

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 13 September 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved St James's	
Subject of Report	31-32 and 33 Bedford Street, London, WC2E 9ED.		
Proposal	Use of basement, part ground and upper floors as an hotel (Use Class C1) including ancillary cafe use and reception at ground floor level. Alterations at roof level including the erection of a single storey extension, creation of roof terraces, installation of plant equipment within an enclosure and installation of photovoltaic panels. Refurbishment and alterations of the buildings generally including re-introduction of three windows to Inigo Place facade, alterations to windows and doors and associated works.		
Agent	Gerald Eve		
On behalf of	Capital and Counties CG Limited		
Registered Numbers	16/04327/FULL and 16/04328/LBC	Date amended/ completed	10 May 2016
Date Application Received	10 May 2016		
Historic Building Grade	33 Bedford Street - Grade II		
Conservation Area	Covent Garden		

1. RECOMMENDATION

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

2. SUMMARY

Nos. 31-32 and 33 Bedford Street are a pair of buildings located within the Covent Garden Conservation Area. No.33 is Grade II listed. The buildings vary in height but both consist of basement, ground and five upper floors. The buildings which are linked internally have lawful office use (Class B1) at basement, part ground and the upper floor levels. A retail unit (Class A1) and restaurant (Class A3) are located at part ground floor level.

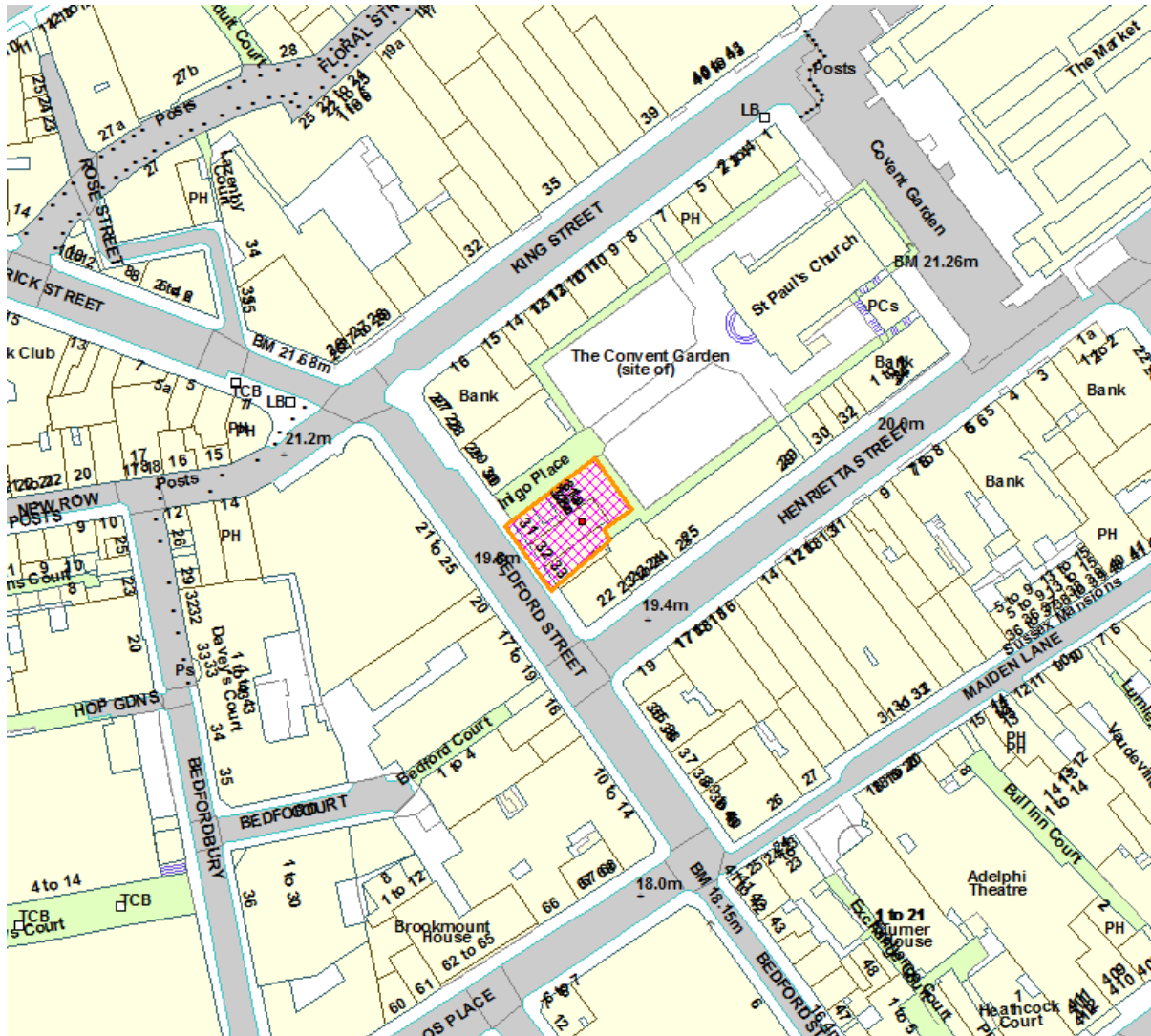
Planning and listed building consent applications have been submitted for the use of the basement, part ground and upper floors as a hotel. Alterations including the erection of a single storey roof extension, creation of roof terraces and installation of plant equipment. Two letters of support including from St Pauls Church and two objections from local amenity groups have been received.

The key issues in this case are:

- Impact of the proposals on the significance of designated heritage assets and the character and appearance of the Covent Garden Conservation Area;
- The impact of the proposals on the amenity of neighbouring occupiers;
- The impact of the proposals on the surrounding highway network.

The proposals are considered acceptable in land use, amenity, design, conservation and listed building terms and comply with the City Council's policies as set out in the Unitary Development Plan (UDP) and Westminster's City Plan (City Plan) July 2016.

3. LOCATION PLAN



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View from Bedford Street



View from St Paul's Churchyard

4. CONSULTATIONS

COVENT GARDEN COMMUNITY ASSOCIATION:

Raise objection on the following grounds:

- The hotel would be too intense of a use on a small, sensitive site in the conservation area.
- Hotel guests would access the hotel through Inigo Place, increasing the footfall and disturbance to the Church and its gardens.
- Noise and disturbance the use would cause to adjacent residents would impact on their amenity – including from terraces.
- Bedford Street would experience further congestion due to servicing.
- The alterations would harm the special architectural and historic interest of the Grade II listed building. In particular concern is raised over the two roof terraces.

COVENT GARDEN AREA TRUST:

Raise objection on the following grounds:

- Overdevelopment and intensity of activity would have a detrimental impact on the character and appearance of the surrounding area.
- Concerned about the level of servicing and deliveries. Bedford Street already suffers from high levels of congestion.
- Change of use from office to hotel and the impact on the balance of uses in the area including the cumulative effect of hotels. Any development must be required to protect, maintain and wherever possible enhance the character of Covent Garden and consideration must be given to the impact of these proposals on the character of the area.

ST PAUL'S CHURCH:

Open dialogue is ongoing between the church, Z Hotels and CAPCO. The church is confident that the proposed new hotel would be a good neighbour.

ENVIRONMENTAL HEALTH:

No objection subject to conditions.

CLEANSING MANAGER:

No objection subject to conditions.

HIGHWAYS PLANNING MANAGER:

Concern is raised over the operational and service management of the hotel. It is recommended that a Servicing and Operational Management Plan be secured by condition.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED:

No. Consulted: 79

Total No. of replies: 1

One letter of support has been received from the owners of 17-19 Bedford Street

PRESS ADVERTISEMENT / SITE NOTICE:

Yes

5. BACKGROUND INFORMATION

5.1 The Application Site

Nos. 31-32 and 33 Bedford Street are a pair of buildings located within the Covent Garden Conservation Area and the Core Central Activities Zone (CAZ). No.33 is Grade II listed. The buildings consist of basement, ground and five upper floors with roof structures above. Both buildings have main street elevations to Bedford Street. No.31-32 has a secondary elevation onto Inigo Place and the rear elevation is also visible from St Paul's Churchyard.

The buildings are linked internally and have lawful office use (Class B1) at basement, part ground and on the upper floor levels. At part ground floor level a restaurant (Class A3) is located in No.31-32 and a retail unit (Class A1) in No.33. No alterations are sought to these retail units.

5.2 Recent Relevant History

31-32 Bedford Street

On 21st October 2013 permission was granted to use part of the basement as a restaurant in connection with the ground floor unit and to use part of the basement, ground and all upper floors as 15 residential flats. The works include a single storey roof extension, plant enclosure and roof terrace (12/09710/FULL).

On 26th March 2014 permission was granted for a similar development to that granted in 2013 for the use of the residential part as eight residential flats rather than 15 (13/10750/FULL).

33 Bedford Street

On 30th January 2012 permission and consent were granted for the use of part basement and first to fifth floors as four residential flats (11/11792/FULL and 11/11793/LBC).

On 17th October 2014 permission and consent were granted for an extension to the mansard roof and creation of a roof terrace in condition with the 2012 permission (14/05541/FULL and 14/05464/LBC).

6. THE PROPOSAL

The application seeks permission to convert the existing office accommodation at part basement, part ground and the upper floors for hotel use with the addition of a roof extension, rooftop plant within an enclosure, photovoltaic panels, creation of two roof terraces and window alterations. The existing ground floor restaurant and retail unit will not be altered. The proposed roof extension is reduced in massing when compared to the extant permission for residential use.

7. DETAILED CONSIDERATIONS

7.1 Land Use

The proposed scheme is for a compact luxury boutique hotel comprising 111 bedrooms with ancillary café. The hotel operator will be Z Hotel who already operates four hotels in Westminster at 17 Moor Street, 5 Lower Belgrave Street, 2 Orange Street and 23 Gloucester Place as well as other locations in London and UK.

Summary Table of Land Uses (sqm)

	EXISTING	PROPOSED
Office (Class B1)	2,681	0
Hotel (Class C1)	0	2,691.5
Retail (Class A1)	50.3	50.3
Restaurant (Class A3)	121	121
TOTAL	2,852.3	2,862.8

Loss of office use

The existing B1 office accommodation (2681sqm) will be replaced by hotel use. Policy S20 of the City Plan July 2016 resists the loss of offices to residential use but there is no policy that resists the loss of existing office space to hotel use (which is another employment-generating use) in this location. The loss of the existing office accommodation is therefore acceptable in principle.

New hotel use

Policy S23 of the City Plan states that new hotels will be directed to the Core CAZ and that existing hotels will be protected where they do not have significant adverse effects on residential amenity and proposals to improve the quality and range of hotels will be encouraged.

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

The hotel will provide 111 rooms of compact size (43 windowless bedrooms) and an ancillary café at ground floor which would have a capacity of up to 36 covers. The hotel will be open 24 hours a day, seven days a week. It is not considered necessary to restrict the use of café to hotel guests only, however, a condition is recommended to restrict the hotel opening for non-guests between 22.30 and 07.00 hours the following day.

The hotels supporting facilities are very limited and therefore guests are likely to be out of the hotel for the majority of the day. The applicants expects that guests would typically

leave in the morning, return for a short period in the evening before leaving again and returning later at night. The main on-site facility for guests is the café which will have a limited food and beverage offer. The café would not be a typical meeting place so the expected footfall to the hotel is expected to be low during the day.

The nearest residential properties to the site are located within St Peter's Court on Henrietta Street being No.33 and on the opposite side of Bedford Street at Nos.19 and 21. The typical character of land uses along Bedford Street is one of retail and entertainment uses on the ground floor with residential and office uses on the upper floors.

It is not considered that there is an over proliferation of hotel uses in the surrounding area and the proposal would complement the existing multifaceted mix of uses in the Covent Garden area as well as cater for tourist and business travellers. It is considered that this location with the CAZ and Covent Garden would be appropriate for a new hotel use.

It is proposed that the details of hotel operation and servicing arrangements be controlled through conditioning a Servicing and Operational Management Plan. This will ensure that the highway network, amenity of neighbouring residents and businesses and the quality of the surrounding environment is adequately safeguarded. The servicing and highways implications of the development are detailed later in this report.

7.2 Townscape and Design

No.31-32 is an attractive, late Victorian, red brick building with terracotta panels and Dutch gables. The building was much altered in the 1980s, particularly internally and at roof level. It is considered to make a positive contribution to the character and appearance of the conservation area.

No.33 is a Grade II listed building dating to the 1860s. The building is of a lesser scale than its neighbours, has a rendered façade with a vertical hierarchy of windows with detailed cornice that abuts the adjoining buildings. An additional roof storey was added in the 1980s.

The external alterations are focused at roof level. The larger of the two buildings, No.31-32, has a double height, steeply pitched mansard with dormers, with a small stair enclosure, two plant enclosures and a lift overrun above. The existing roof is visible in long views, notably from St Paul's Church. The proposal seeks to increase the size of the roof enclosure, using the same design and materials, and re-arrange the plant areas.

The roof level extensions proposed are comparable to the recently approved scheme in terms of design approach, though slightly more bulk is being proposed. However the overall impact is not considered to harm the roofscape or the character and appearance of the area.

Roof top plant and PV panels were previously approved; with the plant enclosed within slate covered structures which matched the height and building line of the existing roof top structure. Following officer advice the current proposals have been revised to reflect more closely the approved scheme in terms of the form and materials of the enclosure.

To No.33 the principal front room of no.33 retains numerous interior details. To avoid them proposals seek to install a pod bathroom, which would terminate below the ceiling and would be set in from the walls. This allows for the room proportions to be understood and the details to be unimpaired. Secondary glazing is a sensitive approach to upgrading the thermal and acoustic quality of the windows and is not opposed.

A roof terrace was approved in 2013 however it was concealed by the mansard roof which removed the need for balustrading to the front. Current proposals retain the existing roof form and position the roof terrace towards the rear of the site, which appears to limit its impact on street level views. Delineated by vertical metal railings, the changes to the terrace are not opposed.

It is considered that the roof level works do not have a detrimental impact on the view from the churchyard, in any other views or on the character and appearance of the conservation area. The extension is compliant with UDP Policies DES 6 and DES 9 and is considered acceptable.

7.3 Amenity

Policy ENV13 of the UDP states that the Council will resist proposals that would result in a loss of daylight/sunlight, particularly to existing dwellings, and that developments should not result in a significant increased sense of enclosure, overlooking or cause unacceptable overshadowing.

The majority of neighbouring properties are in commercial use. However, there are some residential properties nearby with the nearest being located to the north east within St Peter's Court at 25-29 Henrietta Street. No objections have been received from residents on the grounds of loss of amenity.

Sunlight and Daylight

The applicant has undertaken a daylight and sunlight assessment in accordance with the BRE guidelines. Windows in the nearest affected residential properties within St Peter's Court have been tested for daylight and sunlight and comply with BRE guidelines with reductions of less than 20% and as such are considered acceptable.

Sense of Enclosure

Policy ENV13 also states that developments should not result in an increased sense of enclosure. The proposed rooftop structures will not be higher than the existing structures but they are being enlarged. The additional bulk is modest and reduced in mass compared to the extant permission. It is considered that the resulting relationship between the extended building and neighbouring residential buildings would not result in an unacceptable increase in sense of enclosure.

Privacy

Policy ENV13 seeks to resist development which would result in an unacceptable degree of overlooking. The application proposes two roof terraces at main roof level to serve one bedroom each. The nearest residential occupiers are located within St Peter's Court, which is located over 10m from the proposed terrace to the roof of No.33 and at an oblique angle. Given that the terrace is also set back from the roof edge, it is considered that the terrace will not lead to an unacceptable loss of residential amenity in terms of overlooking.

Noise

The two roof terraces will serve one bedroom each. The applicant has confirmed within the operation management statement that the terraces will be not be used beyond 22.30 hours. On this basis it is considered that the level of noise associated with the terraces would not be unacceptably harmful to neighbouring occupiers.

The applicant is willing to accept a condition to restrict the terraces so that are not in use after 22.30 hours. The extent permission allowed for unrestricted terraces at roof level in connection with the permitted residential use.

The applicant confirms that the ancillary café at ground floor level is for guests of the hotel only. Notwithstanding this a condition is recommended to restrict the hotel opening for non-guests between 07.00 - 22.30 hours each day. It is considered that the hotel operation and activity from guests would not result in an unacceptable increase in noise or disturbance to neighbours.

Mechanical plant is to be located at roof level within a dedicated acoustic enclosure. Subject to conditions Environmental Health officers have no objection and it is considered that the plant will not result in noise nuisance or a loss of neighbouring amenity.

7.4 Transportation/Parking**Cycle Parking**

10 secure cycle parking spaces are to be provided at basement level in accordance with Policy TRANS10. It is recommended that their provision is secured by condition.

Servicing and deliveries

The existing buildings currently have no vehicular access and no off-street parking. Servicing and refuse collection is currently undertaken on-street. Although UDP policy TRANS20 requires the provision of off-site servicing arrangements in new developments, it is accepted that this is not possible as part of this scheme which does not involve comprehensive redevelopment of the site.

Servicing of the hotel will need to be undertaken from Bedford Street. The applicant estimates that approximately four small to medium sized van deliveries would be required per day between the hours of 07.00 and 10.30.

It is acknowledged that it is not an ideal solution to service from the street, but given the existing uncontrolled servicing arrangements for the offices and the proposed rationalisation of servicing under one operator, it is considered that planning permission could not reasonably be withheld on servicing grounds. Subject to the submission of a

Servicing and Operational Management Plan, it is considered that the hotel use would not generate an unacceptable level of highways disruption sufficient to warrant refusal.

The Highways Planning Manager requests details of how coaches and taxis will be managed. The applicant has confirmed that bookings for coach parties will not be accepted. Highways Planning is concerned that this may change in future, however if the Servicing and Operational Management Plan explicitly rules out coach parties, any future change to accept coach parties would subsequently need approval by the Council.

With regard to taxis, both the existing office and proposed hotel users would use taxis. The submitted Transport Statement confirms that the proposed use would represent a reduction in pedestrian, servicing and car borne trips. This reduction with the added control that will be in place by condition should serve to adequately mitigate any impacts on the highway network.

7.5 Economic Considerations

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

7.6 Access

As is the situation with the existing office use, the primary access to the hotel will be from Inigo Place which is not public highway. A secondary access is available from Bedford Street. The applicant has been in talks with St Paul's Church to prevent access via Inigo Place when events are ongoing at the church. In terms of night time access, it is envisaged that a pedestrian gate on Inigo Place will be accessible via an intercom system.

The proposed development has been designed to meet the requirements of the Disability Discrimination Act (DDA) and incorporates the principles of inclusive design. A new DDA compliant lift is proposed which will provide access to each floor level apart from the sixth floor to No.31-32. Six of the rooms are designed to be fully accessible with a further six being adaptable.

7.7 Other UDP/Westminster Policy Considerations

Refuse /Recycling

The waste store is to be located at ground floor level. The Cleansing Manager is satisfied with the refuse arrangements and the provision of the storage is recommended to be secured by condition.

Sustainability

Policy S28 of the City Plan requires developments to incorporate exemplary standards of sustainable and inclusive urban design and architecture.

The NPPF establishes a presumption in favour of sustainable development. London Plan Policy 5.3 also requires developments to achieve the highest standards of sustainable design, with Policy 5.2 seeking to minimise carbon emissions through a 'Be Lean, Be Clean and Be Green' energy hierarchy.

In this case there are acknowledged constraints to providing sustainability measures as much of the existing buildings fabric is to be retained. Nonetheless, photovoltaic panels are proposed to the roof of No. 31-32 along with other carbon reduction technologies.

It is estimated that for the whole site the proposal will achieve an overall total carbon reduction of 31%. The targeted BREEAM score is 'Very Good' and given the constraints of the site, the overall sustainability considerations of the scheme are acceptable.

7.8 London Plan

This application raises no strategic issues.

7.9 National Policy/Guidance Considerations

The City Plan and UDP policies referred to in the consideration of this application are considered to be consistent with the NPPF unless stated otherwise.

7.10 Planning Obligations

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

7.11 Other Issues

Security

The hotel will have a 24 hour presence and as such will likely discourage the anti-social behaviour which has been reported to be experienced in Inigo Place. The applicant has confirmed that subject to this application being successful, a separate application for CCTV and lighting will be submitted. Officers have been advised that the details of the forthcoming security proposals will have formed part of the wider discussions with the St Paul's Church.

8. BACKGROUND PAPERS

1. Application form.
2. Response from Covent Garden Community Association dated 26th May 2016.
3. Response from Covent Garden Area Trust dated 20th June 2016.
4. Memorandum from Highways Planning dated 26th May 2016.
5. Memorandum from Environmental Health dated 8th June 2016.
6. Memorandum from Cleansing dated 27th June 2016.
7. Letter from St Paul's Church dated 13th June 2016.
8. Letter from Dukelease Properties dated 15th June 2016.

(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: DAVID DORWARD BY EMAIL AT DDORWARD@WESTMINSTER.GOV.UK


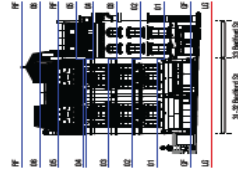
4.1 Existing Plans

The existing buildings comprise of a basement level, ground floor level plus five storeys. Higher floor-to-ceiling heights at number 31-32 Bedford Street result in the ridge height to be approximately 2.7 metres higher compared to 33 Bedford Street. Floor levels between the two buildings are not aligned.

For more details please refer to architectural drawings submitted as part of this planning application.

Key:

-  Denotes extent of the building fabric
-  Existing retail units to remain
-  Office use
-  Circulation
-  Plant

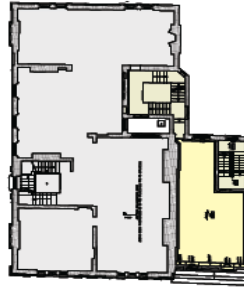

Existing Ground Floor



Existing First Floor



Existing Third Floor



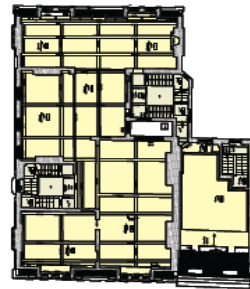
Existing Fourth Floor (Bedford St. 33)



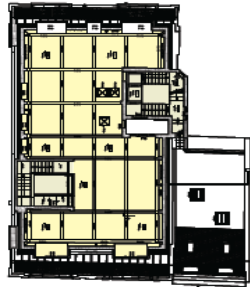
Existing Lower Ground Floor



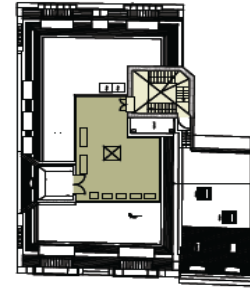
Existing Second Floor



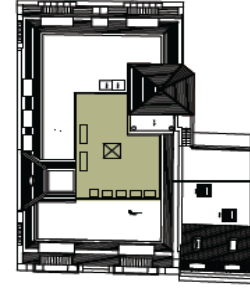
Existing Fourth Floor (Bedford St. 31-32) & Fifth Floor (Bedford St. 33)



Existing Fifth Floor (Bedford St. 31-32) & Roof Plan (Bedford St. 33)



Existing Sixth Floor



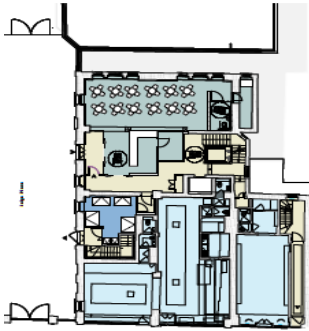
Existing Roof Plan

4.2 Proposed Plans

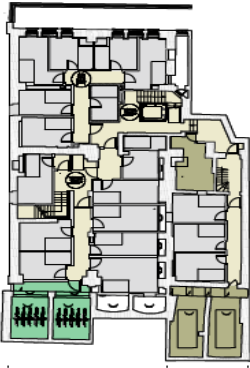
The proposal includes hotel reception and cafe at ground floor with the main entrance via Inigo Place. 111 hotel bedrooms are located over nine floors.
For more details please refer to architectural drawings submitted as part of this planning application.

Key:

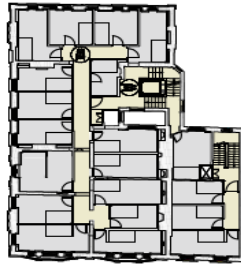
- Denotes extent of the building fabric
- Existing retail units to remain
- Proposed new fabric
- Hotel room
- Circulation
- Cafe/reception
- Plant
- Roof terrace
- Waste storage
- Bike storage



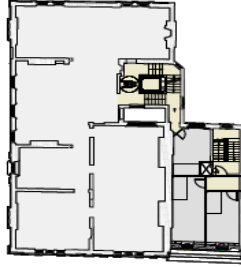
Proposed Ground Floor



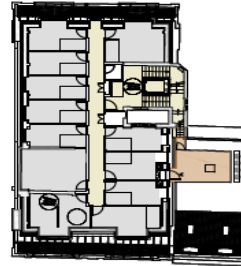
Proposed Lower Ground Floor



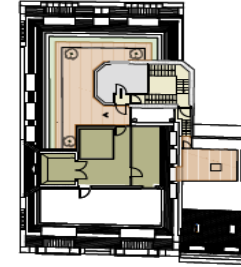
Proposed Third Floor



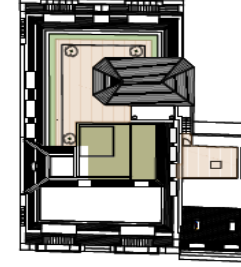
Proposed Fourth Floor (Bedford St. 33)



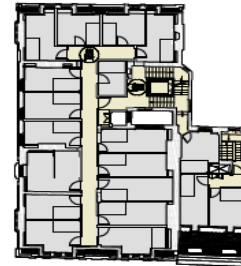
Proposed Fifth Floor (Bedford St. 31-32) & Roof Plan (Bedford St. 33)



Proposed Sixth Floor



Proposed Roof Plan



Proposed Fourth Floor (Bedford St. 31-32) & Fifth Floor (Bedford St. 33)

Note: drawings not to scale

Existing front/East elevation



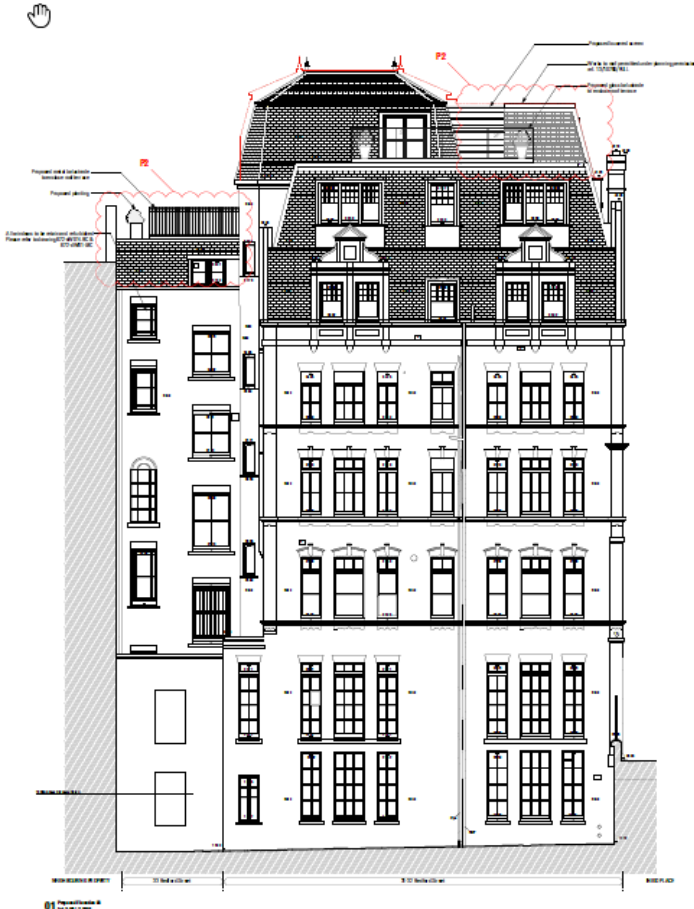
Proposed front/East elevation



Existing rear/West elevation



Proposed rear/West elevation



DRAFT DECISION LETTER

Address: 31-32 And 33 Bedford Street, London, WC2E 9ED,

Proposal: Use of basement, part ground and upper floors as an hotel (Use Class C1) including ancillary cafe use and reception at ground floor level. Alterations at roof level including the erection of a single storey extension, creation of roof terraces, installation of plant equipment within an enclosure and installation of photovoltaic panels. Refurbishment and alterations of the buildings generally including re-introduction of three windows to Inigo Place facade, alterations to windows and doors and associated works.

Reference: 16/04327/FULL

Plan Nos: 872-EXS00-P1; 872-EXB1-P1; 872-EX00-P1; 872-EX01-P1; 872-EX02-P1; 872-EX03-P1; 872-EX04-P1; 872-EX05-P1; 872-EX05'-P1; 872-EX06-P1; 872-EXRF-P1; 872-EXGE01-P1; 872-EXGE02-P1; 872-EXGE03-P1; 872-EXGE04-P1; 872-EXGS01-P1; 872-EXGS02-P1; 872-EXGS03-P1; 872-GAB1-P1; 872-GA00-P2; 872-GA01-P1; 872-GA02-P1; 872-GA03-P1; 872-GA04-P1; 872-GA05-P1; 872-GA05'-P2; 872-GA06-P2; 872-GARF-P2; 872-GE01-P2; 872-GE02-P2; 872-GE03-P2; 872-GE04-P2; 872-GS01-P1; 872-GS02-P2; 872-GS03-P2; 872-dR01-P2; 872-dW01-P1; 872-dW02-P2; 872-dW03-P1; 872-EXB1/00-LBC-P1; 872-EX01/02-LBC-P1; 872-EX03/04-LBC-P1; 872-EX05/RF-LBC-P1; 872-EXGE01-LBC-P1; 872-EXGS01-LBC-P1; 872-DEB1/00-LBC-P1; 872-DE01/02-LBC-P1; 872-DE03/04-LBC-P1; 872-DE05/RF-LBC-P1; 872-DEGE01-LBC-P1; 872-DEGS01-LBC-P1; 872-GAB1/00-LBC-P1; 872-GA01/02-LBC-P1; 872-GA03/04-LBC-P1; 872-GA05/RF-LBC-P2; 872-GE01-LBC-P2; 872-GS01-LBC-P2; 872-cJ01-P1; 872-cW01-LBC-P1; 872-dW01-LBC-P1; Planning Statement; Design and Access Statement; Historic Building Report; Transport Statement; Noise Impact Assessment; Sustainability Design and Construction Statement; BREEAM Pre-assessment; Energy and Renewables Statement; Daylight and Sunlight Impact Assessment; Statement of Community Involvement; Draft Operating Management Strategy.

Case Officer: Vincent Nally

Direct Tel. No. 020 7641 5947

Recommended Condition(s) and Reason(s):

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

Reason:

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.

- 2 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only:
- o between 08.00 and 18.00 Monday to Friday;
 - o between 08.00 and 13.00 on Saturday; and
 - o not at all on Sundays, bank holidays and public holidays.

You must carry out piling, excavation and demolition work only:

- o between 08.00 and 18.00 Monday to Friday; and
- o not at all on Saturdays, Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (July 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings we have approved or are required by conditions to this permission. (C26AA)

Reason:

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

- 4 Notwithstanding what is shown on the approved drawings, planters are not approved to the roof of 33 Bedford Street.

Reason:

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

- 5 You must apply to us for approval of detailed drawings showing the following alteration(s) to the scheme:

The detailed design of the railings to the roof terrace of no.33 should be simplified to comprise vertical balustrades and a horizontal handrail.

You must not start on these parts of the work until we have approved what you have sent us. You must then carry out the work according to the approved drawings. (C26UB)

Reason:

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

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

Reason:

To protect the environment of people in neighbouring properties, as set out in S32 of Westminster's City Plan (July 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13BC)

- 7 No amplified music shall be played on the external hotel terraces.

Reason:

To protect the environment of people in neighbouring properties, as set out in S32 of Westminster's City Plan (July 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13BC)

- 8 The hotel shall only be open to non-hotel guests between 07.00 – 22.30 hours each day.

Reason:

To protect the environment of people in neighbouring properties, as set out in S32 of Westminster's City Plan (July 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13BC)

- 9 You must put up the plant screen shown on the approved drawings before you use the machinery. You must then maintain it in the form shown for as long as the machinery remains in place. (C13DA)

Reason:

To protect the environment of people in neighbouring properties, as set out in S32 of Westminster's City Plan (July 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13BC)

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

Reason:

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

- 11 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 (July 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

- 12 (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 (July 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

- 13 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.

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

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

(3) Following completion of the development, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:

- (a) The location of most affected noise sensitive receptor location and the most affected window of it;
- (b) Distances between the application premises and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- (c) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (a) above (or a suitable representative position), at times when background noise is at its lowest during the permitted hours of use. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
- (d) The lowest existing LA90, 15 mins measurement recorded under (c) above;
- (e) Measurement evidence and any calculations demonstrating that the activity complies with the planning condition;
- (f) The proposed maximum noise level to be emitted by the activity.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007 (UDP), so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (July 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

- 15 Guests shall not be permitted onto the external terraces before 0600hrs or after 2230hrs each day. (C12AD)

Reason:

To protect the environment of people in neighbouring properties, as set out in S32 of Westminster's City Plan (July 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13BC)

- 16 You must provide the waste store shown on drawing 872-GA00-P2 before anyone moves into the property. You must clearly mark it and make it available at all times to everyone using the hotel. You must store waste inside the property and only put it outside just before it is going to be collected. You must not use the waste store for any other purpose. (C14DC)

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan (July 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

- 17 You must provide each cycle parking space shown on the approved drawings prior to

occupation. Thereafter the cycle spaces must be retained and the space used for no other purpose without the prior written consent of the local planning authority.

Reason:

To provide cycle parking spaces for people using the development as set out in Policy 6.9 (Table 6.3) of the London Plan 2015.

- 18 You must apply to us for approval of a Servicing and Operational Management Plan prior to occupation. The plan should identify process, internal storage locations, scheduling of deliveries and staffing, and a clear process for managing taxis and private hire vehicles arrivals/ departures including measures to deter coaches. You must not commence the hotel use until we have approved what you have sent us. The Servicing and Operational Management Plan must thereafter be maintained and followed by the occupants for the life of the development.

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan (July 2016) and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

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 (July 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 You may need to get separate permission under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 if you want to put up an advertisement at the property. (I03AA)
- 3 Please contact our Cleansing section on 020 7641 7962 about your arrangements for storing and collecting waste. (I08AA)
- 4 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)

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

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

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

Phone: 020 7641 2000

Our Environmental Health Service may change the hours of working we have set out in this permission if your work is particularly noisy. Deliveries to and from the site should not take place outside the permitted hours unless you have our written approval. (I50AA)

- 6 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.
- 7 The construction manager should keep residents and others informed about unavoidable disturbance such as noise, dust and extended working hours, and disruption of traffic. Site neighbours should be given clear information well in advance, preferably in writing, perhaps by issuing regular bulletins about site progress.

DRAFT DECISION LETTER

- Address:** 31-32 And 33 Bedford Street, London, WC2E 9ED,
- Proposal:** Use of 33 Bedford Street part basement and first to fifth floors as a hotel (Use Class C1) in conjunction with adjacent property 31-32 Bedford Street. Alterations to front and rear windows and doors, installation of secondary glazing, erection of boiler flue and ventilation grilles to rear, installation of replacement windows at roof level, extension to mansard roof, creation of a terrace, cleaning of the facade and internal alterations including partitioning.
- Reference:** 16/04328/LBC
- Plan Nos:** 872-EXS00-P1; 872-EXB1-P1; 872-EX00-P1; 872-EX01-P1; 872-EX02-P1; 872-EX03-P1; 872-EX04-P1; 872-EX05-P1; 872-EX05'-P1; 872-EX06-P1; 872-EXRF-P1; 872-EXGE01-P1; 872-EXGE02-P1; 872-EXGE03-P1; 872-EXGE04-P1; 872-EXGS01-P1; 872-EXGS02-P1; 872-EXGS03-P1; 872-GAB1-P1; 872-GA00-P2; 872-GA01-P1; 872-GA02-P1; 872-GA03-P1; 872-GA04-P1; 872-GA05-P1; 872-GA05'-P2; 872-GA06-P2; 872-GARF-P2; 872-GE01-P2; 872-GE02-P2; 872-GE03-P2; 872-GE04-P2; 872-GS01-P1; 872-GS02-P2; 872-GS03-P2; 872-dR01-P2; 872-dW01-P1; 872-dW02-P2; 872-dW03-P1; 872-EXB1/00-LBC-P1; 872-EX01/02-LBC-P1; 872-EX03/04-LBC-P1; 872-EX05/RF-LBC-P1; 872-EXGE01-LBC-P1; 872-EXGS01-LBC-P1; 872-DEB1/00-LBC-P1; 872-DE01/02-LBC-P1; 872-DE03/04-LBC-P1; 872-DE05/RF-LBC-P1; 872-DEGE01-LBC-P1; 872-DEGS01-LBC-P1; 872-GAB1/00-LBC-P1; 872-GA01/02-LBC-P1; 872-GA03/04-LBC-P1; 872-GA05/RF-LBC-P2; 872-GE01-LBC-P2; 872-GS01-LBC-P2; 872-cJ01-P1; 872-cW01-LBC-P1; 872-dW01-LBC-P1; Planning Statement; Design and Access Statement; Historic Building Report; Transport Statement; Noise Impact Assessment; Sustainability Design and Construction Statement; BREEAM Pre-assessment; Energy and Renewables Statement; Daylight and Sunlight Impact Assessment; Statement of Community Involvement; Draft Operating Management Strategy.

Case Officer: Vincent Nally

Direct Tel. No. 020 7641 5947

Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:

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

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Covent Garden Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007.

(R27AC)

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

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Covent Garden Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007.

(R27AC)

- 4 You must scribe all new partitions around the existing ornamental plaster mouldings. (C27JA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Covent Garden Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007.

(R27AC)

- 5 Notwithstanding what is shown on the approved drawings, planters are not approved to the roof of 33 Bedford Street.

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Covent Garden Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007.

(R27AC)

- 6 You must apply to us for approval of detailed drawings showing the following alteration(s) to the scheme:

The detailed design of the railings to the roof terrace of no.33 should be simplified to comprise vertical balustrades and a horizontal handrail.

You must not start on these parts of the work until we have approved what you have sent us. You must then carry out the work according to the approved drawings. (C26UB)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph Covent Garden of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

Informative(s):

- 1 SUMMARY OF REASONS FOR GRANTING CONDITIONAL LISTED BUILDING CONSENT - In reaching the decision to grant listed building consent with conditions, the City Council has had regard to the relevant policies in the National Planning Policy Framework March 2012, the London Plan July 2011, Westminster's City Plan (July 2016), and the City of Westminster Unitary Development Plan adopted January 2007, as well as relevant supplementary planning guidance, representations received and all other material considerations.

The City Council decided that the proposed works would not harm the character of this building of special architectural or historic interest.

In reaching this decision the following were of particular relevance:

S25 and S28 of Westminster's City Plan: Strategic Policies and DES 10 including paras 10.130 to 10.146 of the Unitary Development Plan, and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

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

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

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