

Phase 3: Remediation strategy - details of this, including maintenance and monitoring to protect human health and prevent pollution.

Phase 4: Validation report - summarises the action you have taken during the development and what action you will take in the future, if appropriate.  
(C18AA)

Reason:

To make sure that any contamination under the site is identified and treated so that it does not harm anyone who uses the site in the future. This is as set out in STRA 34 and ENV 8 of our Unitary Development Plan that we adopted in January 2007. (R18AA)

- 29 You must apply to us for approval of detailed drawings and a bio-diversity management plan in relation to the green roof to include construction method, layout, species and maintenance regime.

You must not commence works on the relevant part of the development until we have approved what you have sent us. You must carry out this work according to the approved details and thereafter retain and maintain in accordance with the approved management plan.

Reason:

To increase the biodiversity of the environment, as set out in S38 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R43FB)

- 30 No demolition shall take place until a demolition management plan for the proposed development has been submitted to and approved in writing by the City Council as local planning authority. The plan must include the following details (where appropriate):
- (i) a construction programme including a 24 hour emergency contact number;
  - (ii) parking of vehicles of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
  - (iii) locations for loading/unloading and storage of plant and materials used in constructing the development;
  - (iv) erection and maintenance of security hoardings (including decorative displays and facilities for public viewing, where appropriate);
  - (v) wheel washing facilities and measures to control the emission of dust and dirt during construction; and
  - (vi) a scheme for recycling/disposing of waste resulting from demolition and construction works.

You must not start demolition until we have approved what you have sent us. You must then carry out the development in accordance with the approved details.

Subsequently no development/construction shall take place until a separate construction management plan (including the above details as appropriate) has been submitted to and approved in writing by the City Council as local planning authority. You must not start construction until we have approved what you have sent us. You must then carry out the development in accordance with the approved details.

Note:

- The Plain English Crystal Mark applies to those conditions, reasons and informatives in this letter which have an associated reference number with the prefix C, R, X or I.
- The terms 'you' and 'your' include anyone who owns or occupies the land or is involved with the development.
- The terms 'us' and 'we' refer to the Council as local planning authority.



Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out in S24, S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007.

- 31 You must apply to us for approval of samples of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work using the approved materials. (C26BC)

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 Portman Estate Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

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

1. Typical details at all levels, including roof levels
2. Shopfronts and ground floor entrances
3. Public art

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 detailed drawings. (C26DB)

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 Portman Estate Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

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

Reason:

Because these would harm the appearance of the building, and would not meet S25 or S28, or both, of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R26HC)

- 34 The car parking spaces shown as electric charging points on the approved drawings shall be provided as such and retained thereafter.

Note:

- The Plain English Crystal Mark applies to those conditions, reasons and informatives in this letter which have an associated reference number with the prefix C, R, X or I.
- The terms 'you' and 'your' include anyone who owns or occupies the land or is involved with the development.
- The terms 'us' and 'we' refer to the Council as local planning authority.



Reason:

To make sure the development provides the environmental sustainability features included in your application as set out in S28 and S40 of Westminster's City Plan: Strategic Policies adopted November 2013.

- 35 The total number of residential units shall be limited to between 75 and 79 units only.

Reason:

To make sure that you carry out the development according to the terms of the planning permission and maximise the provision of residential accommodation on the site in accordance with policies H 3 of the City of Westminster Unitary Development Plan adopted January 2007 and policies S14 and S15 of Westminster's City Plan: Strategic Policies adopted November 2013.

**Informative(s):**

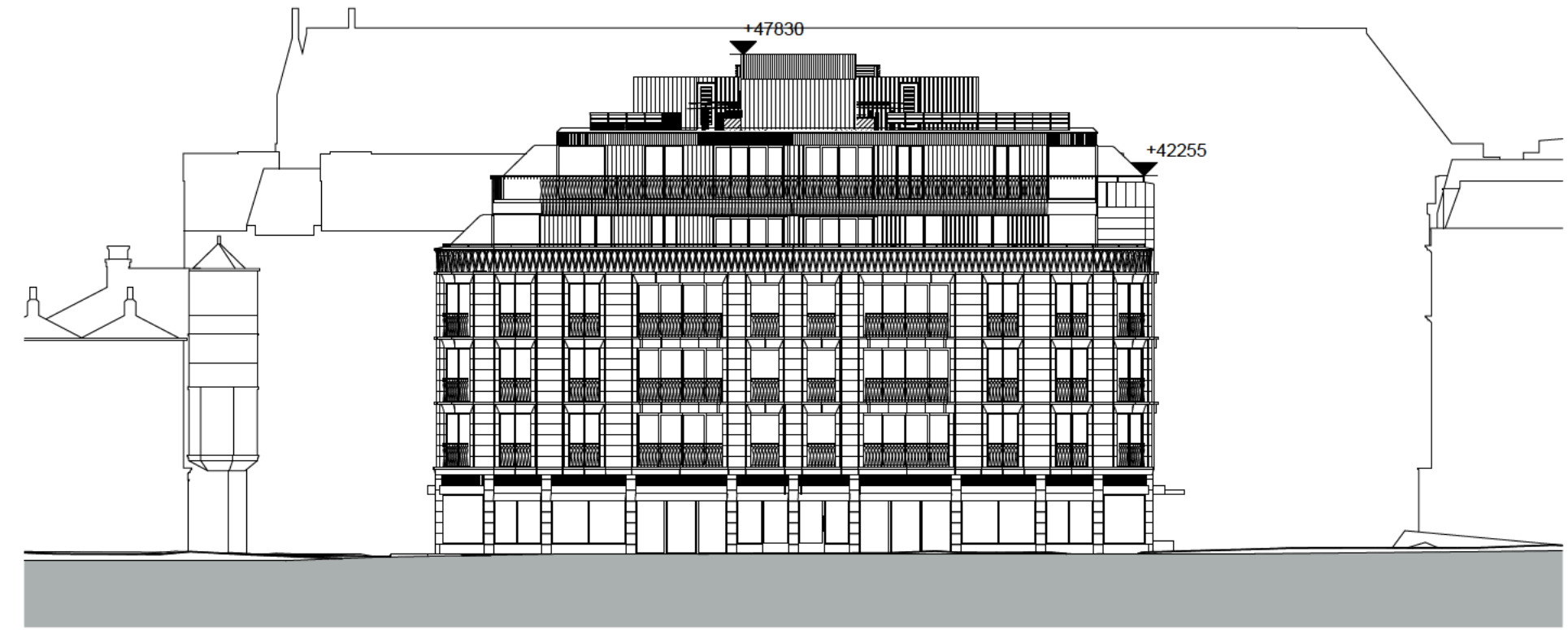
- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan: Strategic Policies adopted November 2013, Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 This development has been identified as potentially liable for payment of the Mayor of London's Community Infrastructure Levy (CIL). Responsibility for paying the levy runs with the ownership of the land, unless another party has assumed liability. We will issue a CIL Liability Notice to the landowner or the party that has assumed liability with a copy to the planning applicant as soon as practicable setting out the estimated CIL charge.  
If you have not already done so you must submit an **Assumption of Liability Form** to ensure that the CIL liability notice is issued to the correct party. This form is available on the planning portal at <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>  
Further details on the Mayor of London's Community Infrastructure Levy can be found on our website at: <http://www.westminster.gov.uk/services/environment/planning/apply/mayoral-cil/>.  
**You are reminded that payment of the CIL charge is mandatory and there are strong enforcement powers and penalties for failure to pay.**

Note:

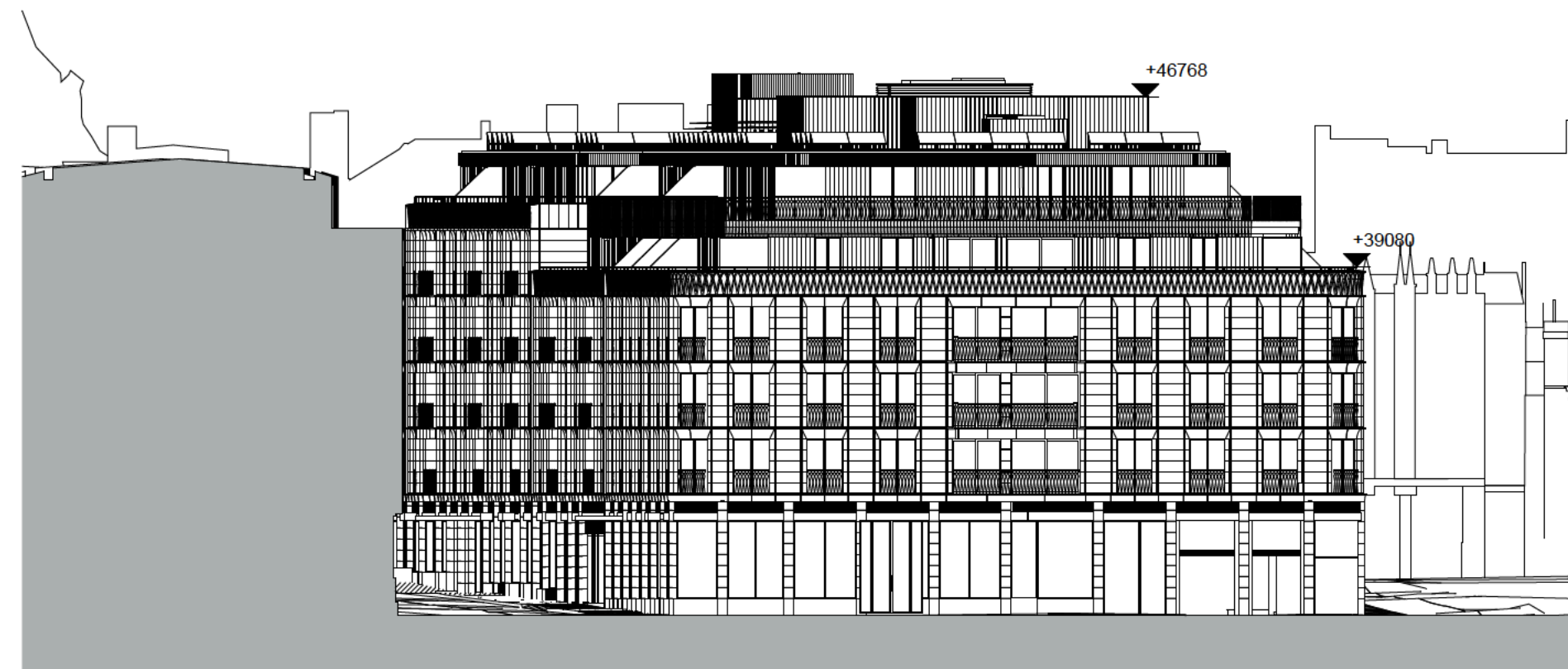
- The Plain English Crystal Mark applies to those conditions, reasons and informatives in this letter which have an associated reference number with the prefix C, R, X or I.
- The terms 'you' and 'your' include anyone who owns or occupies the land or is involved with the development.
- The terms 'us' and 'we' refer to the Council as local planning authority.



General Notes  
 - Dimensions are in millimetres unless stated otherwise.  
 - Levels are in millimetres AOD unless stated otherwise.  
 - Dimensions govern, please do not scale off drawing.  
 - All dimensions to be verified on site before proceeding.  
 - All discrepancies are to be noted in writing to E8 Design Ltd.



1 North Elevation - Moxon Street  
 1 : 200



3 South Elevation - St. Vincent Street  
 1 : 200



4 West Elevation - Aybrook Street  
 1 : 200

**Amendments**  
 1. Please lobby entrance has been amended. Ornamental gates replace the concealed glazed doors, with the design of the gate to be developed as a piece of public art.



2 East Elevation - Cramer Street  
 1 : 200

Rev	Date	Issue	Reason For Issue
16	10/06/22	S2	For information
15	06/11/18	D2	Issued for Tender
14	04/05/18	D2	Issued for Tender
13	04/05/18	S2	For information
12	10/05/18	S2	For information
11	12/10/17	S2	For information

1 Mentmore Terrace, London E8 3PN  
 T: 020 3054 8274  
 E: hello@e8architecture.co.uk  
 W: www.e8architecture.co.uk

Client  
 Moxon Street Residential  
 The Listed Hall  
 50 Bolsover Street  
 London, W1W 5NG

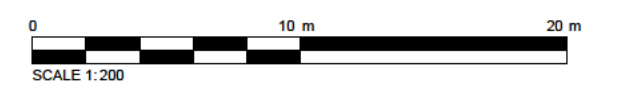
Project Title  
 Marylebone Square

Drawing Title  
 NMA Application Street Elevations

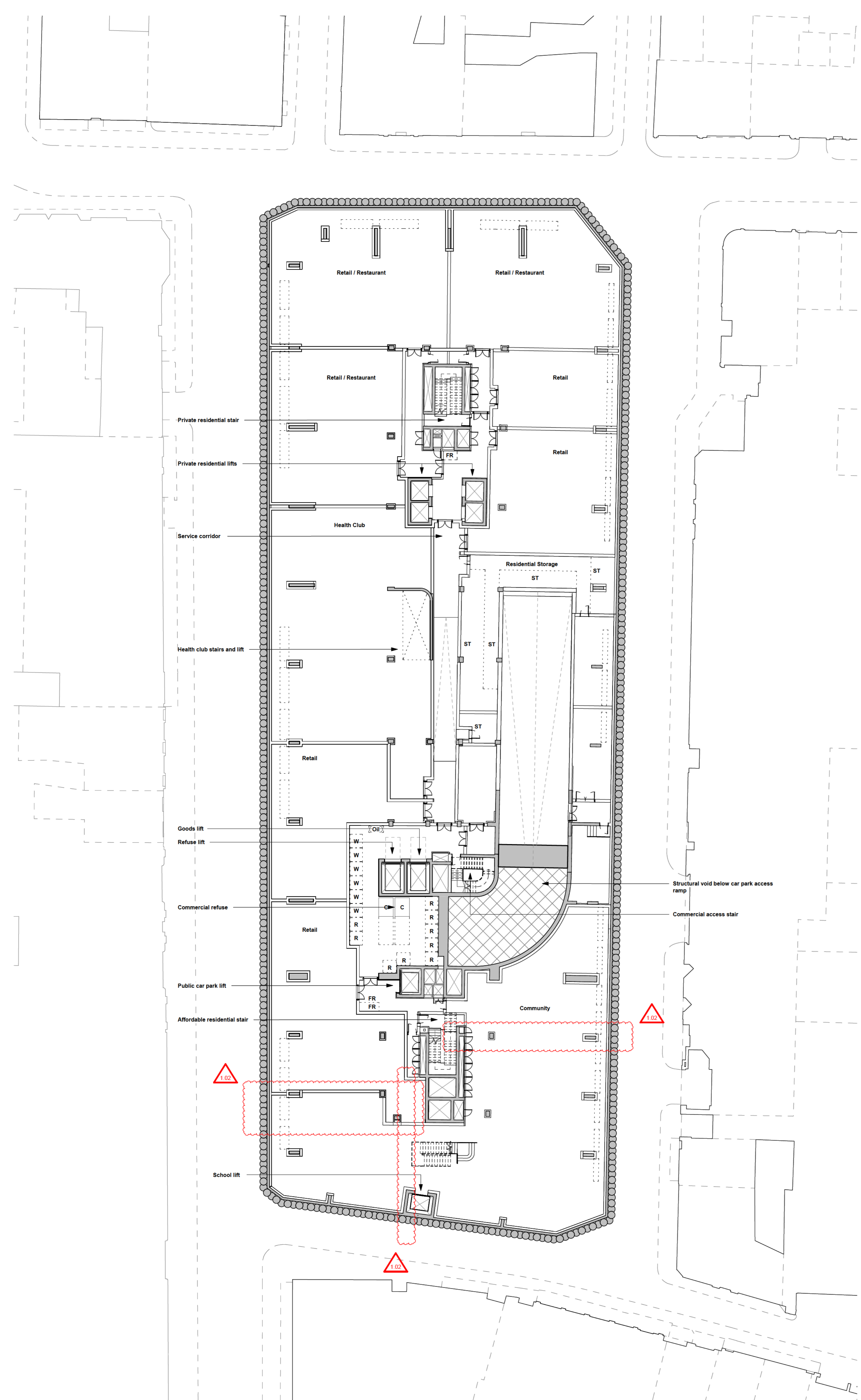
Scale Format  
 1 : 200 A0

Drawing Number  
 MOX-SBA-XX-ZZ-DR-A-14-000

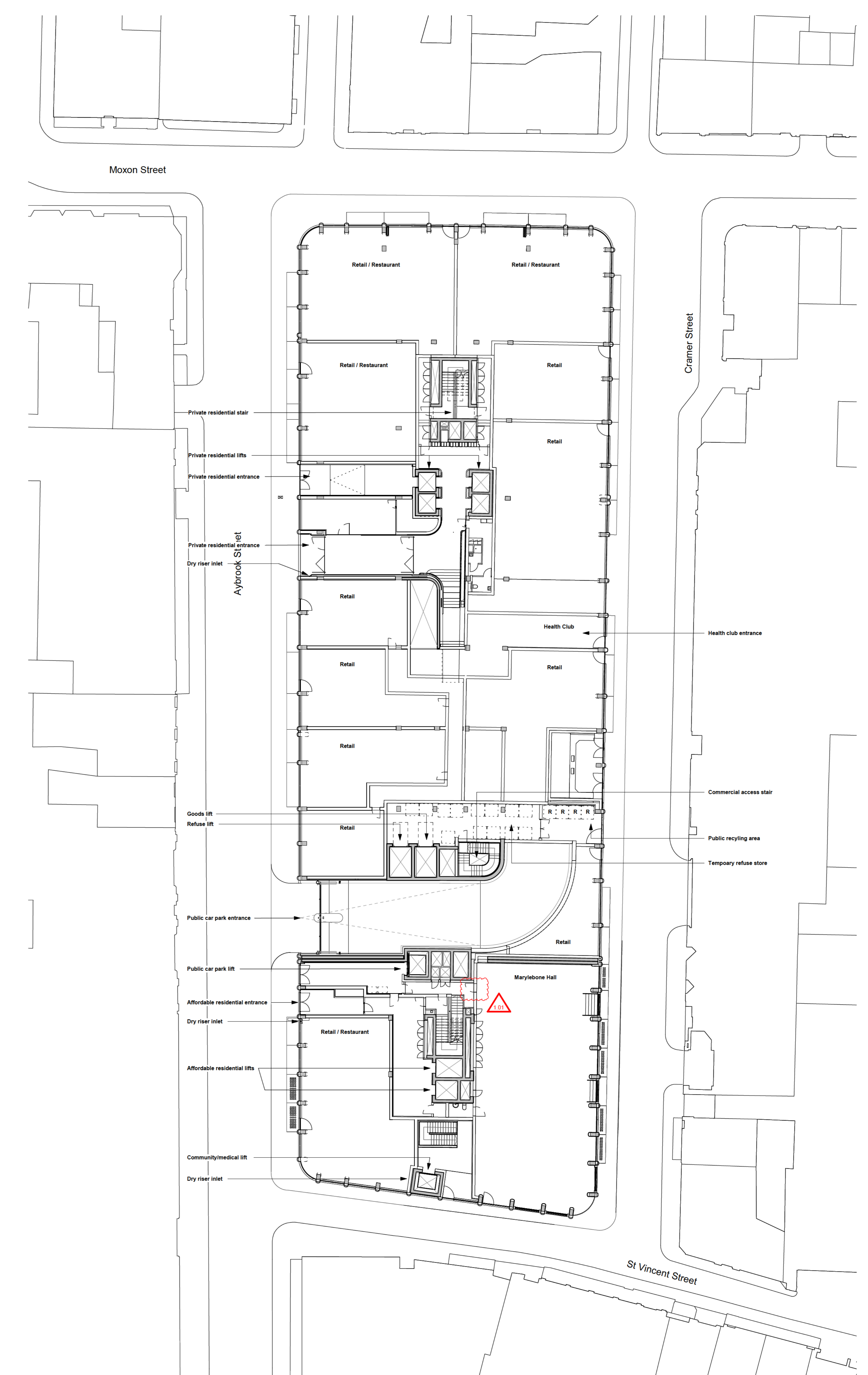
Revision Number  
 T6



General Notes  
 - Dimensions are in millimetres unless stated otherwise.  
 - Levels are in millimetres AOD unless stated otherwise.  
 - Dimensions govern, please do not scale off drawing.  
 - All dimensions to be verified on site before proceeding.  
 - All discrepancies are to be noted in writing to Simon Bowden Ltd.



2 GA\_Lower Ground\_NMA  
 1 : 200



1 GA\_Ground\_NMA  
 1 : 200

T3	05/12/22	S2	For information
T2	04/12/22	S2	For information
T1	11/10/22	S2	For information
Rev	Date	Stat	Reason For Issue

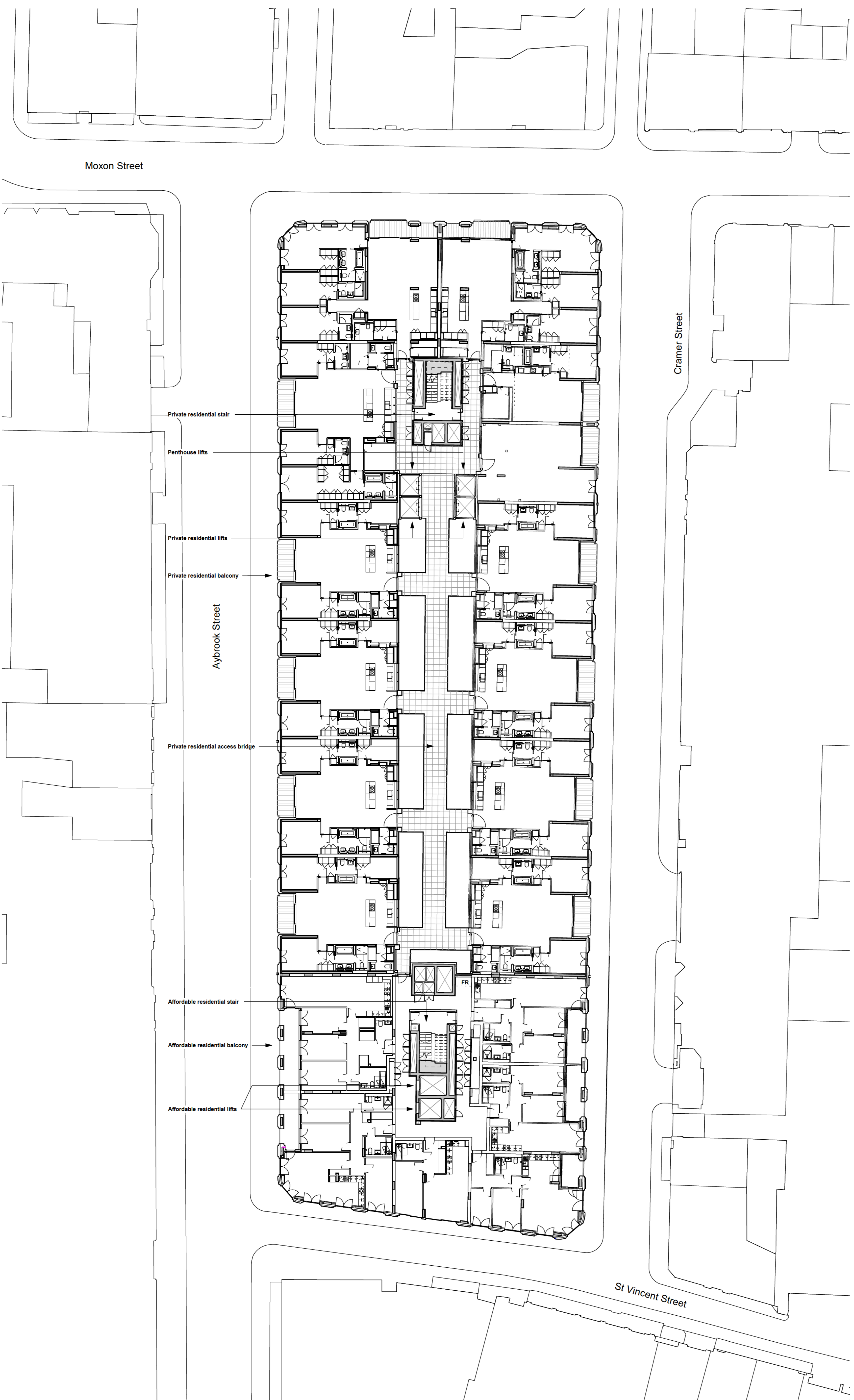
**E8 Architecture**  
 London Krakow  
 1 Montrose Terrace, London E8 3PN  
 T: 020 3994 8571  
 E: hello@e8architecture.co.uk  
 W: www.e8architecture.co.uk

Client: Moxon Street Residential  
 The Listed Hall  
 50 Bolsover Street  
 London, W1W 5NG  
 Project Title: Marylebone Square

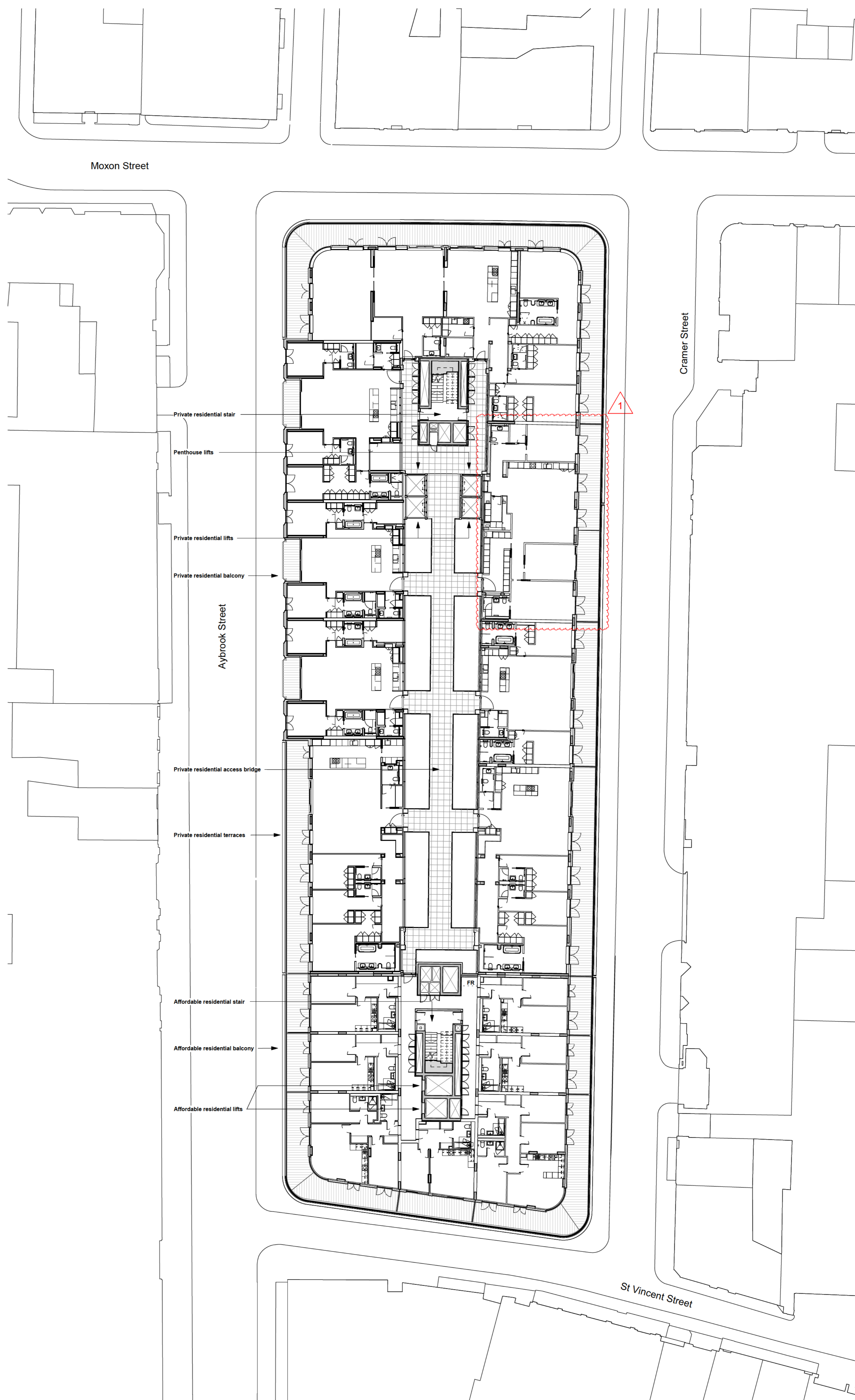
Drawing Title: Planning - LG and G Plans

Scale: 1 : 200  
 Format: A0  
 Orientation: N

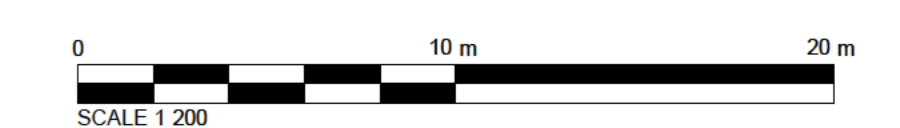
Drawing Number: MOX-SBA-XX-A-14-012  
 Revision Number: T3



3 GA\_03\_NMA  
1: 200



4 GA\_04\_NMA  
1: 200  
1. Layout of apartment A401 amended



**General Notes**  
 - Dimensions are in millimetres unless stated otherwise.  
 - Levels are in millimetres AOD unless stated otherwise.  
 - Dimensions govern, please do not scale off drawing.  
 - All dimensions to be verified on site before proceeding.  
 - All discrepancies are to be noted in writing to Simon Bowden Ltd.

**Legend**  
 - Extent of Application  
 - NMA item marker  
 - EVC

Rev	Date	By	For Information	Reason For Issue
T2	19/01/23	SZ		
T1	13/09/19	SZ		

**E8 Archi tecture**  
 London Krakow  
 1 Maresfield Terrace, London E8 3PN  
 T: 020 3994 8571  
 E: hello@e8architecture.co.uk  
 W: www.e8architecture.co.uk

Client: Moxon Street Residential  
 The Listed Hall  
 50 Bolsover Street  
 London, W1W 5NG

Project Title: Marylebone Square

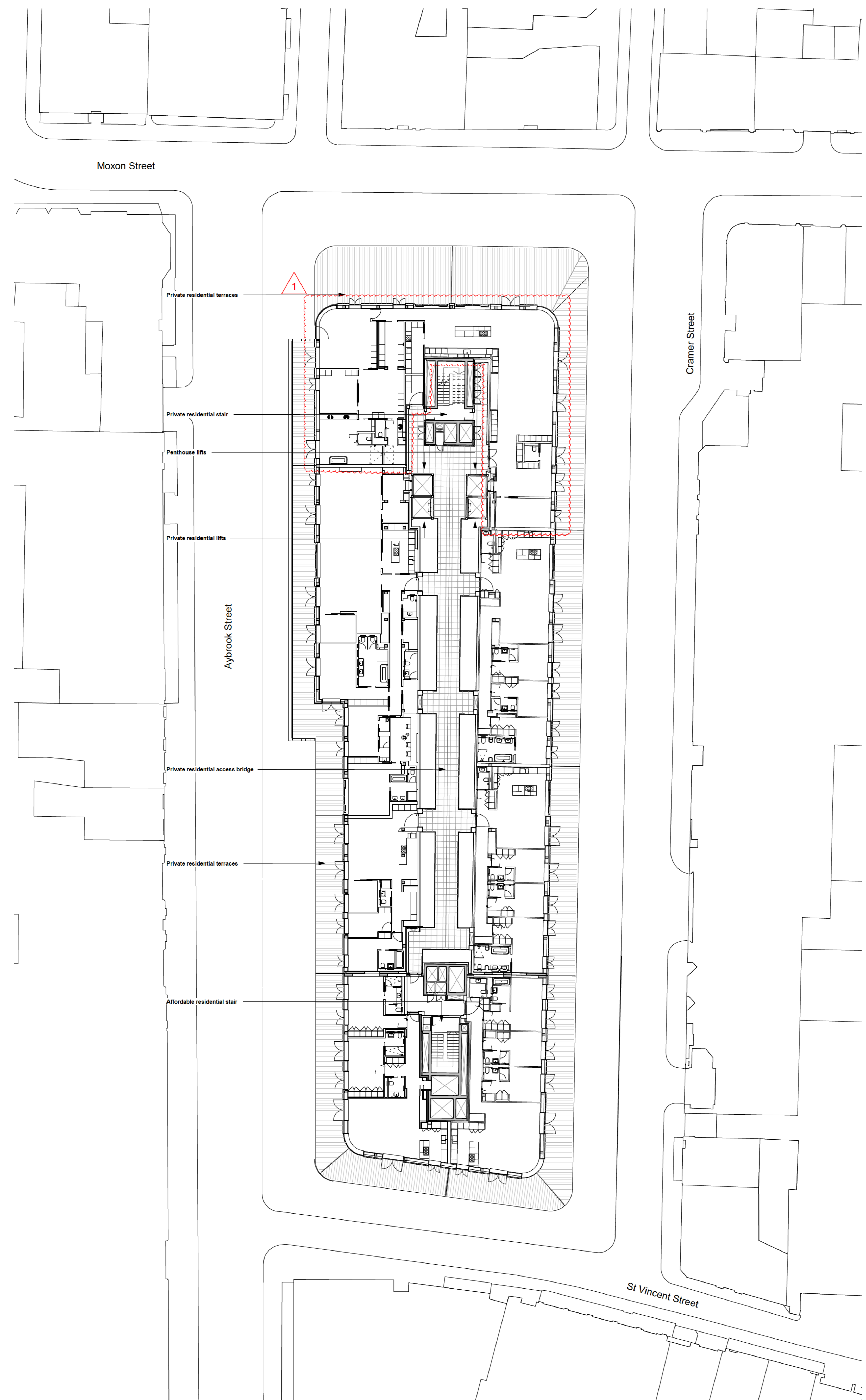
Drawing Title: NMA Application- 03 and 04 Plans

Scale: 1: 200  
 Format: A0  
 Orientation: N

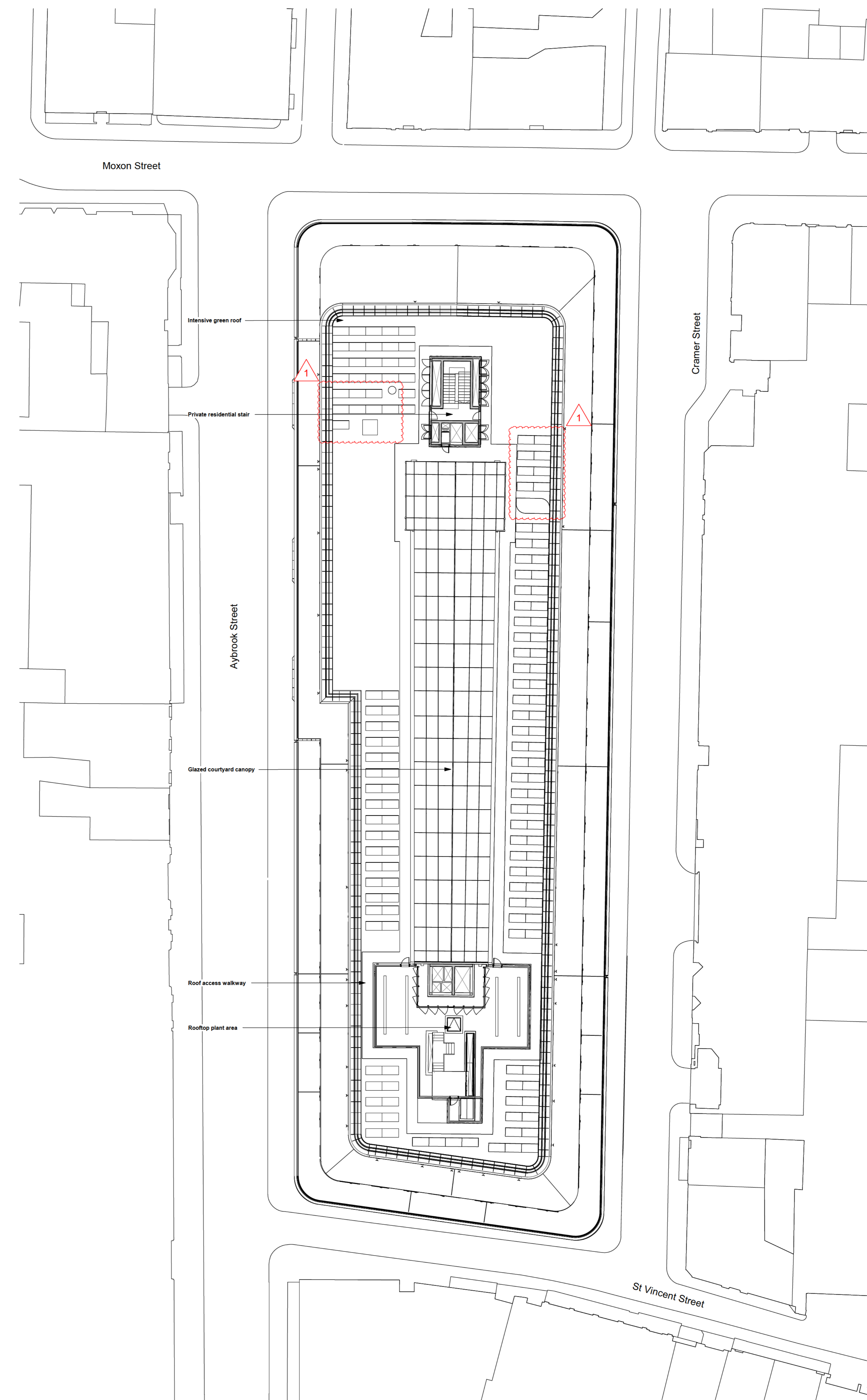
Drawing Number: MOX-SBA-XX-ZZ-DR-A-14-004  
 Revision Number

**General Notes**  
 - Dimensions are in millimetres unless stated otherwise.  
 - Levels are in millimetres AOD unless stated otherwise.  
 - Dimensions govern, please do not scale off drawing.  
 - All dimensions to be verified on site before proceeding.  
 - All discrepancies are to be noted in writing to Simon Bowden Ltd.

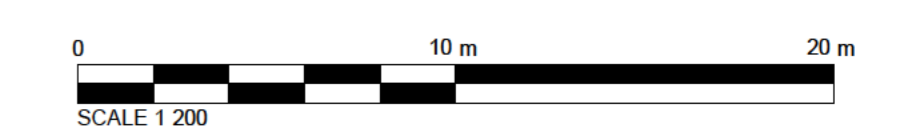
**Legend**  
 - Extent of Application  
 - NMA item marker  
 - EVC



**3 GA\_05\_NMA**  
 1 : 200  
 1. Apartment 501 layout has been amended



**4 GA\_Roof\_NMA**  
 1 : 200  
 1. PV panel setting out adjusted and roof lights to apartment 501 added



T2	19/01/23	S2	For Information
T1	12/09/19	S2	For Information
Rev	Date	Sub	Reason For Issue

**E8 Architecture**  
 London Krakow  
 1 Montrose Terrace, London E8 3PN  
 T: 020 3994 8571  
 E: hello@e8architecture.co.uk  
 W: www.e8architecture.co.uk

Client:  
 Moxon Street Residential  
 The Listed Hall  
 50 Bolsover Street  
 London, W1W 5NG

Project Title:  
 Marylebone Square

Drawing Title:  
 NMA Application - 05 and  
 Roof Plans

Scale: 1 : 200  
 Format: A0  
 Orientation: N

Drawing Number:  
 MOX-SBA-XX-ZZ-A-14-005

Revision Number



19 January 2024

Dear 

### **Marylebone Square Development Restaurant Premises Licence Applications**

We hope that this letter finds you well after a restful festive break.

The Westminster Licensing Authority has sent us a copy of your representation in respect of our premises licence applications. Thank you for taking the time to comment on our proposals. We would be grateful for your consideration of this letter, which we hope will help to clarify the extent of our proposals and address some of the concerns that you have raised.

The three premises licence applications relate to the units that have already been granted planning permission for restaurant use. As a proactive developer, we decided to apply for licences for two key reasons. Firstly, we want to ensure appropriate hours and robust licence conditions are imposed to safeguard the responsible operation of the restaurants. Secondly, obtaining licences at a pre-letting stage will help us to attract the highest calibre of restaurant tenants appropriate for the development and local area.

We adopted this proactive approach as part of our commitment to enter leases with professional restaurant operators that will complement the development and co-exist harmoniously alongside you and your new neighbours moving into the upper floor apartments. It is absolutely not in our interest to enter leases with late-night bar operators or badly managed restaurants that are likely to disturb the local community and our new residents.

We obtained pre-application advice from the Westminster Environmental Health Consultation Team. The Environmental Health Officer was broadly content with proposals for 1.00 am licences authorising some bar use and regulated entertainment. Following careful consideration and local stakeholder feedback, we proposed more tightly conditioned licences with no regulated entertainment. The applications also proposed licensable activities within Westminster's policy 'Core Hours', with an additional 30 minutes for customers to leave the premises.

Having undertaken a further careful review of feedback in your representation and others, we are proposing the following amendments to the applications to address your concerns:

1. **A reduction in closing times by 30 minutes each day**, meaning each restaurant will close in accordance with Westminster's policy Core Hours: 10.30 pm Sunday, 11.30 pm Monday – Thursday and midnight on Fridays and Saturdays.
2. **Withdrawing the external areas from the licence demise**. This means that the internal restaurant areas will be licensed for on-sales only. Our restaurant tenants would therefore have to make separate applications for temporary pavement licences if they wished to have external seating areas in the future. The pavement licence process will allow an extra level of scrutiny on the use of the external areas generally, permitted hours and the amount of furniture permitted. Importantly, any consent would also only be granted on a temporary basis facilitating an ongoing review and monitoring.



The comprehensive and robust conditions proposed with the applications will remain to ensure a professional and responsible management of the restaurants.

In addition, the development's thoughtful servicing and management plan will implement tight controls on how the restaurants manage their waste, deliveries and general servicing. Waste will be taken directly to internal subterranean waste refuse areas before being taken up to ground floor level by the estate team ahead of scheduled collection times. Deliveries will be made via an internal loading bay before being distributed internally via servicing corridors.

We are also mindful of your concerns in respect of the proximity of the unit to the school. We will carefully select and vet any future tenant to ensure it is an appropriate restaurant for the location and remind management of the importance of safeguarding.

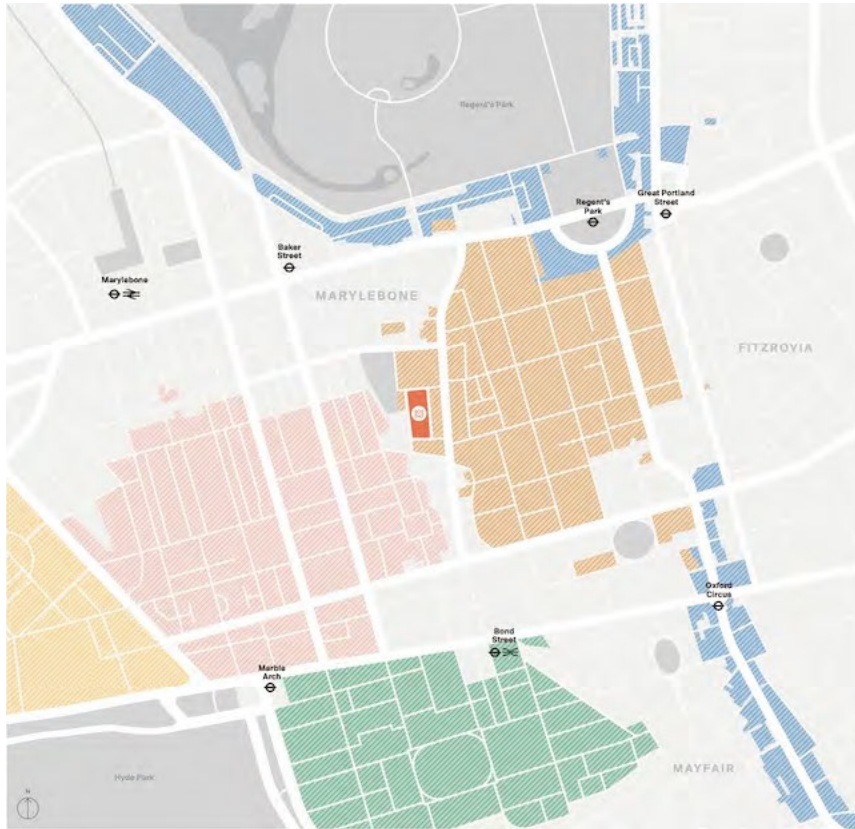
Thank you for your consideration of this letter. We hope that it has helped to address some of the concerns that you have raised. Please do not hesitate to contact us if you would like to discuss our proposals further.

Finally, may I please take the opportunity to wish you and your family a Happy New Year.

Yours sincerely

[Redacted signature block]

## Marylebone Square Restaurants



## ***DRAFT*** Development Dispersal Policy & Appendix 11 Submission

February 2024

Thomas & Thomas Partners LLP

Solicitors for the Applicants

## **1 Introduction**

- 1.1 This document is submitted by the Marylebone Square developer and applicant for the following Core Hours restaurant premises licences:
  - 1.1.1 Unit 2, 26 Aybrook Street London W1U 4AN reference 23/08470/LIPN
  - 1.1.2 Unit 3, 3 Cramer Street London W1U 4EA reference 23/08472/LIPN
  - 1.1.3 Unit 9, 1A St Vincent Street London W1U 4DA reference 23/08471/LIPN
- 1.2 Development management will be trained in its implementation and all licensed tenants will have to commit to the overarching operating procedures contained herein.
- 1.3 The Development is encompassed by Aybrook Street, Moxon Street, Cramer Street and St Vincent Street Marylebone W1U.
- 1.4 The Applicant is committed to a high standard of professional and responsible management to ensure that all occupiers of the Development co-exist harmoniously and that there is no adverse impact on the existing Marylebone community. The management systems will ensure that the licensed restaurants within the Development are operated sympathetically to neighbouring residents and businesses.
- 1.5 The Policy will be reviewed regularly and whenever the Development management become aware of feedback associated with the operation of the licensed premises generally or the dispersal of patrons.

## **2 Planned Management Measures for Control of Noise**

- 2.1 Robust and planned management of the dispersal process will control any noise impact associated with patrons leaving the Development, especially at night.
- 2.2 The significant majority of patrons will depart in a controlled manner across various dispersal points across the Development within Core Hours. All customers will be directed to the main public thoroughfares and nearby transport links. Dispersal will be away from the local residents and towards main transport thoroughfares.
- 2.3 All dispersal will be thoughtfully managed and coordinated by all licence holders working in partnership with the Development management.

## **3 General Operational Controls**

- 3.1 The Development management team and licensed tenants will be required to take their responsibilities as a neighbour very seriously. Management controls shall include:
  - 3.1.1 Extensive employee induction and on-going refresher training, including:

- 3.1.1.1 Responsibilities in the local area and towards local residents.
  - 3.1.1.2 Customer care and hospitality.
  - 3.1.1.3 Complaint handling.
  - 3.1.1.4 Food Safety.
  - 3.1.1.5 Health and Safety.
  - 3.1.1.6 Fire Safety.
  - 3.1.1.7 Security awareness under Met. Police “Project Argus” programme.
  - 3.1.1.8 Counter terrorism training.
  - 3.1.1.9 Safeguarding and welfare engagement training, for example WAVE training in partnership with the Westminster Police Licensing Team, drink spiking and “Ask for Angela”. Training focus on the Development’s proximity to a local school.
  - 3.1.1.10 Obligations under the Licensing Act 2003.
- 3.2 Operational procedures to mitigate nuisance in the local area, including:
- 3.2.1 Responsible management of patrons both within internal and external areas of the Development.
  - 3.2.2 Controlled management of the arrival and departure of patrons, including encouraging departing patrons to disperse quickly and quietly to their onwards direction of travel.
  - 3.2.3 Advice and recommendations from Clarke Saunders Acoustics.
  - 3.2.4 Sympathetic servicing of the Development, see section 5.
  - 3.2.5 Internal CCTV coverage including full frontal imaging of anyone entering the licensed premises within the Development.

## **4 People Arriving, Departing & in the Vicinity**

### **Dispersal Policy**

- 4.1 The objective of the Dispersal Policy is to ensure a quiet, controlled and swift dispersal of all patrons visiting the licensed premises within the Development.
- 4.2 The Dispersal Policy shall promote a professional and responsible management of patrons as they leave the Development to ensure they make their onward journey, without any adverse impact on local residents.

### **Entrances and Exits**

- 4.3 All access and egress points will be suitably staffed and monitored throughout the day and evening.

### **Dispersal**

- 4.4 Towards closing time of the licensed premises, the following measures, where appropriate, are taken to ensure a gradual and quiet dispersal:

4.4.1 Politely reminding patrons that the relevant premises is about to close.

4.4.2 Advising patrons that require a taxi to wait inside the premises.

- 4.5 Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

### **Transport**

- 4.6 Patrons may arrive and depart by various modes of transport, including by foot and private car taxis.

- 4.7 The Development is also well serviced by various public transport options, as set out below. Staff will be familiar with the transport links so they may direct patrons, when required, to nearby transport links, as outlined below: -

### **Tube**

- 4.8 Bond Street (Central / Jubilee Lines) is located within an easy due South walk from the Development. The Central and Jubilee Lines run the Night Tube service on Friday and Saturday evenings throughout the night.

- 4.9 Oxford Circus (Victoria / Central / Bakerloo Lines) is located a few minutes' walk away or one stop from Bond Street. The Central and Victoria Lines run the Night Tube service on Friday and Saturday evenings throughout the night.

- 4.10 Marble Arch (Central Line) is located within walking distance from the Development. The Central Line runs the Night Tube service on Friday and Saturday evenings throughout the night.

- 4.11 Regents Park (Bakerloo Line) is located within walking distance from the Development.

### **Rail**

- 4.12 The Development is also located within walking distance of Marylebone Railway station where various railway lines are available serving North London, the West and beyond.

- 4.13 Other mainline Railway Stations are easily accessed by tube, bus or taxi.