

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 27 March 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved St James's	
Subject of Report	St Martin's Courtyard, (including Units 19, 21, 23, and 25 Slingsby Place and 7 - 9 Mercer Street), London, WC2E 9AB		
Proposal	<p>Application 1: Use of units 19 and 21 Slingsby Place as a Class A3 restaurant and erection of kitchen extract duct at rear.</p> <p>Application 2: Alterations to the Mercer Street entrance to St Martins Courtyard including display of fascia signage.</p> <p>Application 3: Alterations to the Upper St Martin's Lane entrance to St Martin's Courtyard including installation of an illuminated brass entrance canopy with painting of the adjacent ground floor facade.</p> <p>Application 4: Alterations to the Long Acre entrance to St Martin's Courtyard including installation of an externally illuminated flower canopy.</p> <p>Application 5: Alterations to St Martin's Courtyard elevations, including installation of a ground floor colonnade with first floor restaurant terrace and awnings along the south facing elevation of Units 19 – 25 Slingsby Place; new cladding to 23 Slingsby Place at first floor level and to the west facing elevation of 7 - 9 Mercer Street; new lighting in the south western area of the courtyard; new paving; and display of associated signage.</p>		
Agent	Rolfe Judd Planning		
On behalf of	Longmartin Properties Ltd		
Registered Number	Application1: 17/11001/FULL Application 2: 17/11002/FULL & 17/11003/ADV Application 3: 17/11006/FULL & 17/11007/ADV	Date amended/ completed	13 December 2017

	Application 4: 17/11004/FULL & 17/11005/ADV Application 5: 17/10999/FULL & 17/11000/ADV		
Date Application Received	13 December 2017		
Historic Building Grade	Unlisted		
Conservation Area	Covent Garden (Applications 2, 4 and 5)		

1. RECOMMENDATION

Applications 1, 2, 3, 4 and 5: Grant conditional permission.

Applications 2, 3, 4 and 5: Grant conditional advertisement consent.

2. SUMMARY

Site and Surroundings

St Martin's Courtyard is a mixed-use development including retail, entertainment, office, and residential accommodation, which is bounded by Mercer Street, Long Acre, Upper St Martin's Lane and Shelton Street.

The courtyard can be accessed from entrances on Mercer Street, Upper St Martins Lane and Long Acre. The buildings within and around the courtyard are not listed; however the eastern part of St Martin's Courtyard is located within the Covent Garden Conservation Area. The site lies within the Central Activities Zone and the West End Stress Area.

Relevant History

St Martin's Courtyard has been developed following various permissions between 2008 and 2011 for extensions and alterations to provide a mixed-use site of retail, restaurant, office and residential.

Proposals

This report concerns a number of applications submitted by Longmartin Properties Ltd, a consortium of Shaftesbury Plc and The Mercers Company, who wish to enhance the vibrancy, identity and attractiveness of St Martin's Courtyard and make it more inviting to passers-by. The applications relate to Units 19, 21, 23 and 25 Slingsby Place, 7 – 9 Mercer Street, and the entrances on Mercers Street, Upper St Martins Lane and Long Acre.

Application 1 (Units 19 – 21 Slingsby Place):

This proposal seeks a change of use of units 19 and 21 Slingsby Place from A1 retail to A3 restaurant at the ground and basement floors. At roof level and to the rear, a new kitchen extract duct is proposed to serve the new restaurant.

Application 2 (Mercer Street Entrance):

This proposal seeks alterations to the Mercer Street entrance, including a new bay window at first floor level framed by Corian cladding, new signage, and lighting within the underpass leading to the courtyard.

Application 3 (Upper St Martin's Lane Entrance):

This proposal seeks alterations to the Upper St Martin's Lane entrance, including the installation of an illuminated brass entrance canopy, new signage, and painting of the adjacent ground floor facade.

Application 4 (Long Acre Entrance):

This proposal seeks to install an externally illuminated hanging flower canopy, which would be located at first floor level between the flank elevations of buildings on the Long Acre entrance.

Application 5 (Units 19, 21, 23 and 25 Slingsby Place and 7 - 9 Mercer Street):

This proposal seeks to install a ground floor colonnade with first floor restaurant terrace and awnings along the south facing elevation of units 19 – 25 Slingsby Place; new cladding to 23 Slingsby Place at first floor level and also to the west facing elevation of 7 - 9 Mercer Street; new lighting hung around a tree in the south western area of the courtyard; new paving; and display of associated signage.

The key issues with these application are:

- The land use implications arising from the loss of A1 retail and the creation of A3 restaurant floorspace;
- The impact of the proposals of the character and appearance of the area including the Covent Garden Conservation Area;
- The impact of the proposal on the amenity of neighbouring occupiers;
- The impact of the proposals on the surrounding highway network in terms of servicing.

The Covent Garden Community Association (CGCA) raise a number of concerns with the proposals relating to land use, design, amenity, and servicing.

Application 1 (Units 19 – 21 Slingsby Place)

In terms of land use, the basement and ground floors of Units 19 and 21 Slingsby Place were last in use as retail (Class A1) but both are currently vacant. The proposal seeks to amalgamate both units and a change of use to a restaurant (Class A3). The table below sets out the existing and proposed land use floor areas:

Units 19 - 21	Existing GIA (sqm)	Proposed GIA (sqm)
Retail A1	398	
Restaurant A3		398

The CGCA object to the loss of A1 retail and the increase in A3 restaurant floorspace, which they consider will upset the balance between retail and restaurant uses and lead to additional servicing which would harm the amenity of residents.

The loss of existing A1 floorspace (398 sqm) at Units 19-21 Slingsby Place to create a new A3 restaurant is contrary to policy S21 of Westminster's City Plan (November 2016) and SS5 of Westminster's Unitary Development Plan (January 2007), which seek to protect A1 floorspace within the CAZ.

The applicant argues that both units have been vacant for some time. Unit 21 has been vacant for 12 months and Unit 19 recently exercised a break clause in their lease citing poor trading performance as a reason for withdrawing from the tenancy. Given that this is fairly new retail floorspace (created between 2008 and 2011); and also taking into account the period of vacancy and the back land location, it is not considered that the loss of these A1 retail units would significantly harm the attractiveness of the West End as a shopping destination. The proposals are also part of wider plans to enhance the existing courtyard and create a more appealing space for visitors. On balance, it is considered that an additional A3 restaurant is an appropriate use for this location.

The retail units within the courtyard are restricted by conditions on the original planning consents for the redevelopment, restricting opening hours to between 07:30 and 24:00 and servicing to between 07:30 and 11:30.

The Highways Planning Manager acknowledges that an A3 unit would require more servicing but has no objection subject to a condition requiring that all servicing takes place off-street in line with the original permission.

At roof level and to the rear yard area, a new kitchen extract duct is proposed to serve the new restaurant. The extract duct is in a concealed location with limited views and as such is acceptable in design terms.

The kitchen extract duct will discharge at the top of the building and away from the nearest residential dwellings in a manner that should allow sufficient dilution and dispersal of cooking odours and fumes. Environmental health raise no objection subject to the standard noise conditions.

Application 2 (Mercer Street Entrance, Mercer Street)

The Mercer Street entrance falls within the Covent Garden Conservation Area and is in a historic townscape setting with nearby listed buildings. This proposal seeks alterations to the Mercer Street entrance, including a new bay window at first floor level framed by Corian cladding, new signage, and lighting within the underpass leading to the courtyard. The scale, design and materiality of the projecting bay is considered acceptable. The proposal would enliven this façade, whilst respecting the character and appearance of the host building, adjoining terrace, and conservation area.

Within the underpass leading into St Martin's courtyard, it is proposed to install flower bed effect lighting and a mirrored 'ceiling garden' of cut out leaves where light will shine down creating coloured shadows across the floor. The CGCA have no objection to this proposal provided the lighting does not have an impact on the amenity of adjacent residents. It is not considered that the new lighting within the underpass would adversely affect the amenity of the nearest residents who are located at second floor level adjacent to the entrance on Mercer Street. No objections have been received from surrounding residents.

Application 3 (Upper St Martin's Lane Entrance)

This proposal seeks alterations to the Upper St Martin's Lane entrance, including the installation of an illuminated brass entrance canopy. Signage is proposed on top of the canopy, which will be illuminated via single bulbs. The adjacent ground floor façade will be painted in a metallic paint, with a petal design in keeping with the flower theme of the other proposals.

The CGCA object to this proposal on grounds it would harm the character and appearance of the Covent Garden Conservation Area, would not be sympathetic to the listed buildings and structures in the Covent Garden and Seven Dials Conservation Areas, and would detract from the iconic view of the Seven Dials Monument as viewed from Upper St Martin's Lane and Monmouth Street.

The Upper St Martin's Lane entrance is outside a conservation area and set within a largely undistinguished building. The degree of projection at 3.5m is considerable but is not considered to harm street views from north and south. The canopy would not detract from the view of Seven Dials Monument as this only becomes visible beyond the Upper St Martin's Lane entrance. Given the above, there is no design objection to the principle of a projecting canopy as proposed.

Application 4 (Long Acre Entrance)

This proposal seeks to install an externally illuminated hanging flower canopy, which would be located at first floor level between the flank elevations of buildings on the Long Acre entrance. The aim is to enhance and improve the Long Acre entrance and give the entrance identity. The flower canopy would make use of existing wall-mounted hangers, which are positioned on the elevations of the buildings. The flower canopy would be constructed from powder coated fretwork metal, and lit from above and below, to create dappled light effects on the floor. The entrance to St Martin's Courtyard from Long Acre is long, narrow and uninviting. There is no design objection to the proposal, which is considered to add interest and vitality to the entrance.

The CGCA raise concern that the lighting may cause light pollution and request a condition should be included that limits the hours of the lighting and requires the lights to be positioned so they do not shine directly or spill into residential windows. The lights to the Long Acre entrance are mostly downlighters attached to the columns between the windows to shine through the flowers and create dappled light effects on the pavement. Ground floor uplighters are also proposed to shine up onto the flowers.

The uses surrounding the long Acre entrance are mostly commercial although there is some residential on the corner of Long Acre and Slingsby Place at second, third and fourth floor levels. The lighting is generally located away from residential properties within St Martin's Courtyard. The lighting is to be controlled by DMX controller, effectively a remote control, which can adjust the brightness and configuration of the lights, and therefore the lighting can be controlled to be sensitive to any impact on residential windows. An informative is attached to advise the applicants to take into account the impact on neighbouring properties. The applicant has advised that the lighting of the flower canopy would be turned off at 00.30. The extent of lighting proposed is considered relatively modest in nature and unlikely to raise any significant amenity concerns.

Application 5 (Units 19, 21, 23 and 25 Slingsby Place and 7 - 9 Mercer Street)

This proposal seeks to install a ground floor colonnade with first floor restaurant terrace and awnings along the south facing elevation of units 19 – 25 Slingsby Place; new cladding to 23 Slingsby Place at first floor level and also to the west facing elevation of 7 - 9 Mercer Street; new lighting hung around a tree in the south western area of the courtyard; new paving; and the display of associated signage.

In design terms, there is no objection to the proposed works to the interior courtyard. The materials of the colonnade, cladding, and paving would comprise of acrylic stone, Corian cladding, and York stone paving, which are considered acceptable in this location.

The colonnade would extend across the façade of Units 19 – 25 Slingsby Place and would be capable of providing a covered seating area for the ground floor premises. Above the colonnade, a first floor restaurant terrace would provide an additional 81sqm of restaurant area for Unit 23 'Suda Restaurant', which occupies the entire first floor. The terrace would provide 11 tables and 36 chairs.

The CGCA raise concerns regarding potential disturbance to adjacent residents and they recommend that the tables and chairs should only be placed outside the premises until 21.00. Outdoor seating has already been approved elsewhere in the courtyard. The nearest residential properties are on the upper floors of 11 Upper St Martin's Lane, above 'Bills' and 'Jamie's Italian' restaurants, which have outdoor seating on the ground floor. The applicant has agreed to a condition to restrict the use of the first floor restaurant terrace to 22.00, which is considered appropriate in amenity terms.

The new cladding to the first floor south facing elevation and west facing elevation continues with the flower theme with backlit flower petals. Other courtyard enhancements include new lighting hung around a tree in the southwest corner of the courtyard, comprising of hanging mirrored diamonds. These are considered to add vibrancy and visual interest to the courtyard.

Overall, the aims of all the proposals to enhance St Martins Courtyard and the surrounding area to allow for a more vibrant and attractive courtyard are welcomed.

3. LOCATION PLAN



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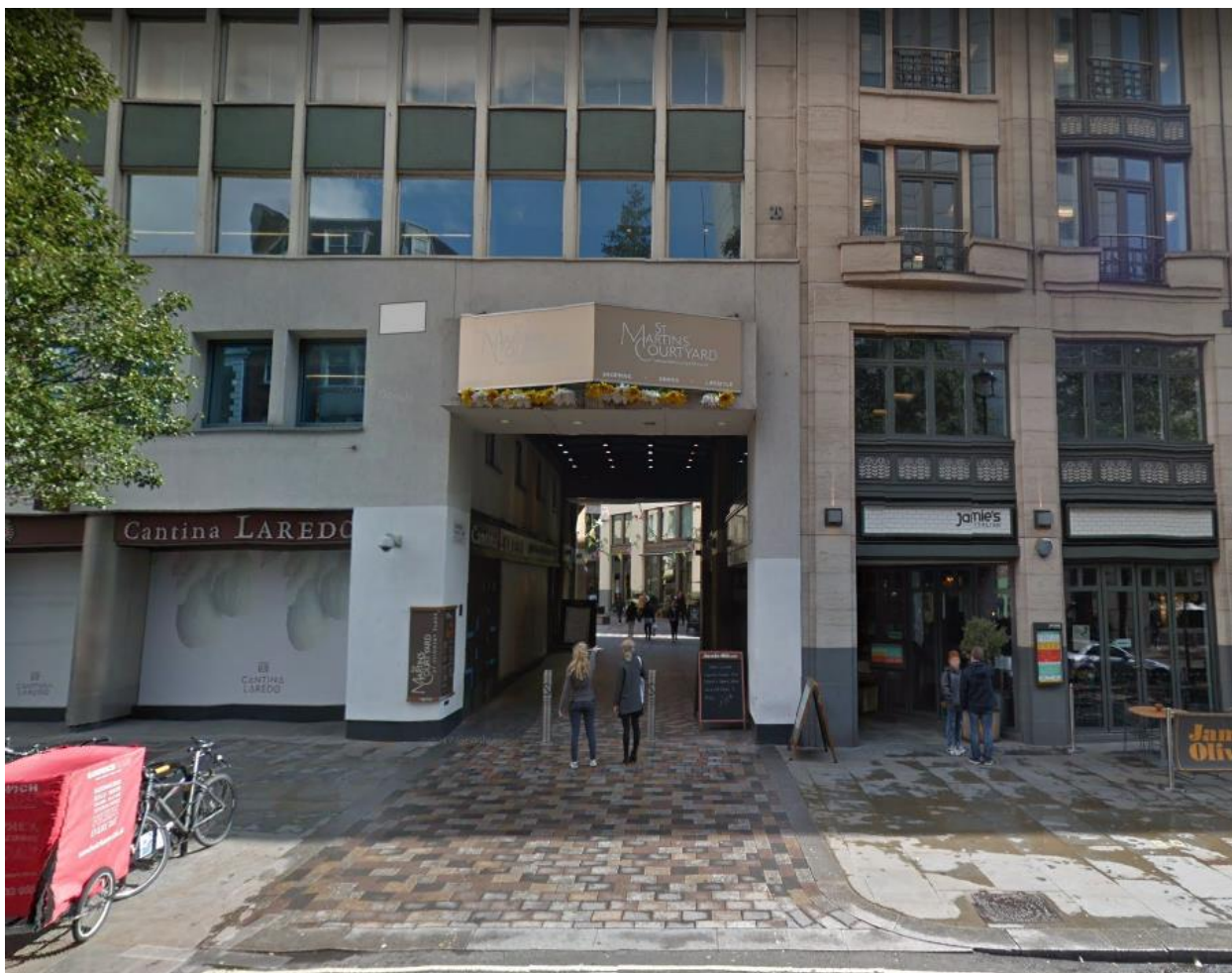
4. PHOTOGRAPHS



Application 1: Units 19 and 21 Slingsby Place, St Martin's Courtyard



Application 2: Mercer Street entrance to St Martins Courtyard



Application 3: Upper St Martin's Lane entrance to St Martin's Courtyard



Application 4: Long Acre entrance to St Martin's Courtyard



Application 5: Units 19 – 25 Slingsby Place and courtyard elevation of 7 - 9 Mercer Street

5. CONSULTATIONS

APPLICATION 1:

Use of units 19 and 21 Slingsby Place as a Class A3 restaurant and erection of kitchen extract duct at rear.

COVENT GARDEN COMMUNITY ASSOCIATION:

Object on following grounds:

- St Martin's Courtyard when approved had an appropriate balance between retail and restaurant uses;
- The loss of A1 and additional A3 would result in the north of the site having five A3 units rather than the three originally permitted to balance with other uses;
- Additional A3 will add to servicing load in courtyard and make it more likely for servicing to occur from surrounding streets;
- If the Council is minded to approve, conditions should be attached to require a glass crushing facility; control noise and disturbance from mechanical plant; and hours of use.

ENVIRONMENTAL HEALTH:

No objection, subject to conditions. The kitchen extract duct will discharge at the top of the building and away from the residential dwellings in a manner that should allow sufficient dilution and dispersal of cooking odours and fumes.

HIGHWAYS PLANNING MANAGER:

Recommends a condition that all servicing takes place off-street.

CLEANSING MANAGER:

Requires further details of waste and recycling storage.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED:

No. Consulted: 96

No. of replies: 0

PRESS ADVERTISEMENT / SITE NOTICE:

Yes

APPLICATION 2:

Alterations to the Mercer Street entrance to St Martins Courtyard including display of fascia signage.

COVENT GARDEN COMMUNITY ASSOCIATION:

No objection provided the lighting does not have an impact on the amenity of adjacent residents.

HIGHWAYS PLANNING MANAGER:

The new fascia sign may overhang the highway slightly and will need a highways license which may be unacceptable.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED:

No. Consulted: 85

No. of replies: 0

PRESS ADVERTISEMENT / SITE NOTICE:

Yes

APPLICATION 3:

Alterations to the Upper St Martin's Lane entrance to St Martin's Courtyard including installation of an illuminated brass entrance canopy with painting of the adjacent ground floor facade.

COVENT GARDEN COMMUNITY ASSOCIATION:

Object on grounds they would harm the character and appearance of the Covent Garden Conservation Area. The proposals are not sympathetic to the listed buildings and structures in the Covent Garden and Seven Dials Conservation Areas and would detract from the iconic view of the Seven Dials Monument as viewed from Upper St Martin's Lane and Monmouth Street.

HIGHWAYS PLANNING MANAGER:

The new canopy will over sail Upper St Martin's Lane and will need an appropriate highway over sailing license. This should be acceptable as it is 5.1m above the surface.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED:

No. Consulted: 40

No. of replies: 0

PRESS ADVERTISEMENT / SITE NOTICE:

Yes

APPLICATION 4:

Alterations to the Long Acre entrance to St Martin's Courtyard including installation of an externally illuminated flower canopy.

COVENT GARDEN COMMUNITY ASSOCIATION:

Raise following concerns about the impact of the illuminated canopy on adjacent residents.

- The maintenance and cleaning of the canopy, may cause noise and disturbance, therefore a condition should be attached that specifies it is serviced during daytime hours only;
- Lighting may cause light pollution therefore a condition should be included that limits the hours of the lighting and requires the lights to be positioned so they do not shine directly or spill into residential windows.

HIGHWAYS PLANNING MANAGER:

No objection, the canopy is not over the highway and is high enough above the ground that it should not be in conflict with servicing vehicles.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED:

No. Consulted: 55

No. of replies: 0

PRESS ADVERTISEMENT / SITE NOTICE:

Yes

APPLICATION 5:

Alterations to St Martin's Courtyard elevations, including installation of a ground floor colonnade with first floor restaurant terrace and awnings along the south facing elevation of Units 19 – 25 Slingsby Place; new cladding to 23 Slingsby Place at first floor level and to the west facing elevation of 7 - 9 Mercer Street; new lighting in the south western area of the courtyard; new paving; and display of associated signage.

COVENT GARDEN COMMUNITY ASSOCIATION:

Objection on following grounds:

- The large open air terrace would harm residential amenity, as it is the existing outdoor seating cumulatively causes noise and disturbance, which is exacerbated by the canyon like effect or echoing that occurs in the courtyard;
- Any terrace or balcony should have the ability to be enclosed, particularly after 9pm;
- Increase in entertainment use will add to servicing load and make it more likely for servicing to occur from surrounding streets;
- The CGCA is sympathetic to the applicants desire to increase footfall for commercial activities, but reminds the Council that St Martin's Courtyard is also a residential area with a number of residents living directly above, across and behind this development.

HIGHWAYS PLANNING MANAGER:

No objection. Is satisfied that there will remain spaces in which servicing vehicles will be able to stop off-street and accommodate all servicing within Slingsby Place and the courtyard.

A walkways agreement may need to be amended to take into account that some of the space that was open would be built upon (The applicant has confirmed that the walkway route is not affected by the colonnade/ terrace.)

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED:

No. Consulted: 114

No. of replies: 0

PRESS ADVERTISEMENT / SITE NOTICE:

Yes

6. BACKGROUND PAPERS**Application 1 (Units 19 – 21 Slingsby Place) (17/11001/FULL)**

1. Application form
2. Response from Covent Garden Community Association dated 15 January 2018
3. Response from Environmental Health dated 5 January 2018
4. Response from Highways Planning Manager dated 07 February 2018

5. Response from Cleansing Manager dated 05 January 2018

Application 2 (Mercer Street Entrance) (17/11002/FULL & 17/11003/ADV):

1. Application form
2. Response from Covent Garden Community Association dated 15 January 2018
3. Response from Highways Planning Manager dated 07 February 2018

Application 3 (Upper St Martin's Lane Entrance) (17/11006/FULL & 17/11007/ADV):

1. Application form
2. Response from Covent Garden Community Association dated 15 January 2018
3. Response from Highways Planning Manager dated 07 February 2018

Application 4 (Long Acre Entrance) (17/11004/FULL & 17/11005/ADV):

1. Application form
2. Response from Covent Garden Community Association dated 15 January 2018
3. Response from Highways Planning Manager dated 07 February 2018

Application 5 (Units 19, 21, 23 and 25 Slingsby Place and 7 - 9 Mercer Street) (17/10999/FULL & 17/11000/ADV):

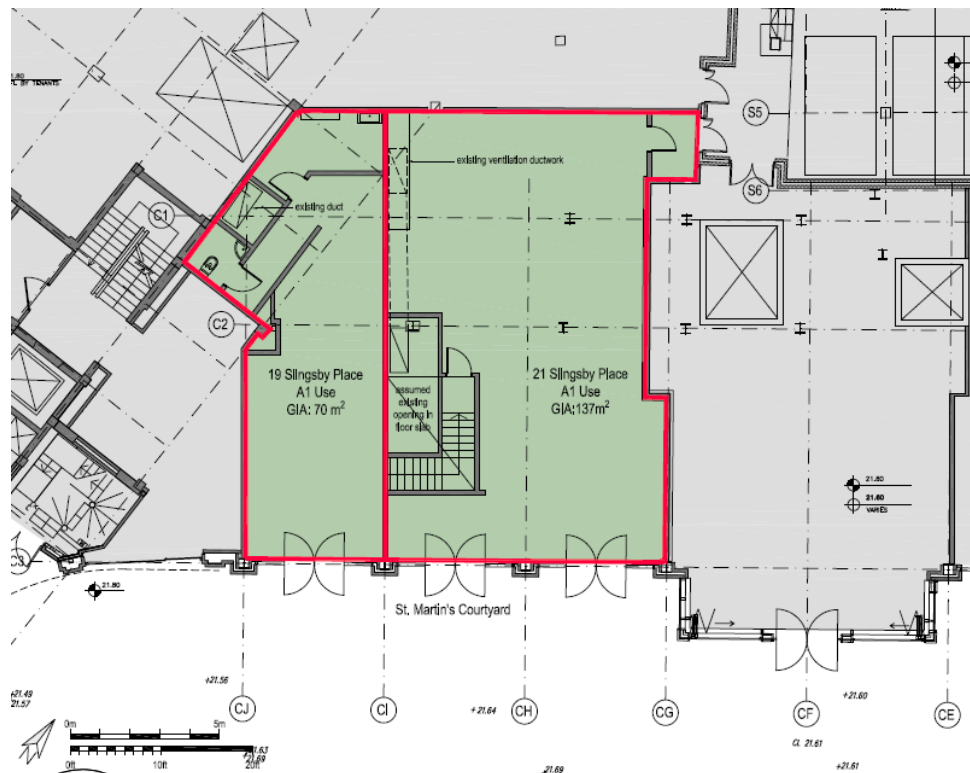
1. Application form
2. Response from Covent Garden Community Association dated 15 January 2018
3. Response from Highways Planning Manager dated 09 March 2018

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

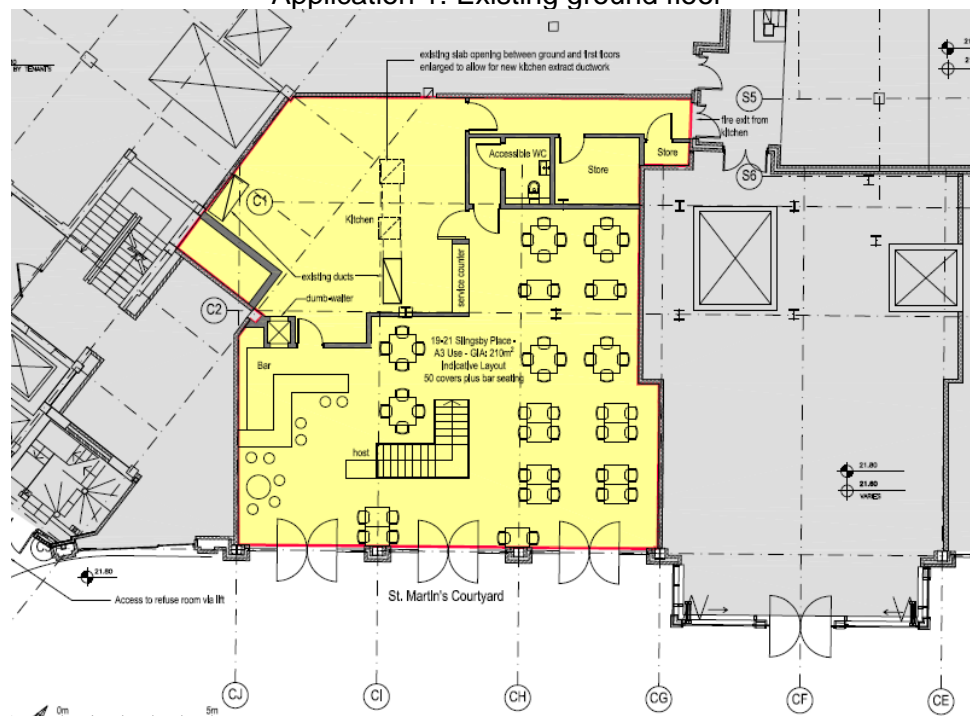
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: JULIA ASGHAR BY EMAIL AT jasghar@westminster.gov.uk.

7. KEY DRAWINGS

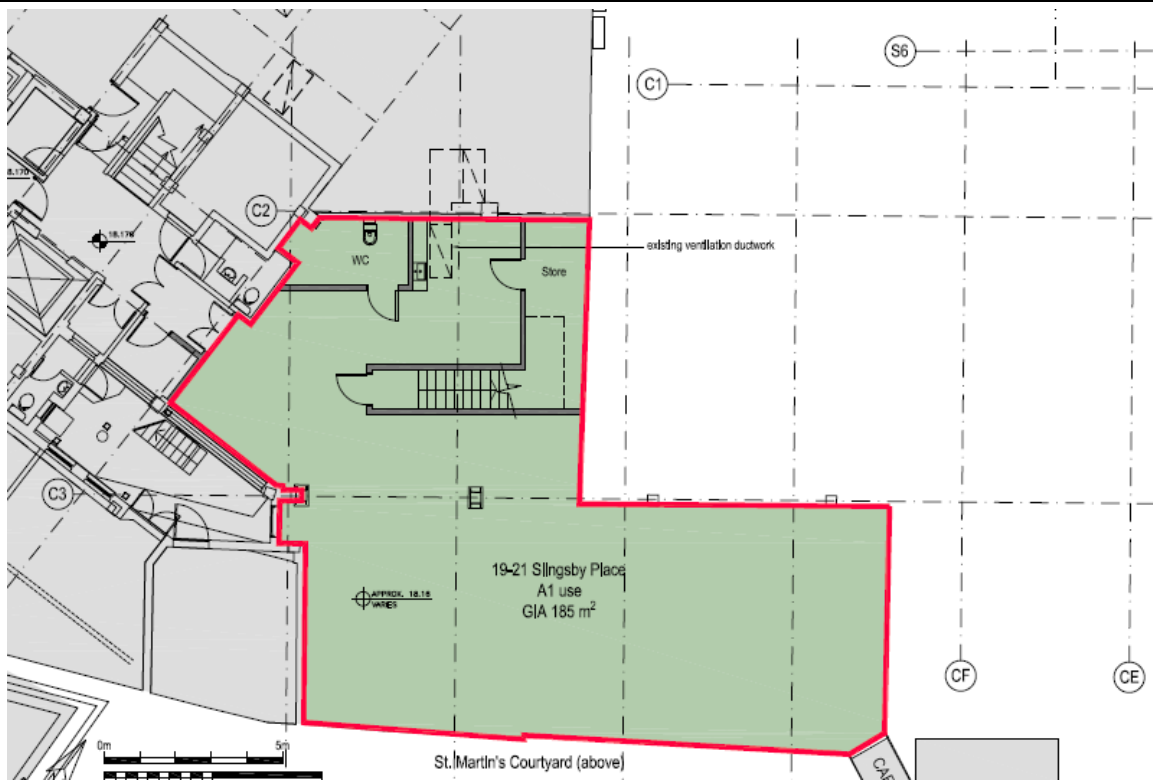
Application 1: Use of units 19 and 21 Slingsby Place as a Class A3 restaurant and erection of kitchen extract duct at rear.



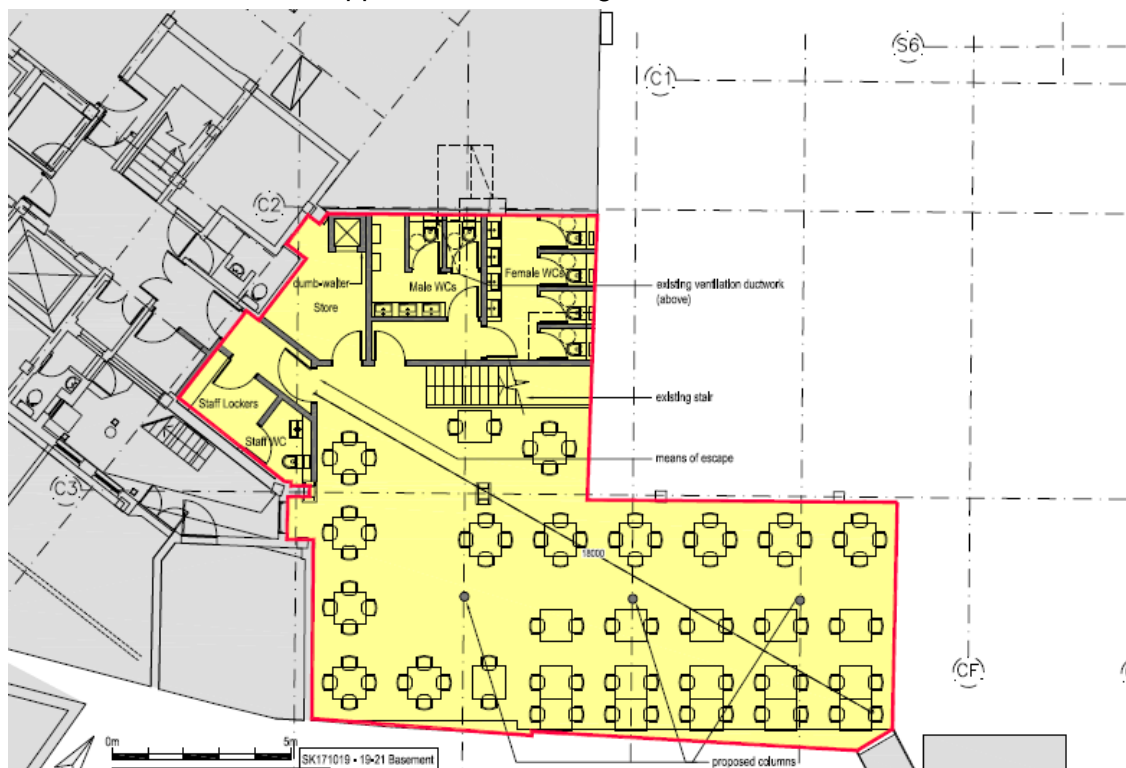
Application 1: Existing ground floor



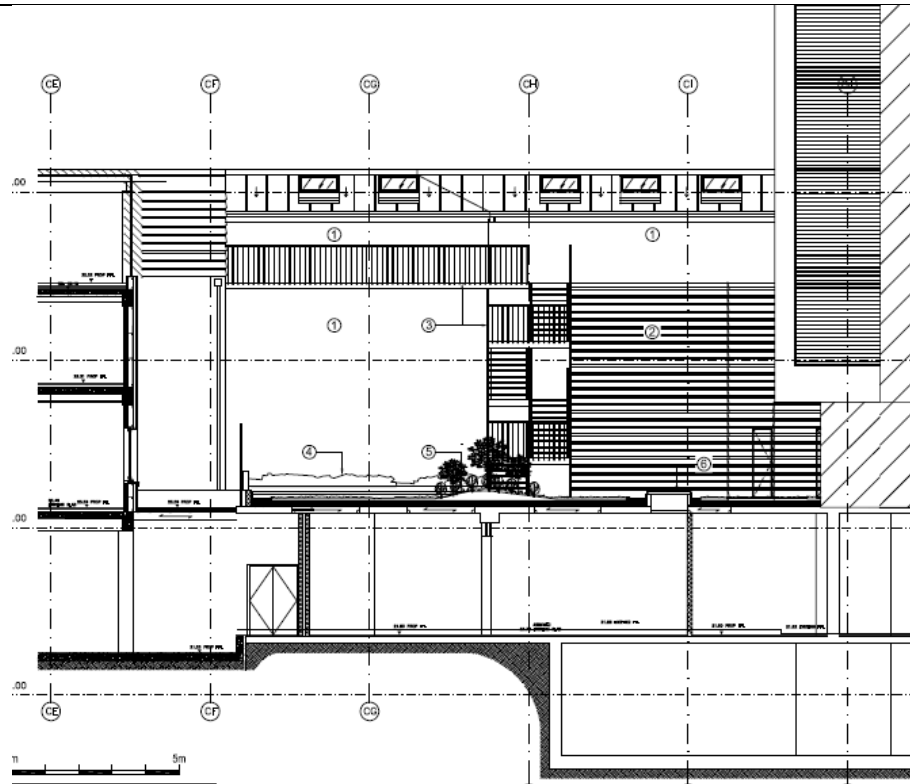
Application 1: Proposed ground floor



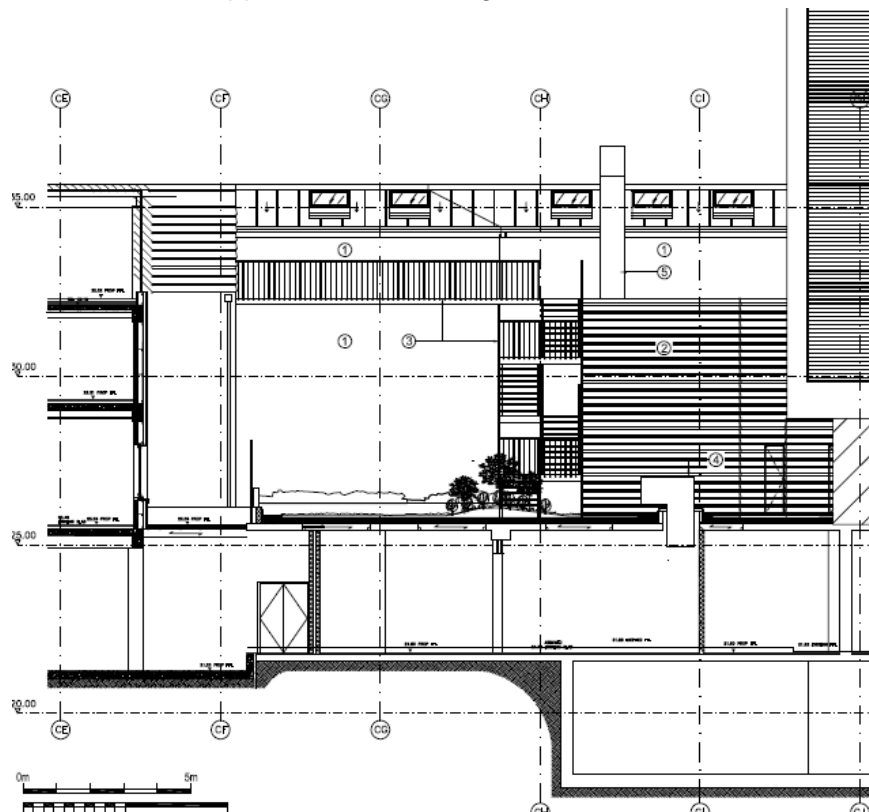
Application 1: Existing basement floor



Application 1: Proposed basement floor



Application 1: Existing rear elevation



Application 2: Proposed rear elevation

Application 2: Alterations to the Mercer Street entrance



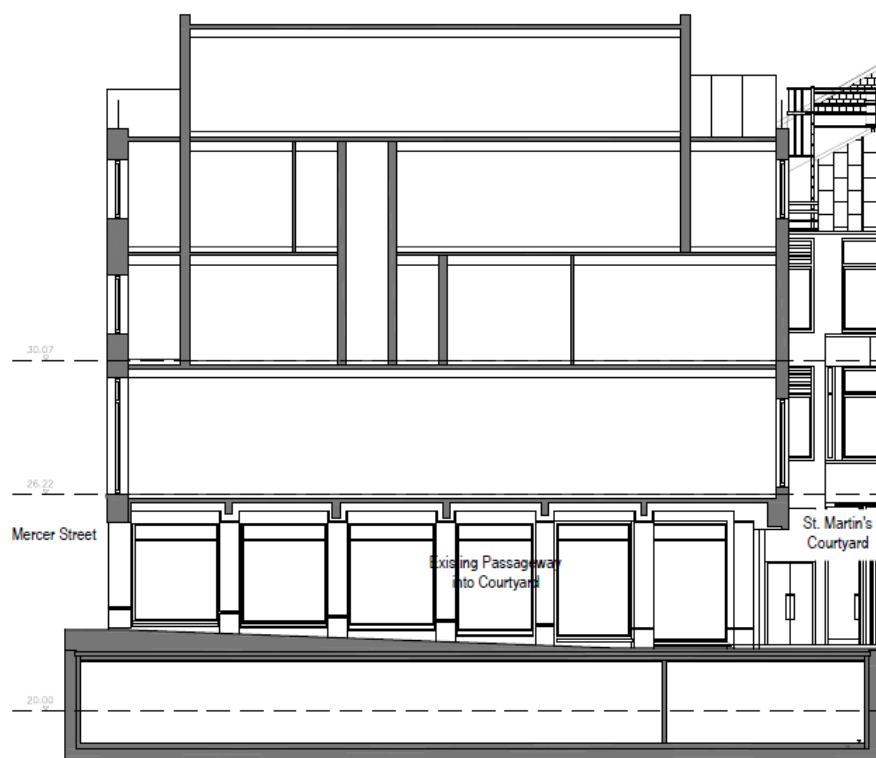
Proposed Mercer Street view



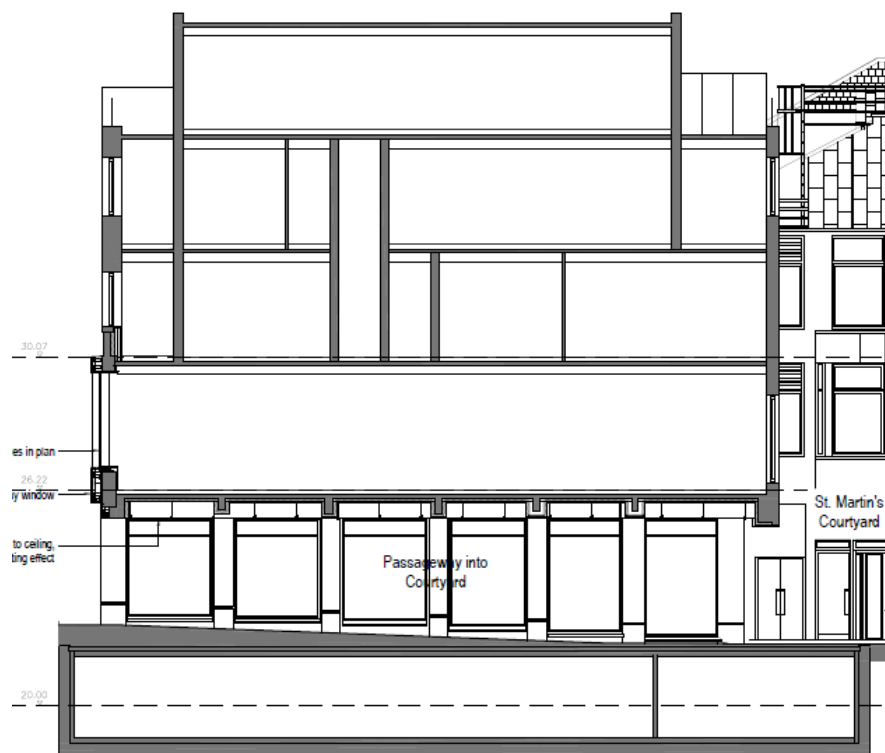
Application 2: Existing Mercer Street elevation



Application 2: Proposed Mercer Street elevation



Application 2: Existing section



Application 2: Proposed section

Application 3: Alterations to the Upper St Martin's Lane including installation of an illuminated brass entrance canopy with painting of the adjacent ground floor facade.



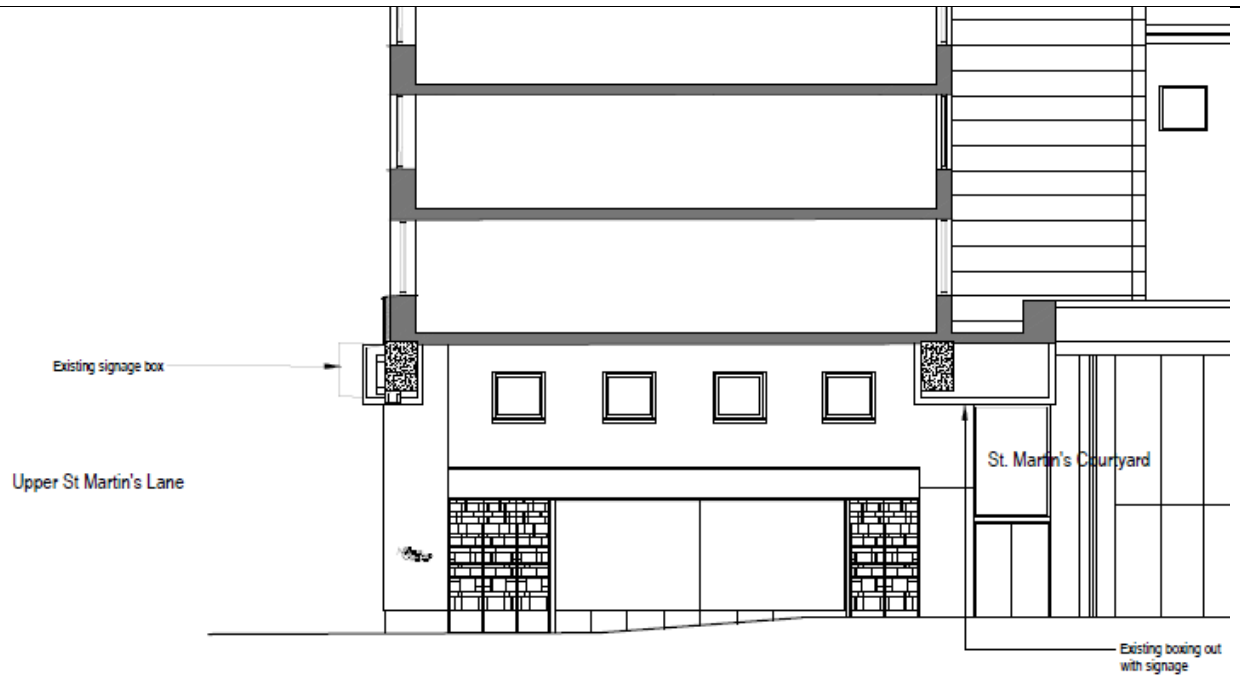
Proposed Upper St Martin's lane view



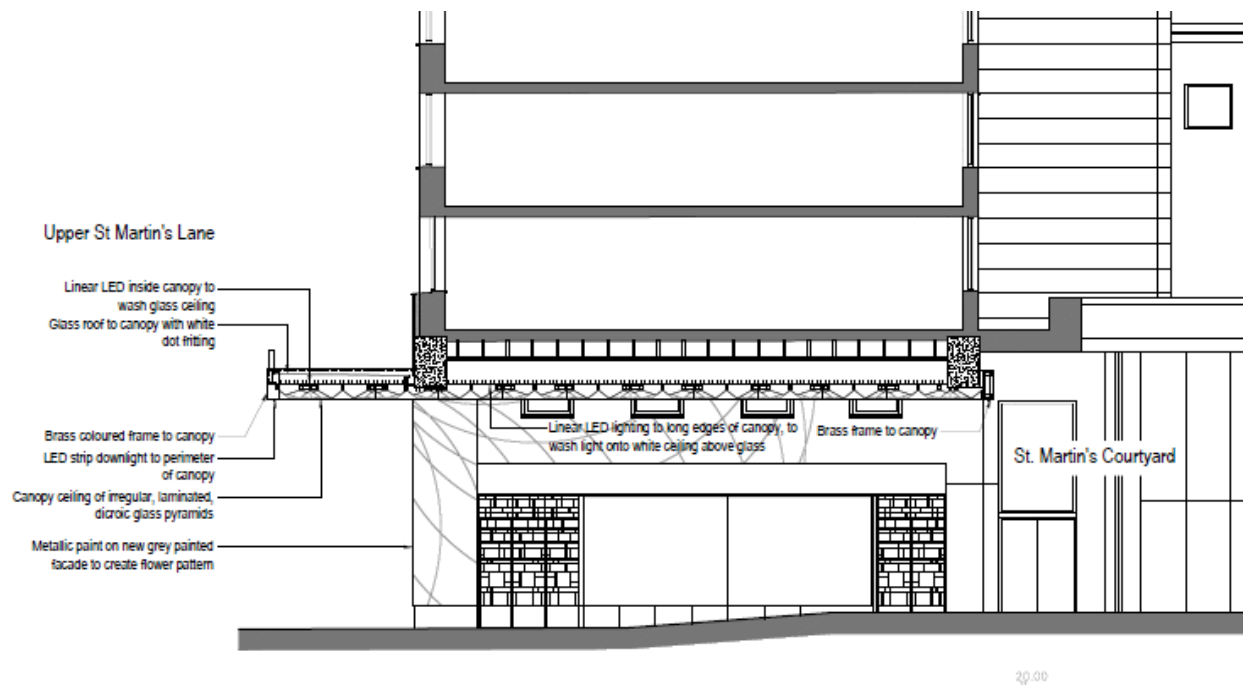
Application 3: Existing Upper St martin's lane elevation



Application 3: Proposed Upper St martin's lane elevation



Application 3: Existing section



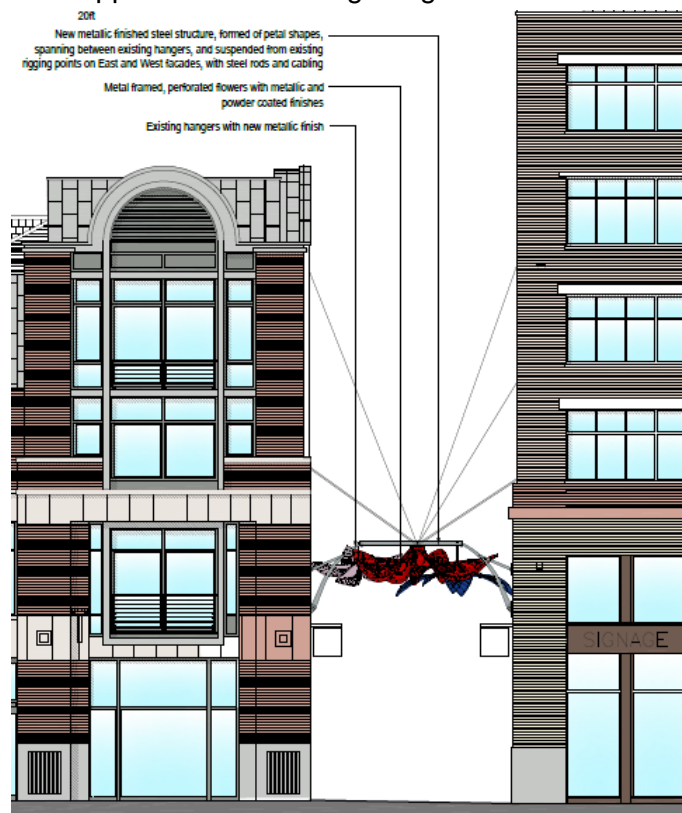
Application 3: Proposed section

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GILBERT OF FLYING
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BILLY BOBBY
CLO
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WICH
DALLA FERRA
2. JESSICA
VIRGIL
JAMES TALLIA
MILK
COLUMBIA LINDO

Proposed Long Acre entrance view



Application 4: Existing Long Acre elevation



Application 4: Proposed Long Acre elevation



Application 4: Existing west elevation

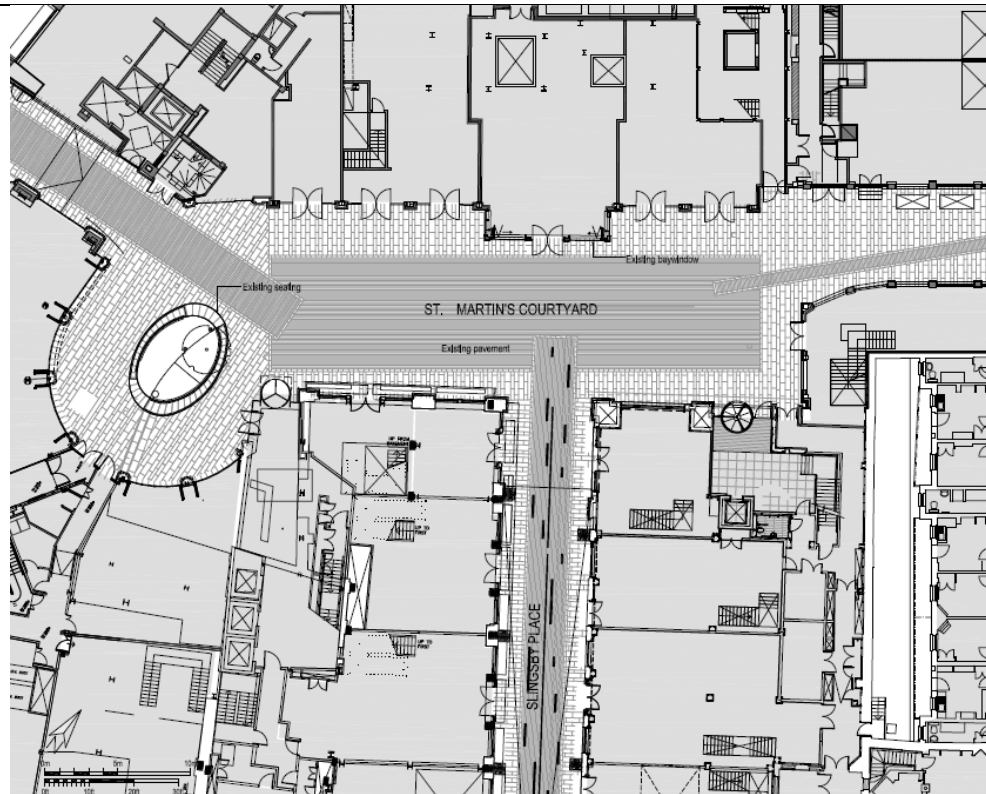


Application 4: Proposed west elevation

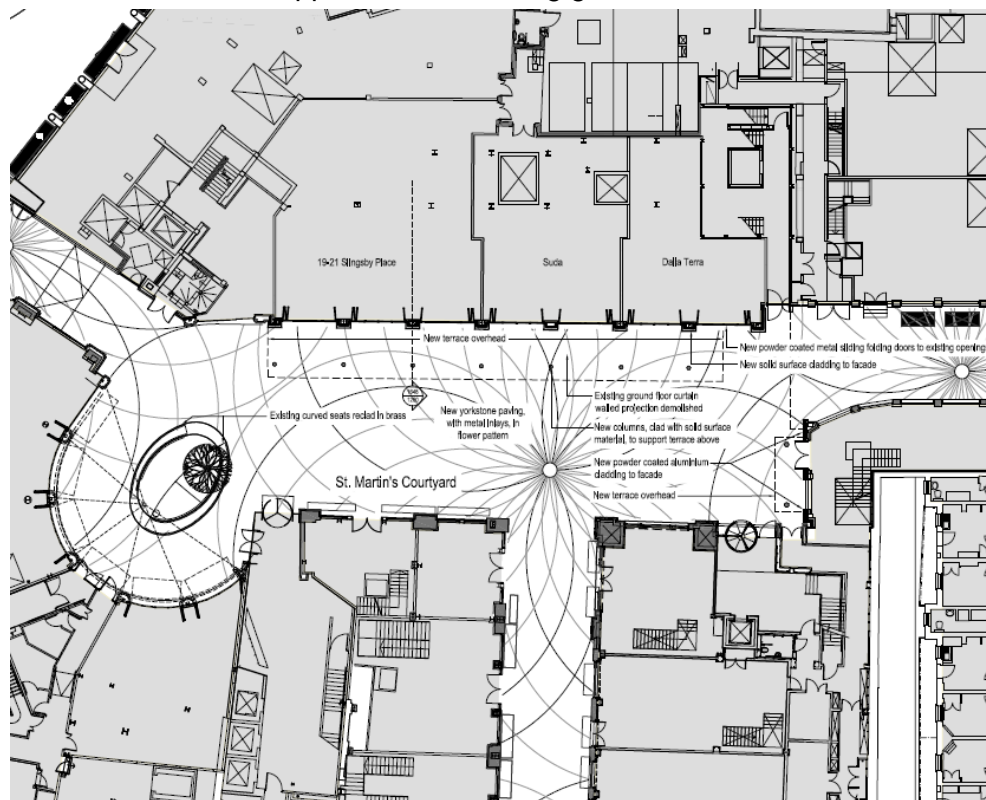
Application 5: Alterations to St Martin's Courtyard elevations, including installation of a ground floor colonnade with first floor restaurant terrace and awnings along the south facing elevation of Units 19 – 25 Slingsby Place; new cladding to 23 Slingsby Place at first floor level and to the west facing elevation of 7 - 9 Mercer Street; new lighting in the south western area of the courtyard; new paving; and display of associated signage



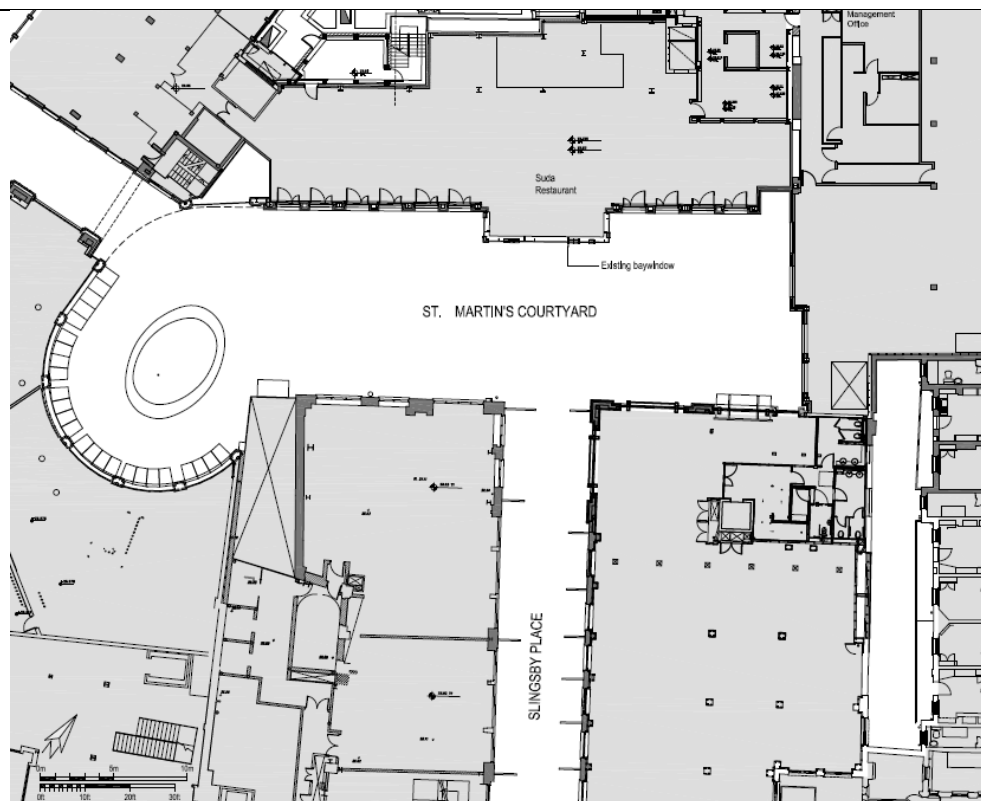
Proposed terrace colonnade view towards Mercer Street entrance



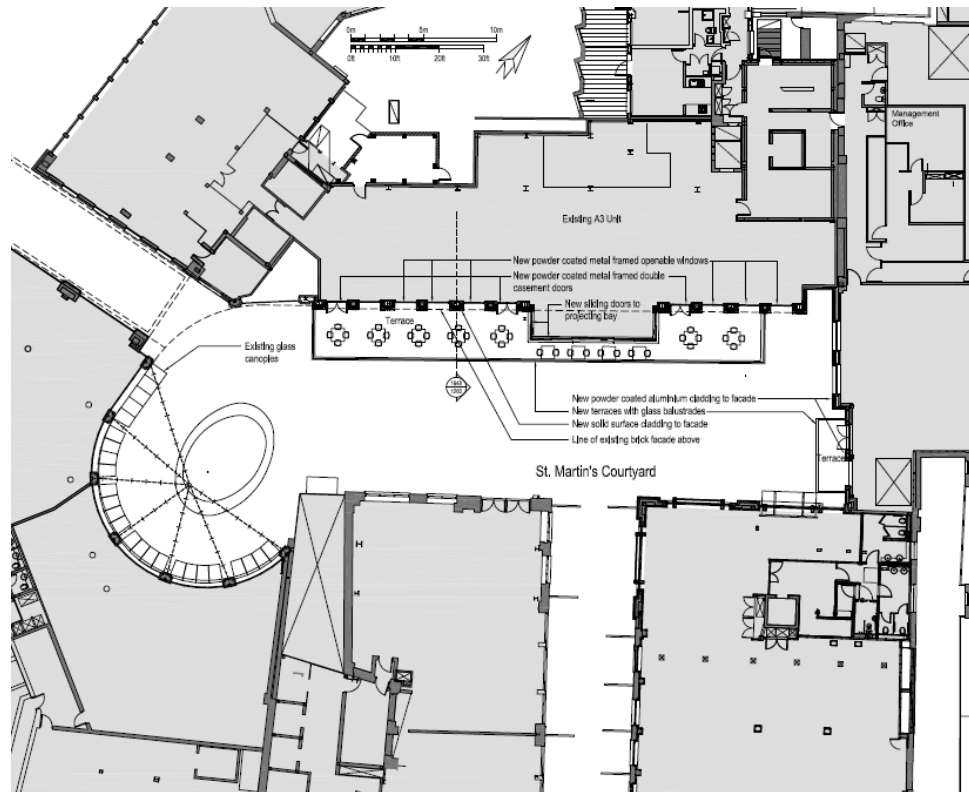
Application 5: Existing ground floor



Application 5: Proposed ground floor



Application 5: Existing first floor



Application 5: Proposed first floor



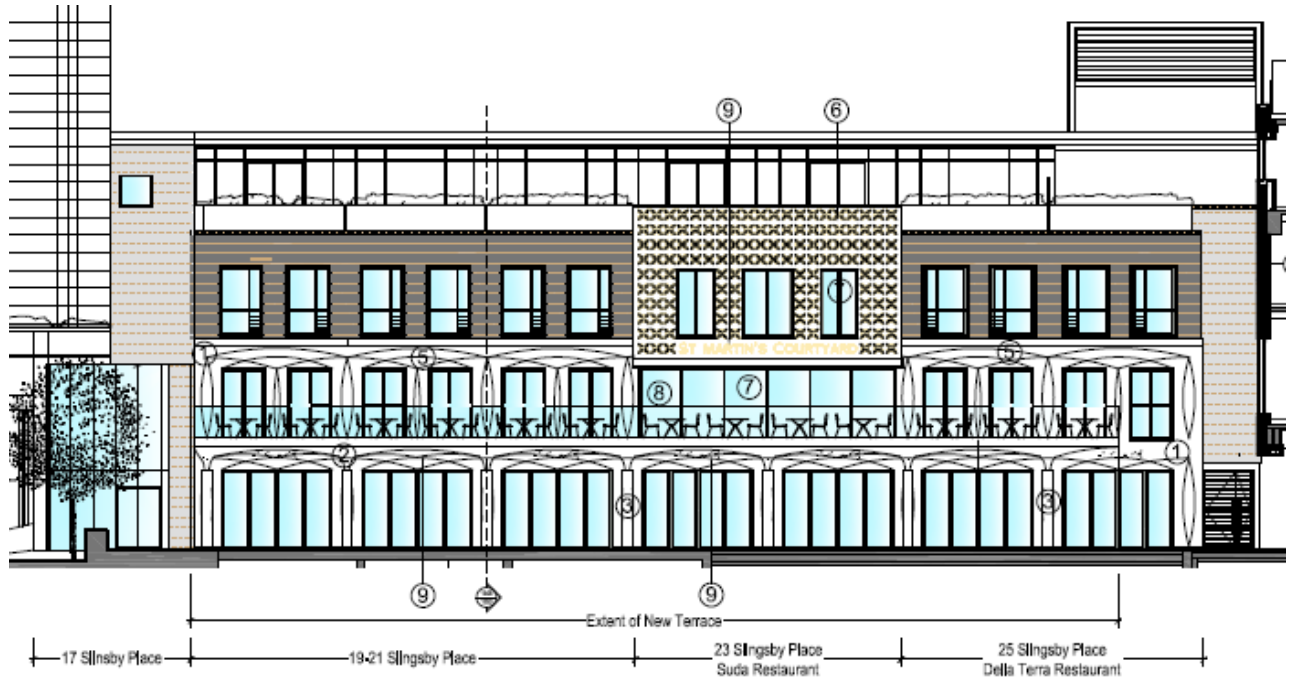
Application 5: Existing courtyard elevation of 7 - 9 Mercer Street



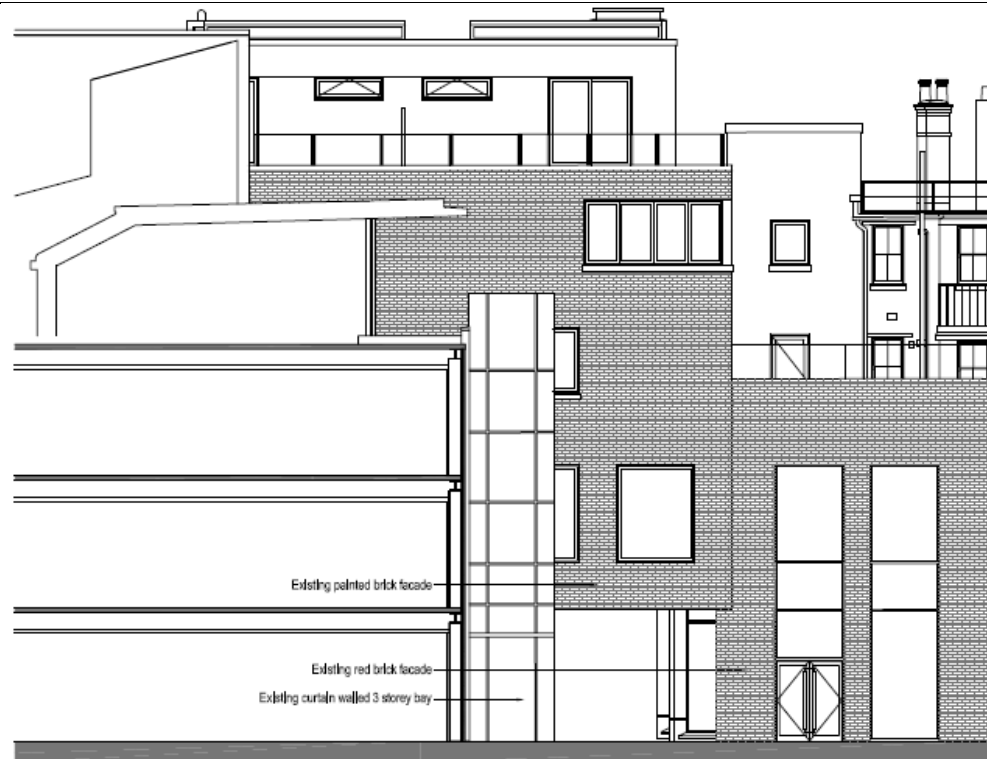
Application 5: Proposed courtyard elevation of 7 - 9 Mercer Street



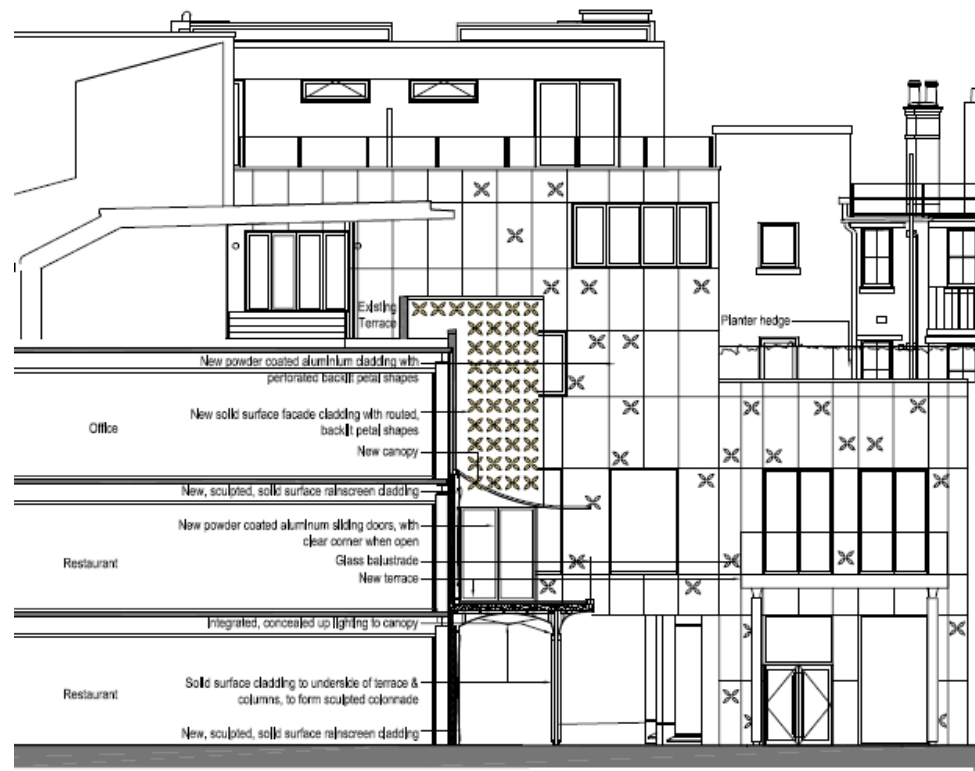
Application 5: Existing courtyard north elevation



Application 5: Proposed courtyard north elevation



Application 5: Existing section



Application 5: Proposed section



Application 5: New lighting around tree in the south western area of the courtyard

Application 1
DRAFT DECISION LETTER

Address: St Martin's Courtyard, Units 19 – 21 Slingsby Place, London, WC2E 9AB

Proposal: Use of units 19 and 21 Slingsby Place as a Class A3 restaurant and erection of kitchen extract duct at rear.

Reference: 17/11001/FULL

Plan Nos: 1648-0001, 1648-0100D, 1648-0101E, 1648-0102D, 1648-0102C, 1648-0104C, 1648-0105C, 1648-0200B, 1648-0201C, 1648-1100C, 1648-1101C, 1648-1102B, 1648-1103A, 1648-1104A, 1648-1105B, 1648-1200, 1648-1201B, 1648-0110A.

Case Officer: David Dorward

Direct Tel. No. 020 7641 2408

Recommended Condition(s) and Reason(s)

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

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 2 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only:

- o between 08.00 and 18.00 Monday to Friday;
- o between 08.00 and 13.00 on Saturday;
- 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;
- 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.

Reason:

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

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 the area. This is as set out in S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 4 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.
- (2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.
- (3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:
- (a) A schedule of all plant and equipment that formed part of this application;
 - (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
 - (c) Manufacturer specifications of sound emissions in octave or third octave detail;
 - (d) The location of most affected noise sensitive receptor location and the most affected window of it;
 - (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
 - (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
 - (g) The lowest existing LA90, 15 mins measurement recorded under (f) above;
 - (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
 - (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by

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

- 5 All servicing must take place between 0730hrs on Monday to Saturday and 1130hrs on Sunday. Servicing includes loading and unloading goods from vehicles and putting rubbish outside the building. (C23DA)

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 (November 2016) and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

- 6 Customers shall not be permitted within the Class A3 premises before 0900hrs or after 2400hrs each day. (C12AD)

Reason:

To protect the environment of people in neighbouring properties as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7 and TACE 8 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 7 You must apply to us for approval of details of how waste is going to be stored on the site and how materials for recycling will be stored separately. 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 stores for waste and materials for recycling according to these details, clearly mark the stores and make them available at all times to everyone using the restaurant (Class A3). (C14EC)

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 (November 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14CC)

- 8 With the exception of collecting rubbish, no goods (including fuel) that are delivered or collected by vehicles arriving at or leaving the building must be accepted or sent out if they are unloaded or loaded on the public road. You may accept or send out such goods only if they are unloaded or loaded within the boundary of the site. (C14EC)

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 (November 2016) and TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007.

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, 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.

Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.

**APPLICATION 2
DRAFT DECISION LETTER**

Address: St Martin's Courtyard (Mercer Street Entrance), Mercer Street, London, WC2H 9QJ,

Proposal: Alterations to the Mercer Street entrance to St Martins Courtyard including display of fascia signage, new bay window feature at first floor level, and lighting within the undercroft of the Mercer Street Entrance to St Martins Courtyard/Slingsby Place.

Reference: 17/11002/FULL

Plan Nos: 1648-0032, 1648-0122, 1648-0131, 1648-0231, 1648-0332, 1648-0333, 1648-1131, 1648-1132, 1648-1231, 1648-1332, 1648-1333, 1648-1335.

Case Officer: David Dorward

Direct Tel. No. 020 7641 2408

Recommended Condition(s) and Reason(s)

- 1 The development permitted shall be carried out in accordance with the drawings and other documents 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 in the interests of proper planning.

- 2 Except for piling, excavation and foundation work, you must carry out any building work which can be heard at the boundary of the property only:
- o between 08.00 and 18.00 Monday to Friday;
 - o between 08.00 and 13.00 on Saturdays and
 - o not at all on Sundays, bank holidays and public holidays.
- You must carry out piling, excavation and foundation 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 (November 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 the area. This is as set out in S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 You will have to apply separately for a licence for any structure that overhangs the road or pavement. For more advice, please phone our Highways section on 020 7641 2642. (I10AA)
- 3 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)

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Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.

APPLICATION 3 DRAFT DECISION LETTER

Address: St Martin's Courtyard (Upper St Martin's Lane Entrance), Upper St Martin's Lane, London, WC2E 9AB

Proposal: Alterations to the Upper St Martin's Lane entrance to St Martin's Courtyard including installation of an illuminated brass entrance canopy with painting of the adjacent ground floor facade.

Reference: 17/11006/FULL

Plan Nos: 1648-0041, 1648-0042, 1648-0141, 1648-0142, 1648-0143, 1648-0240, 1648-0241, 1648-0343, 1648-1141, 1648-1142, 1648-1143, 1648-1240, 1648-1241, 1648-1343, 1648-1346.

Case Officer: David Dorward

Direct Tel. No. 020 7641 2408

Recommended Condition(s) and Reason(s)

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

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 2 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only:

- o between 08.00 and 18.00 Monday to Friday;
- o between 08.00 and 13.00 on Saturday;
- 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;
- 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.

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S32 of Westminster's City Plan (November 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 the area. This is as set out in S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 You will have to apply separately for a licence for any structure that overhangs the road or pavement. For more advice, please phone our Highways section on 020 7641 2642. (I10AA)

Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.

APPLICATION 4 DRAFT DECISION LETTER

Address: St Martin's Courtyard (Long Acre Entrance), Slingsby Place, London, WC2E 9AB

Proposal: Alterations to the Long Acre entrance to St Martin's Courtyard including installation of an externally illuminated flower canopy.

Reference: 17/11004/FULL

Plan Nos: 1648-0021, 1648-0121, 1648-0122, 1648-0324, 1648-0325, 1648-0326, 1648-1121, 1648-1122, 1648-1324, 1648-1325, 1648-1326.

Case Officer: David Dorward

Direct Tel. No. 020 7641 2408

Recommended Condition(s) and Reason(s)

- 1 The development permitted shall be carried out in accordance with the drawings and other documents 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 in the interests of proper planning.

- 2 Except for piling, excavation and foundation work, you must carry out any building work which can be heard at the boundary of the property:
 - o between 08.00 and 18.00 Monday to Friday;
 - o between 08.00 and 13.00 on Saturdays and
 - o not at all on Sundays, bank holidays and public holidays.
 You must carry out piling, excavation and foundation 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). (C26AA)

Reason:

To protect the environment of neighbouring occupiers. This is set out in S29 and S32 of Westminster's City Plan (November 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 the area. This is as set out in S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, 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 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)

Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.

APPLICATION 5 DRAFT DECISION LETTER

Address: St Martin's Courtyard , (including Units 19, 21, 23 and 25 Slingsby Place and 7 - 9 Mercer Street), London, WC2E 9AB

Proposal: Alterations to St Martin's Courtyard elevations, including installation of a ground floor colonnade with first floor restaurant terrace and awnings along the south facing elevation of Units 19 – 25 Slingsby Place; new cladding to 23 Slingsby Place at first floor level and to the west facing elevation of 7 - 9 Mercer Street; new lighting in the south western area of the courtyard; new paving; and display of associated signage.

Reference: 17/10999/FULL

Plan Nos: 1648-0062A, 1648-0161, 1648-0162, 1648-0163, 1648-0164, 1648-0260, 1648-0360, 1648-0361, 1648-1161, 1648-1162A, 1648-1163, 1648-1164, 1648-1260, 1648-1360, 1648-1365, 1648-1361A, 1648-1366.

Case Officer: David Dorward

Direct Tel. No. 020 7641 2408

Recommended Condition(s) and Reason(s)

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

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 2 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only:

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

Noisy work must not take place outside these hours 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.

Reason:

To protect the environment of neighbouring occupiers. This is set out in S29 and S32 of Westminster's City Plan (November 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 the area. This is as set out in S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 4 No customer shall be permitted onto the first floor terrace before 0900 hours or after 2200 hours daily.

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R13EC)

- 5 No amplified music shall be played on the external restaurant terrace.

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R13EC)

- 6 You can only put out on the first floor terrace 11 tables and 36 chairs shown on drawing 1648-1162A.

Reason:

To protect neighbouring residents from noise and disturbance as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and TACE 9 of our Unitary Development Plan that we adopted in January 2007.

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, 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

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application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

- 2 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)

Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.