

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS COMMITTEE</b>	<b>Date</b> 12 April 2016	<b>Classification</b> For General Release	
<b>Report of</b> Director of Planning		<b>Ward(s) involved</b> West End	
<b>Subject of Report</b>	<p><b>Application 1 - Development Site At Tottenham Court Road Station And 1-23 Oxford Street And 157-165 Charing Cross Road And 1-6, Falconberg Mews, W1</b></p> <p><b>Application 2 - 135-155 Charing Cross Road, WC2</b></p>		
<b>Proposal</b>	<p>Application 1 - Variation of Condition 1 of planning permission dated 12 January 2016 (RN: 11/10043/FULL) for: Demolition of 17-23 Oxford Street and erection of a building comprising part two basement levels, ground plus eight upper floors with ninth floor roof top plant for use as retail (Class A1) at part basement, ground and first floors, offices (Class B1) at part basement, ground and first to eighth floors, new public realm landscaping, servicing and access arrangements. (OSD Site A). Namely, amendments to facade design and alterations including re-alignment of south elevation, omission of colonnade on south elevation, realignment of north east corner to match the London Underground entrance, cutting back the south west corner to improve loading bay access, relocation of rooftop plant to basement, re-planning internal core (Site A).</p> <p>Application 2 - Variation of Condition 1 of planning permission dated 12 January 2016 (RN: 11/10045) for erection of a building comprising part basement, ground plus nine storeys for use as a theatre (sui generis) on part basement, ground to fourth floors, and offices (Class B1) at fifth to eighth floor levels with plant at ninth floor, new public realm, landscaping servicing and access arrangements. Over site development above Crossrail operational details (Site B - site includes 12 Sutton Row and 12 Goslett Yard) : Namely amendments to facade design and alterations including, re-planning theatre auditorium to improve acoustic isolation, omission of pavilion and loading bay on north west corner, omission of stair tower and replacement with substation and cycle parking above, new staircase with theatre signage facing Charing Cross Road, enlargement of theatre foyer, re-alignment of north and east elevations. (Site B)</p>		
<b>Agent</b>	Gerald Eve		
<b>On behalf of</b>	Derwent Valley Central Ltd and Crossrail Ltd		
<b>Registered Number</b>	15/12041/FULL (Site A) 15/11996/FULL (Site B)	<b>Date amended/ completed</b>	12 January 2016

<b>Date Application Received</b>	23 December 2015		
<b>Historic Building Grade</b>	Unlisted		
<b>Conservation Area</b>	Soho		

## 1. RECOMMENDATION

Applications 1 and 2

1. Grant 10 year conditional permissions, subject to: A Deed of Variation to the S106 Agreement signed 12 January 2016 to tie the S73 permissions into the original S106 Agreement, including the agreed clauses regarding the timing of delivery of the theatre and residential on Sites C and D; and

2) Revised S106 obligations to reflect the revised areas across Sites A and B including additional payments of -

- a. Crossrail - £130,060
- b. Public realm - £99,227

2. If the S106 legal agreement has not been completed within six weeks of the date of the Committee resolution, then:

(a) The Director of Planning shall consider whether it would be possible and appropriate to issue the permissions with additional conditions attached to secure the benefits listed above. If so, the Director of Planning is authorised to determine and issue the decisions under Delegated Powers; however, if not;

(b) The Director of Planning shall consider whether the permissions should be refused on the grounds that the proposals are unacceptable in the absence of the benefits which would have been secured; if so, the Director of Planning is authorised to determine the applications and agree appropriate reasons for refusal under Delegated Powers.

## 2. SUMMARY

On 19 April 2012 it was resolved to grant permission for the proposed Over Station Developments (OSD's) for Crossrail Tottenham Court Road East ticket hall site and London Underground upgraded Tottenham Court Road underground station. Since these resolutions extensive time was spent finalising various elements of the Section 106 Agreement particularly in relation to the delivery of a New West End Theatre. Permission was granted for the redevelopment schemes on 12 January 2016.

The site covers two street blocks located to the south of Oxford Street and west of Charing Cross Road and is divided by Sutton Row which links Charing Cross Road with Soho Square. Site A is located to the north of Sutton Row, Site B to the south. Permission has been granted for a new retail and office building at site A, and a new theatre building and offices at site B.

The detailed design of both buildings has been developed. As a consequence the floor areas have been altered along with the aesthetic of the buildings. These applications are for minor material amendments to the OSD buildings both sites A and B.

The floorspace figures are set out in the table below;

<b>Use</b>	GEA m2	GEA m2	GEA m2
	Approved Jan 2016	S73 proposal	Change
<b>Site A</b>			
Office	24,225	26,492	+2267
Retail	3,896	3671	-198
Total	28,094	30,163	+2069
<b>Site B</b>			
Office	4,185	2,847	-1338
Theatre	3,809	4,559	+750
Total	7,994	7,406	-588
<b>Total site A + B</b>			
Office	28,410	29,339	+929
Retail/Theatre	7705	8230	+552

At Site A the main changes are increasing the height of the building slightly to provide additional office space at roof level and a change to proposed plant, infilling the colonnade on the south elevation fronting onto Sutton Row, loss of retail at basement level and alterations to the façade design.

At Site B the changes proposed are more extensive. They have largely been driven by Nimax who required improved flexibility in the theatre layout as well as necessary acoustic measures

resulting from a greater understanding of the impact of the Crossrail Infrastructure abutting the building. The proposed alterations include:

- i. Enlarging the theatre, re-planning the auditorium to improve acoustic isolation, and increasing the capacity from 350 seats to a maximum of 543 seats;
- ii. The loss of one floor of offices due to the increase in the demise of the theatre:
- iii. A new staircase and theatre signage facing Charing Cross Road;
- iv. Enlargement of the theatre foyer and provision of an entrance canopy fronting onto Sutton Row
- v. Slight increase in height and façade alterations to both the theatre and office elements of the new building.
- vi. Relocation of servicing from Sutton Row to Goslett Yard

The main issue for consideration is the design quality of the new buildings and their impact on the townscape.

The slight increase in height of the building on Site A would have a relatively small visual impact. The main change to the building is to its cladding. This is different from the approved scheme, with a stronger horizontal emphasis. It will have a stronger architectural relationship to the new station entrance. The loss of the colonnade on the south side is acceptable in urban design terms.

The design of the building on Site B is more radically different from the approved scheme. There would be a slight increase in height and a change to the massing; the theatre part is taller and the office parts realigned. The approved glassy façade, with its diagonal emphasis, is replaced by a more rectilinear facade, with integrated theatre signs. It is rich in terms of its modelling, detailing and use of materials.

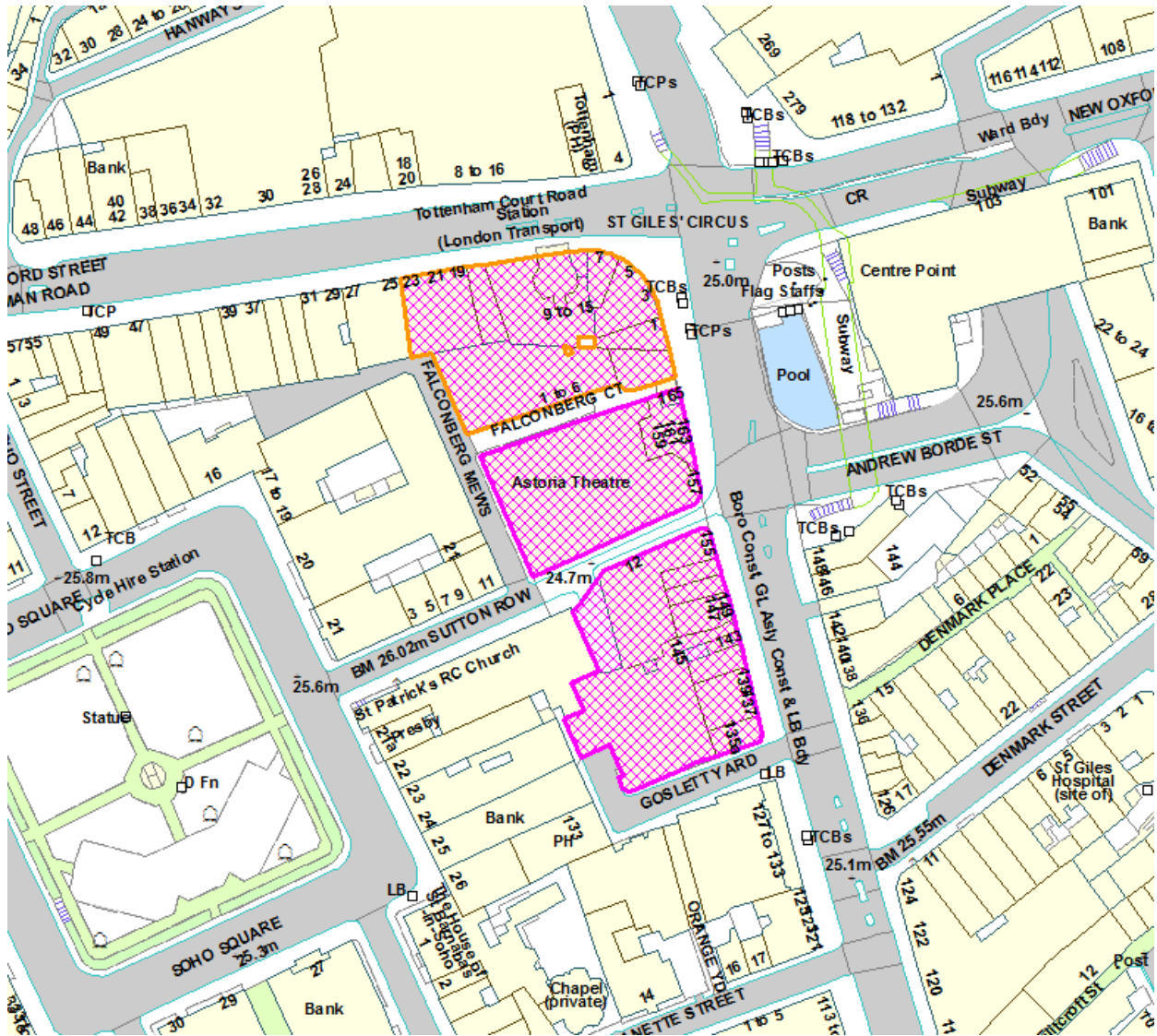
Although the design approaches differ from the approved scheme, the designs of both buildings are of high, arguably higher, architectural quality and they are acceptable in urban design and conservation terms.

In terms of the land use package, across both sites the new proposals would result in an increase in offices of 929 m<sup>2</sup>. However, the approved four site strategy resulted in a residential surplus of 4,949 m<sup>2</sup>. The additional office accommodation will still therefore easily accord with the Council's mixed use policies. At Site A the loss of retail is back of house floorspace at basement level. Ground floor tradable would be increased. This is also considered acceptable. Changes at Site B which increase the size of the theatre and ensure its delivery are welcomed. The schemes therefore remain acceptable in land use terms.

With regards to the impact upon the highway the main change is to the servicing arrangements. At Site A the revised entrance to a service yard allows vehicles to reverse in from Falconberg Mews so no reversing manoeuvres are required from Sutton Row. This is welcomed. At Site B servicing has been relocated from Sutton Row to Goslett Yard. This would also result in the removal of reversing vehicles on Sutton Row, which will reduce the potential for vehicle-pedestrian conflict. The Highways Planning Manager advises that some larger vehicles will not fit within the theatre loading bay and will be required to load and unload from the highway in Goslett Yard. However given that this is a short cul de sac with little activity and the constraints of the station infrastructure this is considered acceptable.

The amended schemes have been designed to deliver a New West End Theatre a major new cultural space for London are recommended for approval.

### 3. LOCATION PLAN



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4. PHOTOGRAPHS



## 5. CONSULTATIONS

### Application 1 (Site A)

**GREATER LONDON AUTHORITY:**

The scheme does not raise strategic issues and no further consultation with the GLA is required

**SOHO SOCIETY**

No objection

**FITZROVIA NEIGHBOURHOOD ASSOCIATION:**

Any response to be reported verbally

**LONDON BOROUGH OF CAMDEN**

Any response to be reported verbally

**HIGHWAYS PLANNING MANAGER**

No objection subject to conditions

**CLEANSING MANAGER**

No objection

**ENVIRONMENTAL HEALTH**

No objection

**HISTORIC ENGLAND (Listed Builds/Con Areas):**

No Comments

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

No. Consulted: 466

Total No. of replies: 0

**PRESS ADVERTISEMENT / SITE NOTICE: Yes**

### Application 2 (Site B)

**GREATER LONDON AUTHORITY:**

The scheme does not raise strategic issues and no further consultation with the GLA is required

**SOHO SOCIETY**

No objection

**FITZROVIA NEIGHBOURHOOD ASSOCIATION:**

Any response to be reported verbally

**LONDON BOROUGH OF CAMDEN**



Any response to be reported verbally

HIGHWAYS PLANNING MANAGER  
No objection subject to conditions

CLEANSING MANAGER  
No objection

ENVIRONMENTAL HEALTH  
No Objection

HISTORIC ENGLAND (Listed Builds/Con Areas):  
No Comments

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 713  
Total No. of replies: 0

PRESS ADVERTISEMENT / SITE NOTICE: Yes

## **6. BACKGROUND PAPERS**

### **APPLICATION 1**

1. Application form
2. Letter from Greater London Authority dated 11 February 2016
3. Letter from Historic England dated 27 January 2016
4. Undated response from Soho Society
5. Memorandum from Cleansing Manager dated 1 February 2016
6. Memorandum from Highways Planning Manager dated 10 March 2016
7. Memorandum from Environmental Health dated 24 March 2016

### **APPLICATION 2**

1. Application forms
2. Letter from Greater London Authority dated 11 February 2016
3. Letter from Historic England dated 27 January 2016
4. Undated response from Soho Society
5. Memorandum from Cleansing Manager dated 29 January 2016
6. Memorandum from Highways Planning Manager dated 10 March 2016
7. Memorandum from Environmental Health dated 24 March 2016

### **Selected relevant drawings**

(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 MIKE WALTON ON 020 7641 2521 OR BY EMAIL AT <a href="mailto:CentralPlanningTeam@westminster.gov.uk">CentralPlanningTeam@westminster.gov.uk</a>
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7. KEY DRAWINGS



Site A – As approved (January 2016)



Site A – As proposed.





Site B – As approved  
(January 2016)



Site B – As proposed.

**DRAFT DECISION LETTER****APPLICATION 1 (Site A)**

**Address:** Dev Site At Tot Court Rd Station And 1-23 Oxford St And 157-165 Charing Cross Rd And 1-6, Falconberg Mews, London,

**Proposal:** Variation of Condition 1 of planning permission dated 12 January 2016 (RN: 11/10043/FULL) for : Demolition of 17-23 Oxford Street and erection of a building comprising part two basement levels, ground plus eight upper floors with ninth floor roof top plant for use as retail (Class A1) at part basement, ground and first floors, offices (Class B1) at part basement, ground and first to eighth floors, new public realm landscaping, servicing and access arrangements. (OSD Site A). Namely, amendments to facade design and alterations including re-alignment of south elevation, omission of colonnade on south elevation, realignment of north east corner to match the London Underground entrance, cutting back the south west corner to improve loading bay access, relocation of rooftop plant to basement, replanning internal core (Site A).

**Plan Nos:** A\_MP\_(00)\_P001 rev P03, P100 rev P02, A, P101 rev P01, P101M rev P00, P102 rev P01, P103 rev P01, P104 rev P01, P015 rev P01, P106 rev P01, P07 rev P01, P108 rev P01, P109 rev P01, P110 rev P02, P111 rev P02, P120 rev P01, P120M rev P01, P121 rev P01, P130 rev P03. P220 rev P02, P221 rev P02, P222 rev P02, P223 rev P03, P224 rev P03, P300 rev P01, P301 rev P02, P310 rev P02, P311 rev P03, P312 rev P03, P313 rev P02, P314 rev P03, P311 rev P03, P312 rev P02, P314 rev P03, P400 rev P02, P401 rev P02, P402 rev P02, P403 rev P02, P404 rev P03, P405 rev P03.

**Case Officer:** Mike Walton

**Direct Tel. No.** 020 7641 2521

**Recommended Conditions and Reasons**

- 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 You must carry out any building work which can be heard at the boundary of the site only:

- \* between 08.00 and 18.00 Monday to Friday;
- \* between 08.00 and 13.00 on Saturday; and
- \* not at all on Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours. (C11AA)

**Reason:**

To protect the environment of neighbouring residents. This is as set out in S29 and S32 of

Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 You must apply to us for approval of detailed drawings (at scales 1:20 and 1:5) of the following parts of the development:
- Typical façade details (at all levels)
  - All new windows
  - All new shopfronts

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 Soho 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)

- 4 You must apply to us for approval of samples of the facing materials you will use, including glazing, and elevations 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 Soho 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)

- 5 You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the terraces.

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 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)

- 6 You must apply to us for approval of a scheme of public art ;.

You must not start work on the public art until we have approved what you have sent us. Before

anyone moves into the building you must carry out the scheme according to the approved details.

You must maintain the approved public art and keep it on this site. You must not move or remove it. (C37AB)

Reason:

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

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Soho 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)

- 8 You must provide the following bio-diversity and sustainability features before you start to use any part of the development, as set out in your application.

1. PV panels / Solar panels,

Upon completion on site, you must provide information to Westminster City Council that you have delivered these features.

You must not remove any of these features, unless we have given you our permission in writing. (C43FA)

Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in S28 or S40, or both, of Westminster's City Plan: Strategic Policies adopted November 2013. (R44AC)

- 9 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(2) Where noise emitted from the proposed plant and machinery will contain tones or will be

intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:

- (a) A schedule of all plant and equipment that formed part of this application;
- (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
- (c) Manufacturer specifications of sound emissions in octave or third octave detail;
- (d) The location of most affected noise sensitive receptor location and the most affected window of it;
- (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
- (g) The lowest existing L A90, 15 mins measurement recorded under (f) above;
- (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
- (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan: Strategic Policies adopted November 2013, 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.

- 10 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.

- 11 You must put up the plant screens shown on the approved drawings before you use the machinery. You must then maintain them in the form shown for as long as the machinery remains in place.

Reason:

To protect the environment of people in neighbouring properties and the appearance of the site. This is in line with S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6, ENV 7, DES 5 and DES 6 of our Unitary Development Plan that we adopted in January 2007. (R13CC)

- 12 You must apply to us for approval of details of a supplementary acoustic report demonstrating that the plant will comply with the Council's noise criteria as set out in Condition 9 of this permission. You must not start work on this part of the development until we have approved what you have sent us.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan: Strategic Policies adopted November 2013, by contributing to reducing excessive ambient noise levels.

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

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

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

Reason:

As set out in S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 7 (B) of our Unitary Development Plan that we adopted in January 2007. Emergency and auxiliary energy generation plant is generally noisy, so a maximum noise level is required to ensure that any disturbance caused by it is kept to a minimum and to ensure testing and other non-emergency use is carried out for limited periods during defined daytime weekday hours only, to prevent disturbance to residents and those working nearby.

- 14 You must provide the waste store shown on drawing P100 rev P02 before anyone moves into the property. You must clearly mark it and make it available at all times to everyone using the

buildings. 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 and materials for recycling as set out in S44 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14CC)

- 15 You must provide the cycle parking shown on drawing P100 rev P02 prior to occupation. Thereafter the cycle parking 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 TRANS 10 of our Unitary Development Plan that we adopted in January 2007.

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

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan: Strategic Policies adopted November 2013 and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

- 17 Prior to the occupation of the development, you shall submit and have approved in writing by the local planning authority, a detailed servicing management strategy for the development. All servicing shall be undertaken in accordance with the approved strategy unless otherwise agreed in writing by the local planning authority.

Reason:

To ensure that the servicing facility operates as designed and does not impact on the safety or operation of the highway as required by Policy TRANS 20 of our Unitary Development Plan that we adopted in January 2007.

- 18 You must not use the floorspace identified as "Retail" on the approved drawings for any purpose other than within Classes A1 of the Town and Country Planning (Use Classes) Order 1987 as amended April 2010 (or any equivalent class in any order that may replace it).

Reason:

We cannot grant planning permission for unrestricted use in this case because it would not meet SS4 and SS7 of our Unitary Development Plan that we adopted in January 2007 and CS20 of our Core Strategy that we adopted in January 2010.

- 19 You must put a copy of this planning permission and all its conditions at street level outside the building for as long as the work continues on site.

You must highlight on the copy of the planning permission any condition that restricts the hours of building work. (C21KA)

Reason:

To make sure people in neighbouring properties are fully aware of the conditions and to protect their rights and safety. (R21GA)

- 20 No demolition or development shall be carried out until a construction management plan for the proposed development has been submitted to and approved by the City Council as local planning authority. The plan must include a construction programme, a code of construction practice, a 24 hour emergency contact number, and the hours of building works. You must not start work until we have approved what you have sent us. You must then carry out the development in accordance with the approved details.

Reason:

To minimise the impact of the development construction on adjacent residential occupiers in order to safeguard their residential amenity, in accordance with Policy ENV13 of our Unitary Development Plan that we adopted in January 2007.

- 21 Notwithstanding the provisions of Class A1 of the Town and Country Planning (Use Classes) Order 1987 as amended April 2010 (or any equivalent class in any order that may replace it) the retail accommodation hereby approved shall only be used for non-food retail purposes unless otherwise agreed in writing by the City Council as local planning authority.

Reason:

To ensure that the retail floorspace does not give rise to an unacceptable level of customer car parking and servicing causing obstruction of the surrounding streets and harm to the amenities of occupiers of adjoining properties by reason of noise and general disturbance contrary to policy S41 of Westminster's City Plan : Strategic Policies adopted November 2013 and TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007

- 22 You must apply to us for approval of detailed drawings of a landscaping scheme which includes the surfacing of any part of the site not covered by buildings. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then carry out the landscaping according to these approved drawings within of completing the development (or within any other time limit we agree to in writing). (C30AB)

Reason:

To improve the appearance of the development, to make sure that it contributes to the character and appearance of this part of the Soho Conservation Area, and to improve its contribution to biodiversity and the local environment. This is as set out in S25, S28 and S38 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R30CD)

- 23 This permission must be commenced no later than 11 January 2026

Reason:

This permission authorises amendments to the original planning permission granted on 12 January 2016 (RN 11/10043/FULL) which must be commenced no later than the above date.

**Informatives:**

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan: 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 When carrying out building work you must do all you can to reduce noise emission and take suitable steps to prevent nuisance from dust and smoke. Please speak to our Environmental Health Service to make sure that you meet all requirements before you draw up the contracts for demolition and building work.

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

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

Phone: 020 7641 2000

Our Environmental Health Service may change the hours of working we have set out in this permission if your work is particularly noisy. Deliveries to and from the site should not take place outside the permitted hours unless you have our written approval. (150AA)

- 3 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, [sitenquiries@ccscheme.org.uk](mailto:sitenquiries@ccscheme.org.uk) or visit [www.ccscheme.org.uk](http://www.ccscheme.org.uk).
- 4 Conditions 9 and 13 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)

- 5 This permission is governed by a legal agreement between the applicant and us under Section 106 of the Town and Country Planning Act 1990. The agreement relates to provision of a theatre being provided and fitted out on Site B, public art ,contributions towards public realm, Crossrail, and the City Council's Code of Construction Practice.
- 6 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)
- 7 Please contact our Cleansing section on 020 7641 7962 about your arrangements for storing and collecting waste. (I08AA)
- 8 The development will result in changes to road access points. Any new threshold levels in the building must be suitable for the levels of neighbouring roads. If you do not plan to make changes to the road and pavement you need to send us a drawing to show the threshold and existing road levels at each access point.  
  
If you need to change the level of the road, you must apply to our Highways section at least eight weeks before you start work. You will need to provide survey drawings showing the existing and new levels of the road between the carriageway and the development. You will have to pay all administration, design, supervision and other costs. We will carry out any work which affects the road. For more advice, please phone 020 7641 2642. (I69AA)
- 9 Please make sure that the lighting is designed so that it does not cause any nuisance for neighbours at night. If a neighbour considers that the lighting is causing them a nuisance, they can ask us to take action to stop the nuisance (under section 102 of the Clean Neighbourhoods and Environment Act 2005). (I39AA)
- 10 Please contact our Environmental Health Service (020 7641 2000) to make sure you meet their requirements under the Control of Pollution Act 1974 and the Environmental Protection Act 1990. (I07AA)

- 11 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.**

**DRAFT DECISION LETTER****APPLICATION 2 (Site B)**

**Address:** 135-155 Charing Cross Road, London, WC2H 0DT,

**Proposal:** Variation of Condition 1 of planning permission dated 12 January 2016 (RN: 11/10045) for Erection of a building comprising part basement, ground plus nine storeys for use a theatre (sui generis) on part basement, ground to fourth floors, and offices (Class B1) at fifth to eighth floor levels with plant at ninth floor, new public realm, landscaping servicing and access arrangements. Over site development above Crossrail operational details (Site B - site includes 12 Sutton Row and 12 Goslett Yard) : Namely amendments to facade design and alterations including, re planning auditorium to improve acoustic isolation omission of pavilion and loading bay on north west corner, omission of stair tower and replacement with substation and cycle parking above, new staircase with theatre signage facing Charing Cross Road, enlargement of theatre foyer, re-alignment of north and east elevations. ( site B)

**Plan Nos:** B\_MP\_(00)\_P001 rev P05,B\_(00)\_P100 rev P04, P101 rev P03, P101M rev P00, P102 rev P03, P103 rev P03, P104 rev P03, P105 rev P03, P106 rev P03, P107 rev P03, P108 rev P03, P108 rev P03, P109 rev P03, P110 rev P03, P120 rev P01,MP\_(00)\_P130 rev P03. MP\_(00)\_P200 rev P01, P201 rev P01, P202 rev P01, P210 rev P01, P212 rev P01, P213 rev P01, P220 rev P02, P221 rev P02, P222 rev P02, , P223 rev P03, P224 rev P03, P225 rev P02, B\_(00)\_P211 rev P02, P222 rev P02, P223 rev P02, P225 rev P02, MP\_(00)\_P300 rev P01, P301 rev P02 , P310 rev P02, P311 rev P03, P312 rev P03, P313 rev P02, P314 rev P03, B\_(00)\_P310 rev P02, P311 rev P02, P312 rev P01, P313 rev P01,B\_(00)\_P400 rev P02, P401 rev P02, P402 rev P02, P403 rev P02, P404 rev P02,

**Case Officer:** Mike Walton

**Direct Tel. No.** 020 7641 2521

**Recommended Conditions and Reasons:**

- 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 You must carry out any building work which can be heard at the boundary of the site only:

- \* between 08.00 and 18.00 Monday to Friday;
- \* between 08.00 and 13.00 on Saturday; and
- \* not at all on Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours. (C11AA)

Reason:

To protect the environment of neighbouring residents. This is as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 You must apply to us for approval of detailed drawings (at scales 1:20 and 1:5) of the following parts of the development:
- a. Typical façade details (at all levels)
  - b. All new windows

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 Soho 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)

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

- 5 You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the terraces.

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 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)

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



Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Soho 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)

- 7 You must provide the following bio-diversity and sustainability features before you start to use any part of the development, as set out in your application.

1. Green Roof Plans
2. PV panels / Solar panels,

Upon completion on site, you must provide information to Westminster City Council that you have delivered these features.

You must not remove any of these features, unless we have given you our permission in writing. (C43FA)

Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in S28 or S40, or both, of Westminster's City Plan: Strategic Policies adopted November 2013. (R44AC)

- 8 You must apply to us for approval of detailed drawings and a bio-diversity management plan in relation to the green roofs 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)

- 9 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:

- (a) A schedule of all plant and equipment that formed part of this application;
- (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
- (c) Manufacturer specifications of sound emissions in octave or third octave detail;
- (d) The location of most affected noise sensitive receptor location and the most affected window of it;
- (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
- (g) The lowest existing L A90, 15 mins measurement recorded under (f) above;
- (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
- (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan: Strategic Policies adopted November 2013, 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.

- 10 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.

- 11 You must put up the plant screens shown on the approved drawings before you use the machinery. You must then maintain them in the form shown for as long as the machinery remains in place.

Reason:

To protect the environment of people in neighbouring properties and the appearance of the site. This is in line with S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6, ENV 7, DES 5 and DES 6 of our Unitary Development Plan that we adopted in January 2007. (R13CC)

- 12 You must apply to us for approval of details of a supplementary acoustic report demonstrating that the plant will comply with the Council's noise criteria as set out in Condition 9 of this permission. You must not start work on this part of the development until we have approved what you have sent us.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan: Strategic Policies adopted November 2013, by contributing to reducing excessive ambient noise levels.

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

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

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

Reason:

As set out in S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 7 (B) of our Unitary Development Plan that we adopted in January 2007. Emergency and auxiliary energy generation plant is generally noisy, so a maximum noise level is required to ensure that any disturbance caused by it is kept to a minimum and to ensure testing and other non-emergency use is carried out for limited periods during defined daytime weekday hours only, to prevent disturbance to residents and those working nearby.

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

Reason:

To protect the environment and provide suitable storage for waste and materials for recycling as set out in S44 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14CC)

- 15 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 TRANS 10 of our Unitary Development Plan that we adopted in January 2007.

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

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan: Strategic Policies adopted November 2013 and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

- 17 You must put a copy of this planning permission and all its conditions at street level outside the building for as long as the work continues on site.

You must highlight on the copy of the planning permission any condition that restricts the hours of building work. (C21KA)

Reason:

To make sure people in neighbouring properties are fully aware of the conditions and to protect their rights and safety. (R21GA)

- 18 No development shall be carried out until a construction management plan for the proposed development has been submitted to and approved by the City Council as local planning authority. The plan must include a construction programme, a code of construction practice, a 24 hour emergency contact number, and the hours of building works. You must not start work until we have approved what you have sent us. You must then carry out the development in accordance with the approved details.

Reason:

To minimise the impact of the development construction on adjacent residential occupiers in order to safeguard their residential amenity, in accordance with Policy ENV13 of our Unitary

Development Plan that we adopted in January 2007.

- 19 You must apply to us for approval of detailed drawings of a landscaping scheme which includes the surfacing of any part of the site not covered by buildings. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then carry out the landscaping according to these approved drawings within of completing the development (or within any other time limit we agree to in writing). (C30AB)

Reason:

To improve the appearance of the development, to make sure that it contributes to the character and appearance of this part of the Soho Conservation Area, and to improve its contribution to biodiversity and the local environment. This is as set out in S25, S28 and S38 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R30CD)

- 20 This permission must be commenced no later than 11 January 2026.

Reason:

This permission authorises amendments to the original planning permission granted on 12 January 2016 (RN 11/10045/FULL) which must be commenced no later than the above date..

- 21 Prior to the occupation of the development, you shall submit and have approved in writing by the local planning authority, a detailed servicing management strategy for the development. All servicing shall be undertaken in accordance with the approved strategy unless otherwise agreed in writing by the local planning authority.

Reason:

To ensure that the servicing facility operates as designed and does not impact on the safety or operation of the highway as required by Policy TRANS 20 of our Unitary Development Plan that we adopted in January 2007.

- 22 Customers shall not be permitted within either the cafe bar or the theatre either before 09.00 or after 01:00 hours daily.

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

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

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

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

Phone: 020 7641 2000

Our Environmental Health Service may change the hours of working we have set out in this permission if your work is particularly noisy. Deliveries to and from the site should not take place outside the permitted hours unless you have our written approval. (150AA)

- 3 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](mailto:siteenquiries@ccscheme.org.uk) or visit [www.ccscheme.org.uk](http://www.ccscheme.org.uk).
- 4 Conditions 9-13 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. (182AA)
- 5 This permission is governed by a legal agreement between the applicant and us under Section 106 of the Town and Country Planning Act 1990. The agreement relates to provision of a theatre being provided and fitted out on Site B, public art ,contributions towards public realm, Crossrail, and the City Council's Code of Construction Practice.

- 6 Please contact our Cleansing section on 020 7641 7962 about your arrangements for storing and collecting waste. (I08AA)
- 7 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)
- 8 The development will result in changes to road access points. Any new threshold levels in the building must be suitable for the levels of neighbouring roads. If you do not plan to make changes to the road and pavement you need to send us a drawing to show the threshold and existing road levels at each access point.

If you need to change the level of the road, you must apply to our Highways section at least eight weeks before you start work. You will need to provide survey drawings showing the existing and new levels of the road between the carriageway and the development. You will have to pay all administration, design, supervision and other costs. We will carry out any work which affects the road. For more advice, please phone 020 7641 2642. (I69AA)

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- 10 Please contact our Environmental Health Service (020 7641 2000) to make sure you meet their requirements under the Control of Pollution Act 1974 and the Environmental Protection Act 1990. (I07AA)
- 11 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.**