Plan cannot address noise issue.

\* Terraces surrounded by high boundary wall which causes noise to reverberate

\* Use of terraces is undermining tenancies taken on adjacent buildings on the basis that there is no/minimal noise

\* Increased fire risk and limited access from emergency services; access for emergency services.

\* Applicants have undertaken unauthorised works

PRESS ADVERTISEMENT / SITE NOTICE:

Yes

### 5.2 Applicant's Pre-Application Community Engagement

The Early Community Engagement Guidance encourages developers carrying out development to engage with those living adjacent or very close to the site at an early stage prior to the submission of a formal application. However, given the nature of the development, the application is not required to submit details of the engagement they have undertaken with their application. The agent has confirmed there has been no discussion between the applicant and neighbours in relation to the current application.

## 6. WESTMINSTER'S DEVELOPMENT PLAN

### 6.1 City Plan 2019-2040 & London Plan

The City Plan 2019-2040 was adopted at Full Council on 21 April 2021. The policies in the City Plan 2019-2040 are consistent with national policy as set out in the National Planning Policy Framework (NPPF) (July 2021) and should be afforded full weight in

accordance with paragraph 219 of the NPPF. Therefore, in accordance with Section 38 of the Planning and Compulsory Purchase Act 2004, it comprises the development plan for Westminster in combination with the London Plan, which was adopted by the Mayor of London in March 2021 and, where relevant, neighbourhood plans covering specific parts of the city (see further details in Section 6.2).

As set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 49 of the NPPF, the application must be determined in accordance with the development plan, unless material considerations indicate otherwise.

## **6.2 Neighbourhood Planning**

The Soho Neighbourhood Plan includes policies on a range of matters including housing, residential amenity, air quality and climate change, traffic and servicing, green infrastructure, pedestrians and cycling and waste and recycling.

It has been through independent examination and was supported by local residents and businesses in a referendum held on 2 September 2021. It was adopted on 8 October 2021. It therefore forms part of the development plan for Westminster for development within the Soho neighbourhood area in accordance with Section 38 of the Planning and Compulsory Purchase Act 2004. Where any matters relevant to the application subject of this report are directly affected by the policies contained within the neighbourhood plan, these are discussed later in this report.

## **6.3 National Policy & Guidance**

The City Plan 2019-2040 policies referred to in the consideration of this application have been examined and have been found to be sound in accordance with tests set out in Paragraph 35 of the NPPF. They are considered to remain consistent with the policies in the NPPF (July 2021) unless stated otherwise.

# **7. BACKGROUND INFORMATION**

## **7.1 The Application Site**

18 Greek Street is located on the east side of Greek Street close to its junction with Old Compton Street. The building comprises basement, ground and three upper floors on the Greek Street frontage rising to 4 upper floors at the separate rear part of the site (with the terraces in between). The basement, ground and first floors run the full depth of the site. There is an open central area at second floor level where the subject terraces are located.

The basement, ground and first floor levels are occupied by a bar /restaurant called Zebrano. The upper floors of both the front and rear sections of the building are in office use. The area is mixed use in character with a large number of entertainment uses, but also number of residential flats within the vicinity.

The property is unlisted, located in the Soho Conservation Area and the Core Central Activities Zone. The property is also located within the West End Retail and Leisure Special Policy Area.



## 7.2 Recent Relevant History

Planning permission granted 27 May 2021 for the use of the rear terrace areas at first and second floor level in association with the existing restaurant/bar use at 18 Greek Street and installation of new balustrades, artificial green wall areas, extended second floor terrace balcony and staircase and between the terraces. (RN: 20/06174/FULL)

## 8. THE PROPOSAL

Permission is sought to vary three conditions on the original planning permission for the terrace.

Condition 1 required the following:

*The use of the terraces at first and second floor levels can continue for 6 months from the date of this planning permission. After this time you must not use any part of the roof for sitting out or for any other purpose unless permission has been granted. You can however use the roof to escape in an emergency.*

Consent is sought to vary this condition to allow the use for a further temporary period of one year.

Condition 6 required the following:

*You must not allow more than 50 customers onto the rear terraces hereby approved at any one time. The upper 2nd floor terrace shall be used for seating purposes only with no customers standing.*

The applicant is seeking to vary this condition so it reads as follows:

*You must not allow more than 50 customers onto the rear terraces hereby approved at any one time. The upper second floor terrace shall be used for seating purposes only and shall not be used by customers for vertical drinking.*

Condition 2 of the permission requires the development to be carried out in accordance with the drawing numbers. Varying this condition allows the drawings to be amended to show a more subtle lighting scheme and the replacement of the artificial green walls with living green walls.

## 9. DETAILED CONSIDERATIONS

### 9.1 Land Use

It was noted with the 2020 application that both terraces had been in place for a number of years and could have been lawful. The first floor terrace had been used in association with the bar / restaurant and the second floor terrace had been used in association with a separate office occupier on the upper floors of the building.

Conditions on the original planning permission included:



- no speakers could be installed and no music could be played externally;
- that the terraces can only be used between the hours of 10:00 and 22:00 daily;
- the doors providing access to the terraces had to be 'self-closing' and not held open;
- a maximum of 50 patrons could be allowed onto the terraces at any one time; and
- the operation had to be carried out in accordance with the 'Terrace Management Plan'.

These conditions are all proposed as before.

In addition to the applicant's request to extend the temporary period for the terraces they have also requested to amend the wording of Condition 6. This condition required:

*You must not allow more than 50 customers onto the rear terraces hereby approved at any one time. The upper 2nd floor terrace shall be used for seating purposes only with no customers standing.*

The applicant is seeking to vary this condition so it reads as follows:

*You must not allow more than 50 customers onto the rear terraces hereby approved at any one time. The upper second floor terrace shall be used for seating purposes only and shall not be used by customers for vertical drinking.*

The applicant sought to amend the wording as they considered the original wording would not have allowed patrons to walk to and from tables. The amended wording is considered acceptable and would have no impact on the requirements of the condition and no objections have been received specifically with regard to the proposed amended wording.

However, with regard the extension of the temporary use of the terraces in association with the bar / restaurant, objections have been received to the application from six local residential occupiers/building owners, concerned about noise impact from the use of the terraces and that the terraces have been used late into the evenings outside of the permitted hours.

A premises license for Zebrano Bar was granted in May 2022 which allowed the use of the terraces in association with the premises. Conditions were imposed on the premises license requiring security staff to monitor and supervise the terrace from 21:00 until closing on Thursday, Friday and Saturday nights. It also stated no regulated entertainment would be allowed on the terraces. A condition was also included on the license stating; '*No licensable activities shall be provided on the upper terrace after 00:00 hours and there shall be no customers on the upper terrace after 00:30 hours*'.

It is noted a separate licensing application has been submitted for the use of the upper floors of the building as a restaurant. These floors are currently in office use and planning permission would not be required for their use for restaurant purposes as both uses fall within Class E.

The City Council has adopted planning policies that seek to protect residential amenity. Policy 7 of the City Plan requires that development is neighbourly by 'protecting and where appropriate enhancing local environmental quality'. The supporting text (para 7.4) acknowledges that; 'development must prevent unacceptable environmental impacts on existing and new users of building or its neighbours.' Policy 16 considers food, drink and other entertainment premises and recognises that whilst these uses contribute to London's vibrant entertainment sector they can also have detrimental impacts upon residential amenity if the operation is not managed properly.

Policy 33 states that; 'development should prevent adverse effects of noise and vibration and improve the noise environment in compliance with the council's Noise Thresholds, with particular attention to: minimising noise impacts and preventing noise intrusion to residential developments and sensitive uses'.

The Soho Neighbourhood Plan was adopted the 8<sup>th</sup> October 2021, Policy 12 'Food and Drink Uses' states that: '*Proposals for new food uses (Class E), public houses, drinking establishments, take-aways and music venues (Sui Generis) uses which require planning permission and are contiguous to residential use must comply with the 'agent of change' principle and demonstrate that they will not have unacceptable amenity impacts (including in relation to noise, vibration and odours).*' The reasoning being that '*Proposals in close proximity to residential will need to take particular account of the potential for adverse impacts and ensure that suitable and effective mitigation is in place if they are to be supported. Some examples of potential adverse impacts are structure borne noise, noise from patrons and staff, collections and deliveries at unsocial hours, odours and obstruction of residential entrances and passageways. In bringing forward their proposals applicants must show how such adverse impacts will be avoided and mitigated.*'

An acoustic report has been submitted in support of the application; this is the same acoustic report that was submitted with the original application. This included a background noise survey which was carried out on the terraces for a two hour period between 21:00 and 23:00 at a time when the bar was closed due to Covid 19 regulations. As the bar was closed this enables an assessment of the lowest expected background noise levels. The report calculates noise levels to the nearest noise sensitive property at a distance of 20m from the lower terrace and 24m from the upper terrace.

The acoustic report estimates expected noise levels at residential properties from patrons talking on the terraces. It is acknowledged there are difficulties in accurately quantifying noise levels on terraces because noise will not be constant and there will always be a degree of unpredictability. However, as previously, on reviewing the acoustic report the Environmental Services Officer considers that the proposed use of the terraces until 22:00 daily is unlikely to give rise to unacceptable noise nuisance.

There have been a number of complaints made to the City Council's Noise Team since the original planning permission was granted. These have been investigated by Environmental Sciences, who have provided a list of the various investigations and complaints that they have received with regard the property and the use of the terraces (these are provided in full in the background papers to this report.)

A complaint was made to the noise team by a local resident in July 2021 stating the terrace was in use past the 22:00 terminal hour. Council officers visited the premises and were advised the terrace was not in use. On the 15<sup>th</sup> August 2021 a complaint was received in relation to loud noise at 20:42, Council Officers visited the premises at 22:00 when the terrace area was not in use. Officers reviewed CCTV footage for that day from 21:00, and also the CCTV footage for 14<sup>th</sup> August 2021, which showed that the terrace was not in use. On the same date, 15<sup>th</sup> August, a second call was received from the complainant at 22:06 in relation to noise disturbance from the use of the terraces. The complainant was advised that Council Officers were on the terrace and the terrace was not in use. The complainant suggested that customers has been escorted from the terrace before Council Officers arrived. Further visits were made to the premises on the 16<sup>th</sup> December 2021 and on the 9<sup>th</sup>, 22<sup>nd</sup> and 25<sup>th</sup> April 2022. On all visits the terrace was not in use at all.

The Environmental Services Officer has concluded that there is insufficient information to demonstrate the use of the terraces has not accorded with the Terrace Management Plan (submitted as part of the planning application) or the premises license and they consider there is insufficient evidence to show the use of the terraces causes a noise nuisance to neighbouring residential occupiers. Consequently, they have raised no objection to the current application.

A number of objections have been received on the grounds that the use of the terraces has resulted in unacceptable noise disturbance to neighbouring flats, which is exacerbated by the fact that the terraces are surrounded by high boundary walls, which causes the noise to echo/reverberate. Objectors state that the terraces have not been used in accordance with the Management Plan as the use has continued beyond the approved terminal hour. Given the reported impact on neighbours' amenity objectors consider that the temporary permission should not be renewed and that the management Plan cannot, in reality, address the issue of noise disturbance arising from the use of the space. One objector considers that a 'noise wall' should be installed. While it is unclear precisely what is being suggested, the terraces are already quite enclosed by high walls. Additional sound attenuation does not form part of the proposals and is not considered necessary to make the development acceptable for the reasons detailed above.

A Terrace Management Plan (TMP) has been submitted in support of the current application which includes the requirement for staff to monitor and supervise the terrace areas and control entry to these areas at all times. A condition is proposed to ensure the operation of the terraces are carried out in accordance with the TMP and to restrict the capacity to a maximum of 50 customers (20 on the upper terrace and 30 on the lower terrace) with the hours of use limited to between 10:00 and 22:00 daily. With these safeguarding conditions in place, it is considered that use of the terraces is unlikely to result in a loss of residential amenity. Whilst the applicant originally sought permission for the use of the terrace areas on a permanent basis, given the objections and previous complaints received, it is recommended permission for the use is limited to 1 year to enable the position to be reviewed. The applicants have indicated their willingness to agree to a temporary permission.

As previously, conditions are also recommended to prevent the installation of speakers on the terrace or the playing of any music externally, as well as a condition to ensure the

doors to the terrace are self-closing and are kept closed outside the hours of use to prevent noise escape from within the premises.

## 9.2 Environment & Sustainability

### Biodiversity & Greening (including fire safety)

Currently there are artificial green wall areas surrounding the terraces. An informative was included on the May 2021 consent which stated the following:

*You are advised that if consent is sought in future for the terraces to be in place longer the artificial green walls must be replaced with natural and 'living' green walls. This wall must be of living plants of a size and type suitable to the location, and you must also provide a management and maintenance plan for the wall. In addition a new external lighting system that is less conspicuous than the current installation would be required.*

In accordance with this advice, the artificial green wall areas are to be replaced with living walls installed adjacent to the terraces at first and second floor levels, and the light fittings are to be replaced with a more suitable type.

Policy 32 (Green Infrastructure) Part B requires; 'developments will, wherever possible, contribute to the greening of Westminster by incorporating trees, green walls, green roofs, rain gardens and other green features and spaces into the design of the scheme.'

The introduction of the living green walls is welcomed in biodiversity terms and accords with the requirements of the above policy. The type and scale of the green walls are considered appropriate in terms of the scale of the development. Conditions are included to require the submission of details of the planting schedule and maintenance regime and to ensure the living walls are installed within a suitable timeframe and maintained in perpetuity.

One objector has commented that artificial grass has been installed on the terrace together with 'fire burners', which they consider to constitute a fire hazard. They are concerned that there is inadequate access for the emergency services. Although artificial grass has been installed on the terrace surfaces, this does not require planning permission. It is assumed that the 'grass' would have been tested to the relevant standards. The issue has been raised with the applicant who has advised that there are no 'fire burners' on the terraces. Given that permission is not required for these elements, it is not considered that these concerns could justifiably form the basis of a recommendation for refusal.

## 9.3 Townscape, Design & Heritage Impact

18 Greek Street is an unlisted building in the Soho Conservation Area to which it makes a positive contribution. It stands on the east side of the street and next to the grade II listed No. 17. The rear of the building is typical of many in Soho and features extensions of various periods and conspicuous mechanical plant. In this context, there is no objection in design or heritage asset terms to continued use of the flat roof areas for outdoor seating etc.

The current artificial green wall is to be replaced with a living wall and the existing light fittings are also to be replaced. This is acceptable in design, heritage asset, and sustainability terms, and accords with City Plan policies 34, 38, 39, and 40, and with the Soho Neighbourhood Plan. However, it is essential that the living wall is installed to ensure the development is acceptable in design, heritage asset, and sustainability terms, and this may be secured by condition.

#### **9.4 Transportation, Accessibility & Servicing**

Not applicable.

#### **9.5 Economy including Employment & Skills**

Whilst the development is of insufficient scale to require an employment and skills plan, it will contribute positively to the local economy through increased sales for the premises through the use of the terraces.

#### **9.6 Other Considerations**

##### **Unauthorised works**

One objection has been received on the grounds that the applicants have carried out unauthorised works, building a 'doorway to the balcony' which is now covered with artificial grass. A site visit was undertaken to the property on the 21<sup>st</sup> September 2022. A door had been installed onto the second floor terrace from the main building. The applicant has now reinstalled the artificial green wall back in front of this door and secured it. Planning permission would be required for this installation of a door in this location and the applicant has been advised of this. Further, the door is to be blocked by the proposed living green wall and a condition requires this living wall to be installed within 4 months.

#### **9.7 Environmental Impact Assessment**

The proposed development is not of sufficient scale or impact to require an Environmental Impact Assessment.

#### **9.8 Planning Obligations & Pre-Commencement Conditions**

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

#### **10. Conclusion**

Given the distance to the residential windows, the controls on the number of people on the terraces and the restrictions on the hours the terraces can be used their continued use is deemed acceptable in amenity terms with relevant safeguarding conditions and the implementation of the Terrace Management Plan. Taking into account the objections and the complaints to the noise team (about which there are a number of discrepancies) it is only considered suitable to grant the use of the terraces for a further one-year period.

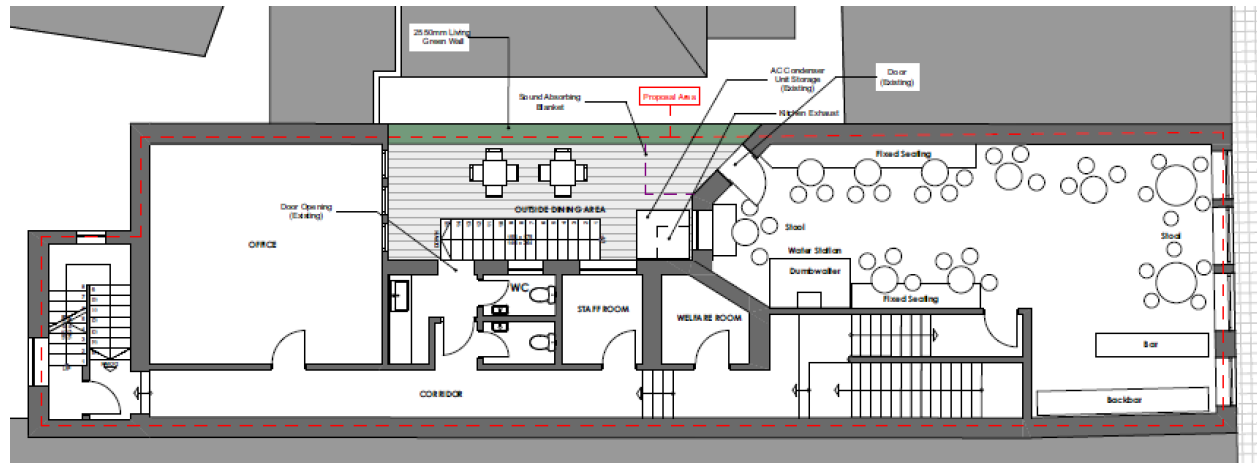
The proposal is considered acceptable, mindful of policies 7,16 and 33 of the City Plan 2019-2040 and therefore, a recommendation to grant conditional permission for a temporary period of one year would be compliant with the requirements of the NPPF and the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

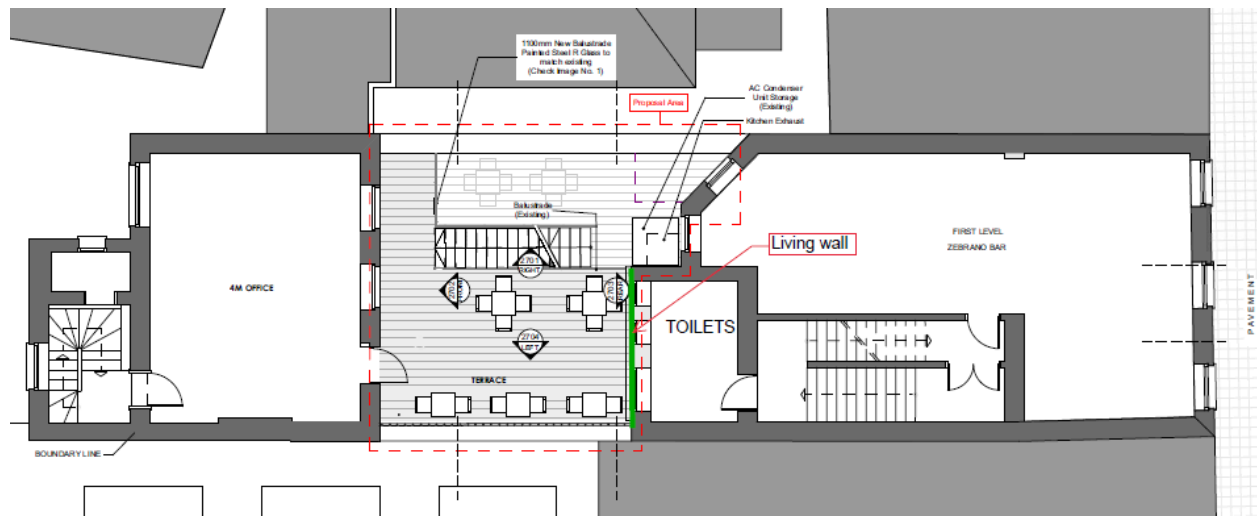
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: JO PALMER AT [JPALME@WESTMINSTER.GOV.UK](mailto:JPALME@WESTMINSTER.GOV.UK)

### 11. KEY DRAWINGS

Proposed First Floor Level:

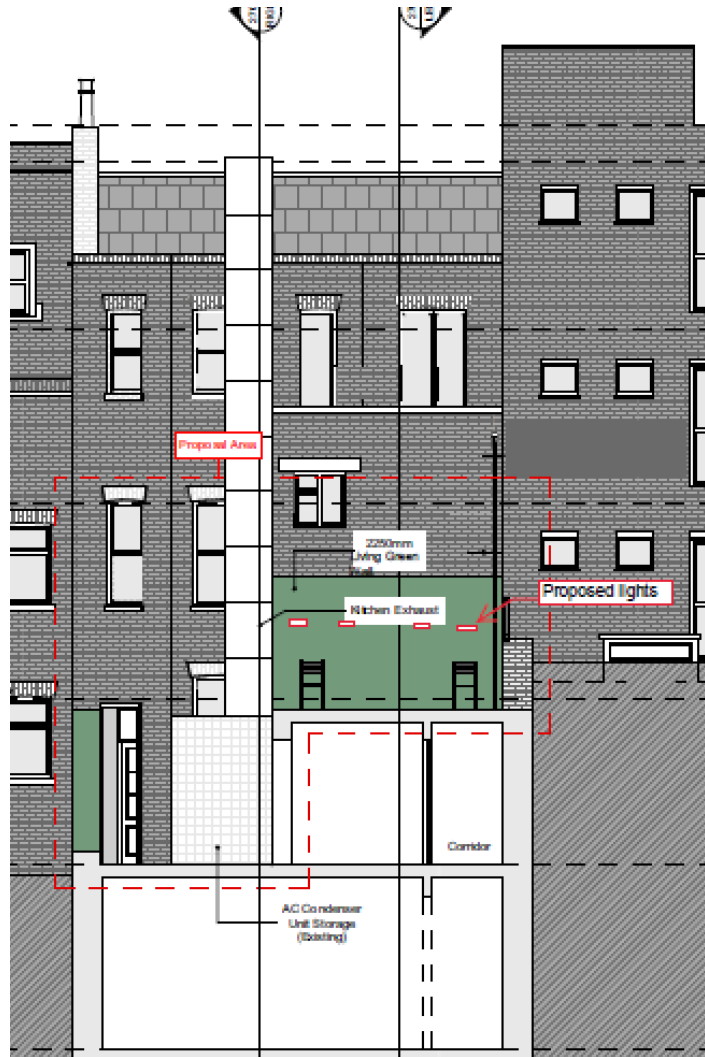


Proposed Second Floor Level:





Proposed Rear Elevation:



**DRAFT DECISION LETTER**

**Address:** 18 Greek Street, London, W1D 4DS,

**Proposal:** Variation of Conditions 1, 2 and 6 of planning permission dated 27 May 2021 (RN: 20/06174/FULL) for the: Use of the rear terrace areas at first and second floor level in association with the existing restaurant/bar use at 18 Greek Street and installation of new balustrades, artificial green wall areas, extended second floor terrace balcony and staircase and between the terraces NAMELY, to allow the use of the terraces at rear first and second floor levels for a further one year period; to provide living green walls and to vary Condition 6 to prevent vertical drinking but to allow customers to walk to or from tables at upper 2nd floor terrace level. (S73 Application)

**Reference:** 21/07849/FULL

**Plan Nos:** Terrace Management Plan (DZ/SOH.16.1/Rev 1), Drawings: 2001 RevA, 2002 RevA, 2701 RevA, 2702 RevA, 2703 RevA, 2704 RevA.

**Case Officer:** Matthew Giles

**Direct Tel. No.** 020 7641  
07866040155

**Recommended Condition(s) and Reason(s)**

- 1 The use of the terraces at first and second floor levels can continue for one year from the date of this planning permission. After this time you must not use any part of the roof for sitting out or for any other purpose unless permission has been granted. You can however use the roof to escape in an emergency.

**Reason:**

We need to monitor and assess the effect of the use of these areas as terraces to make sure it meets Policies 7, 16 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Noise Technical Guidance Note (September 2020), we can therefore only grant a temporary permission.

- 2 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.

- 3 You must not install any speakers or play any music externally on the rear terraces

hereby approved.

Reason:

To protect neighbouring residents from noise nuisance, as set out in Policies 7, 16 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Environmental Supplementary Planning Document (May 2021). (R13FC)

- 4 The terrace areas hereby approved at rear first and second floor levels can only be used between the hours of 10:00 and 22:00 daily and when the terraces are not in use the doors to the terraces must be closed. You cannot use the terrace areas outside of these hours other than in the case of an emergency.

Reason:

To protect neighbouring residents from noise nuisance, as set out in Policies 7, 16 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Environmental Supplementary Planning Document (May 2021). (R13FC)

- 5 The self-closing doors which allow access onto the terrace shall remain in situ at all times the flat roof areas are used as terraces. You must not leave these doors open except in an emergency or to carry out maintenance

Reason:

To protect neighbouring residents from noise nuisance, as set out in Policies 7, 16 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Environmental Supplementary Planning Document (May 2021). (R13FC)

- 6 You must not allow more than 50 customers onto the rear terraces hereby approved at any one time. The upper second floor terrace shall be used for seating purposes only and shall not be used by customers for vertical drinking.

Reason:

To protect neighbouring residents from noise nuisance, as set out in Policies 7, 16 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Environmental Supplementary Planning Document (May 2021). (R13FC)

- 7 The operation of the terraces hereby approved must at all times be in accordance with the stipulations of the Terrace Management Plan (September 2022).

Reason:

To protect neighbouring residents from noise nuisance, as set out in Policies 7, 16 and 33 of the City Plan 2019 - 2040 (April 2021). (R13ED)

- 8 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 Soho Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 9 You must apply to us for approval of a planting schedule and maintenance regime for the living wall. You must not start any work on this part of the development until we have approved what you have sent us. You must then carry out the work according to the planting schedule and maintenance regime.

**Reason:**

To increase the biodiversity of the environment, as set out Policy 34 of the City Plan 2019 - 2040 (April 2021). (R43FC)

- 10 You must complete the installation of the living wall within four months of the date of this decision.

**Reason:**

To increase the biodiversity of the environment, as set out Policy 34 of the City Plan 2019 - 2040 (April 2021). (R43FC)

- 11 Notwithstanding any reference to 'artificial' green walls, the walls to be installed adjacent to the terraces are to be living green walls as shown on the approved drawings.

**Reason:**

To increase the biodiversity of the environment, as set out Policy 34 of the City Plan 2019 - 2040 (April 2021). (R43FC)

**Informative(s):**

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the City Plan 2019 - 2040 (April 2021), neighbourhood plan (where relevant), supplementary planning documents, the London Plan (March 2021), planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

Item No.
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Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.