

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 8 th August 2023	Classification For General Release	
Report of Director of Place Shaping and Town Planning		Ward(s) involved. Currently within Lancaster Gate Pre May 2022- Within Hyde Park, now adjoining.	
Subject of Report	40 Eastbourne Terrace, London, W2 6LG.		
Proposal	Servicing Management Plan and Operational Management Plan for the hotel and restaurant uses, and details of how a no Coach/no group bookings policy will be managed, pursuant to condition 10A (OMP) and 10B (No coach or Group booking policy) and 32 (SMP) of planning permission dated 1 November 2019 (19/03058/FULL)		
Agent	Gerald Eve		
On behalf of	CSHV IUK ET Propco Limited		
Registered Number	22/01773/ADFULL	Date amended/ completed	June 2023
Date Application Received	16 March 2022		
Historic Building Grade	Unlisted, but a number of designated heritage assets are located in close proximity, including Paddington Station (Grade I) on the opposite side of Eastbourne Terrace, the Hilton hotel (Grade II) located to the front of the station in Praed Street and terraced properties along Westbourne Terrace (Grade II).		
Conservation Area	Outside of, but borders the Bayswater Conservation Area		
Neighbourhood Plan	Not applicable		

1. RECOMMENDATION

1. Approve details.

2. SUMMARY & KEY CONSIDERATIONS

This report relates to details required by conditions relating to the permission granted by our Planning Applications Sub-Committee in 2019 for the part demolition, extension and alteration of the building in connection with its use as a hotel and restaurant within the Paddington Opportunity Area and Central Activities Zone. In granting planning permission in 2019, it was accepted that the

development was to be serviced from a loading bay within an enclosed structure, which was also to house a loading bay for the adjacent development at 50 Eastbourne Terrace. It was acknowledged that the development was likely to be serviced by around 15 vehicles per day.

A Servicing Management Plan, Operational Management Plan and details of No coach/No group bookings have been submitted as required by conditions of the 2019 planning permission. The document has been revised a number of times during the course of the application following two resident's meetings to discuss the document and a resident meeting to discuss general Highway matters.

The key considerations in this case are:-

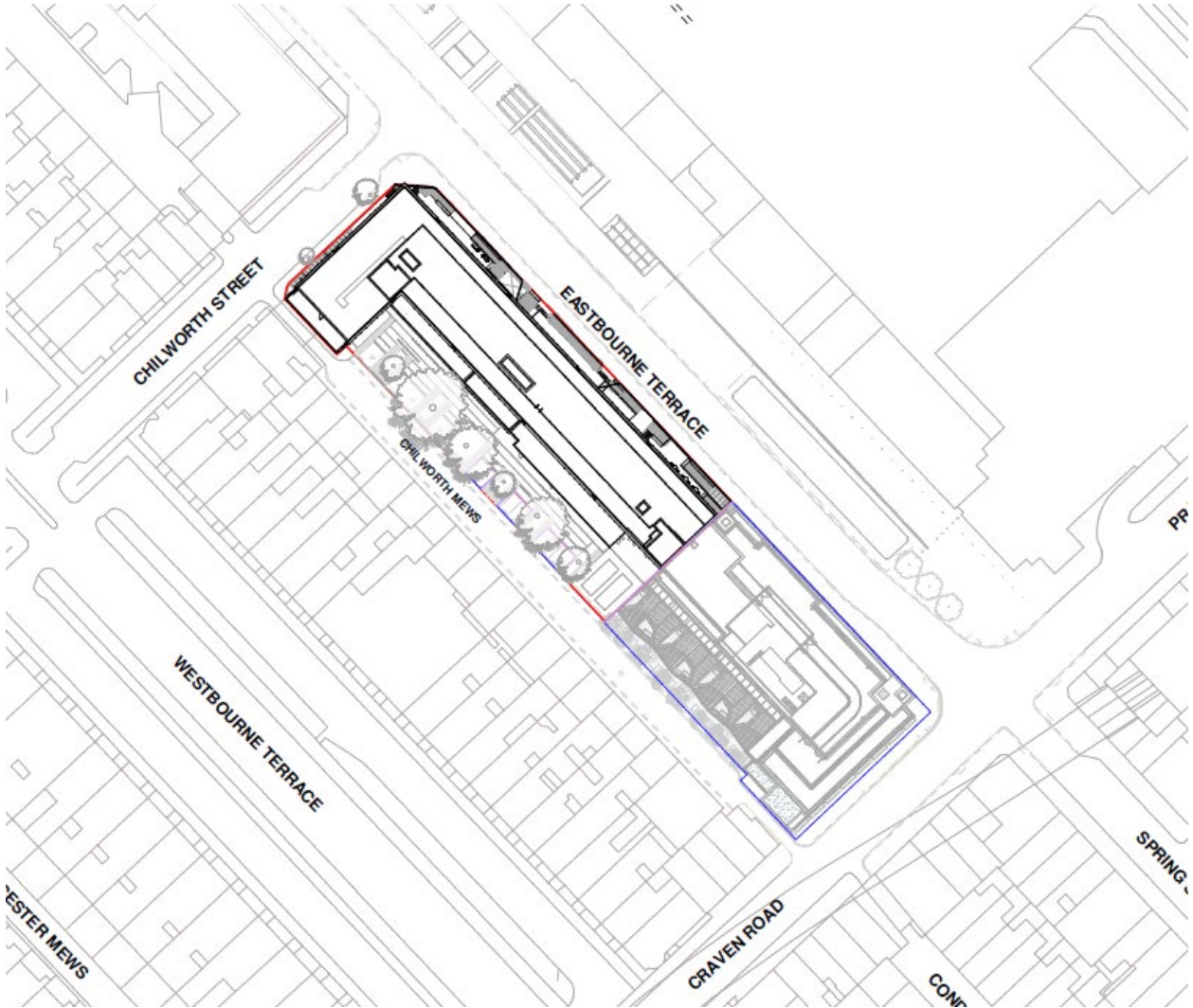
- Whether the Operational Management Plan and No Coach/No group bookings details are acceptable in the interests of public safety, to avoid blocking the road and to protecting the environment of residents and the area generally, having regard to the approved uses.
- Whether the Servicing Management Plan is acceptable in protecting neighbouring residents from noise nuisance and safeguarding highway safety, having regard to the approved servicing strategy.

Representations of objections have been received by the South East Bayswater Residents Association, Public Residents Active Concern on Transport and residents of Chilworth Mews and Westbourne Terrace. The objections surround the principle of servicing the development via Chilworth Mews, and to the size (height, length and width) of the servicing vehicles and their ability to satisfactorily access Chilworth Mews and the internal loading bay, having regard to the dimensions of the arches at each end of the mews and the width of Chilworth Mews, including due to the new pavement outside the new mews houses and proximity of the existing Mews houses and their pot plants.

Notwithstanding the representations of objection received, the City Council's Highways Planning Officer is satisfied with the servicing strategy for all servicing to occur off street within the designated loading bay, designed for the largest vehicle expected to service the site including refuse vehicles and the vehicle tracking is considered robust with minimal impact on highways users. The commitments and processes of the SMP are welcomed as are the No coach party provision. The OMP is also considered to be acceptable to minimise the impact of the development on residents of Chilworth Mews with minimal pedestrian activity to the rear controlled by the OMP and conditions of the planning permission. Compliance with these documents will ensure the operational impact of the development on the amenities of residents will be minimised.

As such officer's consider the application to be acceptable and to meet with the requirements of the relevant conditions. As such a favourable recommendation is given.

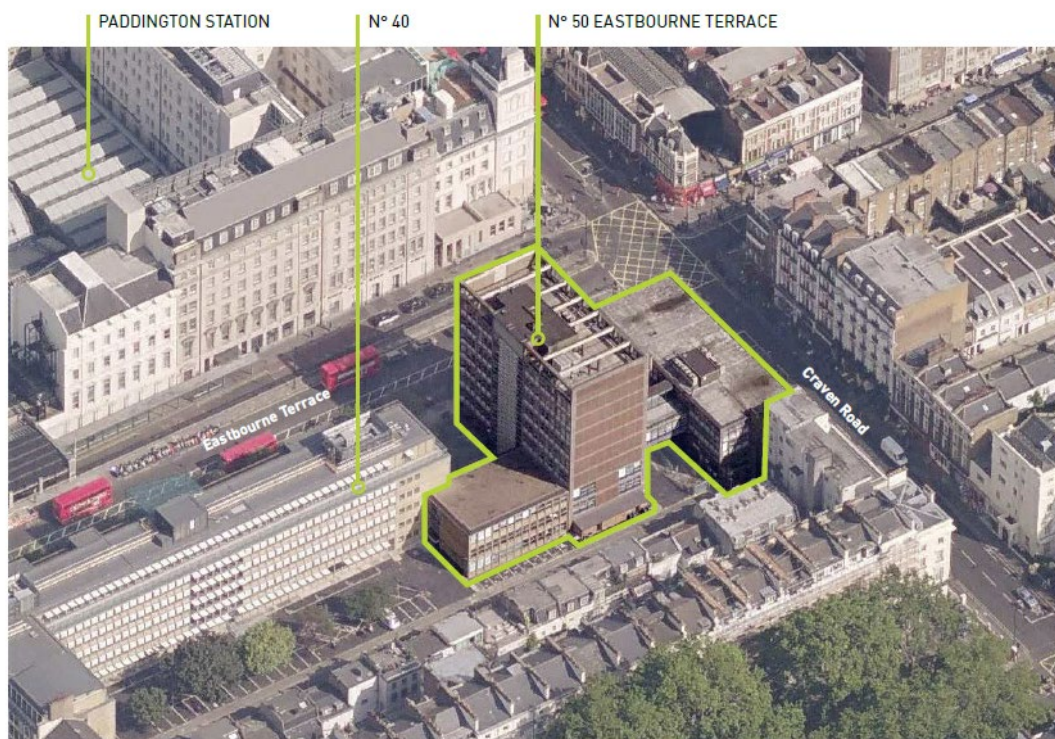
3. LOCATION PLAN



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4. PHOTOGRAPHS

40 EASTBOURNE TERRACE PRE – EXISTING AROUND 2016



40 EASTBOURNE TERRACE – FRONT – WORKS UNDERWAY



40 EASTBOURNE TERRACE – REAR FROM CHILWORTH MEWS



40 EASTBOURNE TERRACE – REAR FROM CHILWORTH MEWS



CHILWORTH MEWS- LOADING BAY FOR 40 & 50 EASTBOURNE TERRACE



CHILWORTH MEWS



50 EASTBOURNE TERRACE – REAR FROM CHILWORTH MEWS – New Mews Houses and new paving.



50 EASTBOURNE TERRACE – REAR FROM CHILWORTH MEWS – New Mews Houses and new paving.



CHILWORTH MEWS



CHILWORTH MEWS ARCHES



CONSULTATIONS

4.1 Application Consultations

HIGHWAYS PLANNING TEAM

No objection

WASTE PROJECT OFFICER

No objection

WARD COUNCILLORS OF LANACSTER GATE (Following May 2022 elections the site is now within Lancaster Gate Ward).

Any response to be reported verbally.

WARD COUNCILLORS FOR HYDE PARK (Councillors for Hyde Park Pre May 2022)

Any response to be reported verbally.

SOUTH EAST BAYSWATER RESIDENTS' ASSOCIATION (SEBRA)

Objection.

- Request determination by Committee.
- Determination of application should be deferred until highways matters resolved to improve vehicular flow to and from loading bay, given changes to the layout of the road surface to Chilworth Mews.
- At the time of approval of 50 Eastbourne Terrace, developer undertook to encourage tenants to use smaller vehicles, request that 40 Eastbourne Terrace do the same.
- On reversing vehicles into and out of loading bay, reverse beepers should be off and white noise reduced, banksmen should be on site.
- Should sanction tenants not in accordance with SMP.
- Vehicle manoeuvres should be able to drive in or out without impinging on the area in front of the existing Mews houses and from either end of the Mews (north or south arch).
- Slot times for the bays should be sufficient for the number of expected vehicles.
- Query vehicular swept paths, especially if both bays in operation.
- SMP requires risk analysis.
- Has approval been given for high servicing vehicles to pass through the southern arch?
- The new pavement in front of the Mews houses on the north east side of the Mews has narrowed the Mews and reduced the space for reversing movements to get into the servicing area.
- Large vehicles fail the swept path analysis.
- Encroachment to pot plants of Mews properties not acceptable
- Consider making Chilworth Mews one-way.
- Risk of non-resident vehicles being parked in the mews on Sundays and other uncontrolled hours.

- Welcome meetings held as per the requirement of the informative of the main planning permission which expects neighbour liaison on this application.

PADDINGTON RESIDENTS ACTIVE CONCERN ON TRANSPORT (PRACT)

Objection.

- Do not believe the SMP/OMP is workable due to insufficient width, both in the Mews and inside the dual use loading bay and we think a different solution has to be found.
- A test on the ground is needed including a transit van 2.5m wide and including two vehicles being inside the loading area at the same time.
- Severe damage to residential amenity
- Vehicle swept paths fail on all accounts.
- One or more reversing manoeuvres will be needed on both arrival and departure when there are two vehicles in the loading bay.
- Width of transit vans 2.5m wide require additional movements and swept paths for these vehicles should be provided.
- Width constraint within the dual use structure- not enough room for drivers when two vehicles in use.
- Driving out when two vehicles are inside is problematic.
- Use of the joint servicing bay by long vehicles- swept path analysis not clear
- Swept paths must be specific for various types of vehicles- need it for transit vans.
- A large number of reversals add to delay, to visual intrusion in a previously quiet mews and to noise and air pollution. The risk of infringing on the frontages of the Mews Houses.

PADDINGTON BUSINESS IMPROVEMENT DISTRICT (BID)

Any response to be reported verbally.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 216

Total No. of replies: Numerous representations from six addresses

No. of objections: Numerous from six addresses, some stating on behalf of the local residents.

No. in support: 0

Objections to 40 Eastbourne Terrace SMP/OMP

- The loading bay is insufficient to accommodate the large vehicles.
- Vehicles will need to carry out extra reversing and will impact on the area outside Mews properties.
- Mews is not wide enough to accommodate large vehicles.
- 2.5m wide vehicles require extra turning area
- We need to see swept paths that actually work.
- Insufficient internal space between the two loading bays for each of 40 & 50 Eastbourne Terrace especially for linen trucks.
- Expected deliveries for 40 Eastbourne Terrace is likely to be more which cannot be accommodated within the bay- please restrict.
- Reversing is an issue.

- Comments are applicable for 40 & 50 Eastbourne Terrace
- Already have ongoing problems to 50 Eastbourne Terrace.
- Impact of narrowing of the mews, , loading bay door width of 7m, lack of swept paths for a 2.5m wide van
- The enclosed loading bay arrangements are currently insufficient for the commercial development at 50 Eastbourne Terrace and cannot reasonably have servicing for a 366 bed hotel and sx250 seat full service restaurants added.
- Concurrent servicing for 40 and 50 Eastbourne Terrace cannot be achieved due to insufficient space within the enclosed loading bay.
- No information provided in the SMP to detail how banksmen are intended to monitor the road for waiting vehicles.
- Basic details on how, when and by whom doors and windows on the Chilworth Mews side of the building can be used, should be included in the document.
- Loading bay cannot take a 2.5m wide van.
- Mews has been narrowed and the swept path for vehicles does not work.
- Loading bay is of insufficient size to accommodate the largest vehicle proposed to service the development.
- SMP for 50 Eastbourne Terrace should be reviewed.
- Loading bay is tight and doors will not be able to be closed.
- The rest of the mews should also have a pavement.
- Turntable should be installed.

Problems with the related servicing of 50 Eastbourne Terrace:-

- Noise, nuisance and disturbance from deliveries to 50 Eastbourne Terrace, delivery drivers parking up and shouting, fire escape left open, fire escape left open, no banksmen. An internal arrangement with cameras is shown above not to resolve the problem, nor will an intercom, which would not resolve the waiting and potentially increase in noise.
- Continued breaches at 50 Eastbourne Terrace, cannot still be teething problems- the use of Chilworth Mews as part of the servicing area for 50 Eastbourne Terrace continued unchecked.
- Both the BNPRE Banksmen responsible for the managing the servicing arrangements today and the delivery driver of the Bywater's vehicle have said to me today that both the servicing processes and provision of space within the loading bay are insufficient for the needs of this development.
- Council is in breach of its duty to seek a resolution to these continuing breaches by failing to acknowledge or implement the potential solutions to the problem put forward by our local community in our face to face meeting with the WCC Highways and Planning Officers on May 19th, 2023.
- Suggest reinstatement of loading bay on Craven & removal of controlled hours on the loading bay on the south side of Craven Road. Reinstatement /extension of the hours on loading and unloading in Craven Road would provide necessary waiting and servicing space for 50 Eastbourne Terrace, where the built loading bay has fallen short of requirements.
- The booking system is not being used consistently by tenants and deliveries are turning up and uploading in the road.
- Loading bay attendant continue to accept goods unloaded within Chilworth Mews because delivery drivers change regularly and are not aware of the conditions on the bay.

- Delivery drivers ignore the “no waiting” rule in Chilworth Mews and often will not move when advised that service vehicles must not wait in the residential road.
- The driver of the Bywaters vehicle confirmed that the loading bay is too small safely accommodate 2 vehicles concurrently and that loading bay doors cannot be shut for servicing for vehicles over 7m.
- No station for banksmen to monitor arrivals and waiting whether booked in or casual and no information is provided in the SMP to detail how banksmen are intended to monitor the road for waiting vehicles.
- Approved SMP for 50 Eastbourne Terrace is out of date as does not reflect the loading bay now being within a structure.
- The servicing management arrangements and approach to servicing for 50 Eastbourne Terrace as approved can no longer be maintained in the shared enclosure. Therefore, this plan needs to be reviewed and amended in conjunction with the other activities in the shared space.

PRESS NOTICE/ SITE NOTICE:

No

4.2 Applicant’s Pre-Application Community Engagement

Our Early Community Engagement guidance sets out expectations for developers with respect to Planning Applications ranging from householder to major applications. It is not generally expected to be undertaken with respect to approval of details applications relating to a permission already granted as often these details relate to technical aspects of a development and are not ordinarily widely consulted upon.

However, in this case, in granting conditional planning permission in 2019, the Planning Applications Sub-Committee attached an informative to the permission advising the developer:-

“ With respect to condition 32, you are expected to undertake neighbour liaison as required and set out in the minutes of the Planning Applications Sub-Committee 17.09.2019. Any forthcoming approval of details application pertaining to condition 32 will also be the subject of formal consultation by the City Council with neighbours”.

Residents Meetings to discuss the Approval of Details Application the subject of this report.

Consequently, an in person resident’s meeting with the developer took place on 29th June 2022 chaired by Councillor Jude, with Ward Councillors, PRACT, SEBRA and the case officer, planning highway’s officer, the developer and residents in attendance.

A further meeting (held over Teams) took place on 5th June 2023.

Residents Meeting to discuss Chilworth Mews Highway’s Report

As a result of discussions during the first residents meeting, the City Council’s City Highways Team undertook to write a report “Chilworth Mews Highways Report” which following circulation to interested parties, resulted in an in person meeting on 19th May 2023 to specifically discuss the content of the Highways report. This meeting was chaired by The City Council’s City Highways Project & Programme Manager &

Highways Planning Manager, with attendance by Ward Councillors, PRACT, SEBRA, residents, the case officer and planning highway's officer. The outcome of this meeting and any actions is not yet known.

5. WESTMINSTER'S DEVELOPMENT PLAN

5.1 City Plan 2019-2040 & London Plan

The City Plan 2019-2040 was adopted at Full Council on 21 April 2021. The policies in the City Plan 2019-2040 are consistent with national policy as set out in the National Planning Policy Framework (NPPF) (July 2021) and should be afforded full weight in accordance with paragraph 219 of the NPPF. Therefore, in accordance with Section 38 of the Planning and Compulsory Purchase Act 2004, it comprises the development plan for Westminster in combination with the London Plan, which was adopted by the Mayor of London in March 2021 and, where relevant, neighbourhood plans covering specific parts of the city (see further details in Section 6.2).

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

5.2 Neighbourhood Planning

The application site is not located within an area covered by a Neighbourhood Plan.

5.3 National Policy & Guidance

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

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site (prior to development) comprised a 1950's office block with curtilage access road and car parking to its rear. Its primary frontage is to Eastbourne Terrace facing the flank of the Grade I listed Paddington Station. It also faces onto Chilworth Street (north) and at the rear (west) to Chilworth Mews, beyond which lies the larger properties on Westbourne Terrace. Chilworth Mews is a public highway and comprises of a terrace of residential mews houses along its western side. To its south is 50 Eastbourne Terrace, previously also an office building, which has recently undergone redevelopment for office, commercial and residential use and is now complete and understood to be partially occupied.

Access to Chilworth Mews is via arched entrances from Chilworth Street and Craven Road and the road, which has no formal footpath (apart from a new stretch of footpath outside of the new mews houses on the east side of Chilworth Mews) is shared by pedestrians, cyclists and vehicles.

40 Eastbourne Terrace is not listed and is located outside of a conservation area, although the boundary of the Conservation Area runs down the centre of Chilworth Mews. There are a number of trees within the rear curtilage of the site, which are the subject of Tree Preservation Orders.

In terms of land use designations within the development plan, the site is located within the Paddington Opportunity Area (POA) and the Central Activities Zone (CAZ). Eastbourne Terrace has been the subject of Crossrail works, which has resulted in various closures and diversions of vehicular and pedestrian traffic over the last few years.

6.2 Recent Relevant History

40 EASTBOURNE TERRACE

Original Application

Demolition of top floor and erection of replacement floor plus one storey extension, rear extensions, and replacement facades with associated external alterations for use as a 366 bed hotel (Class C1) with flexible use at part of ground floor for restaurant/hotel use (Class A3/C1). 19/03058/FULL
Application Permitted 1 November 2019

1st Non-Material Amendment

A First Non-Material Amendment was agreed on 05.03.2021 to remove reference to the specific number of bedrooms (366) within the development and change the description of the proposal to "Demolition of top floor and erection of replacement floor plus one storey extension, rear extensions, and replacement facades with associated external alterations for use as a hotel (Class C1) with flexible use at part of ground floor for restaurant/hotel use (Class A3/C1)" and to include a new condition to restrict the number of hotel bedrooms to 369. . (21/00688/NMA)

2nd Non-Material Amendment

A Second Non-Material Amendment was agreed on 17.05.2021 to amend the wording of condition 26 (tree protection measures) to enable details to be provided in four phases.(21/01953/NMA)

3rd Non-Material Amendment

A third Non-Material Amendment was agreed on 09.09.2021 for Replacement of relocated lower ground floor plant rooms with bedrooms; recesses to fire exits removed at lower ground floor level; cycle and bin store relocated within the lower ground floor level; entrance to cycle store relocated at lower ground floor level; 8 windows replaced with 8. inset brick bays at ground floor level; 1 window added at ground floor level on the South Elevation; curtain walling replaced with individual windows on Chilworth Street; windows included within lightwell on Chilworth Street; and certain consented windows replaced with shadow box windows. (21/01110/NMA)

4th Non-Material Amendment

A fourth Non-Material Amendment was agreed on 12.01.2022 for Amendments to planning permission dated 01 November 2019 (RN:19/03058/FULL), as amended by non-material amendments dated 05 March 2021 (RN: 21/00688/NMA) and 09

September 2021 (RN: 21/01110/NMA) for the: Demolition of top floor and erection of replacement floor plus one storey extension, rear extensions, and replacement facades with associated external alterations for use as a 366 bed hotel (Class C1) with flexible use at part of ground floor for restaurant/hotel use (Class A3/C1). NAMELY, to allow the addition of a fire escape door at lower ground level, adjustment of bedroom window positions, fire exit door rotated, and brick wall extended at lower ground level and smoke vent louvres removed at lower ground floor level. (21/07942/NMA)

5th Non-Material Amendment

A fifth Non-Material Amendment was agreed on 25.11.2022 for Amendments to planning permission dated 01 November 2019 (19/03058/FULL) for Demolition of top floor and erection of replacement floor plus one storey extension, rear extensions, and replacement facades with associated external alterations for use as a 366 bed hotel (Class C1) with flexible use at part of ground floor for restaurant/hotel use (Class A3/C1). Namely, design changes to hotel back of house; loading bay; changes to refuse provision; change of a window to a door at 4th floor level; relocation of a door at 5th floor level; revision to staircase enclosure.(22/01848/NMA).

Water Tank Application

Conditional permission was granted on 09.09.2021 for Excavation below existing building to accommodate basement level for water tank relating to the approved hotel planning permission (19/03058/FULL) (21/01170/FULL).

PLANNING ENFORCEMENT – RECENT CASES SUMMARY

Tree works.

Alleged breach

Breach of the tree protection plan discharged under application ref;21/07425/ADFULL. Planning enforcement ref; 23/77784/H.

Outcome

The City Council's Arboricultural Manager visited site and identified a breach of the protection plan in regard to root severance, lack of monitoring and the storage of materials within the root protection areas of the tree. Warning letters have been issued and meeting held with Gerald Eve to agree remedial action has been agreed. The matter continues to be monitored.

Fire escape doors

Alleged breach

Doors adjacent to the loading bay left open in potential breach of condition 27 (doors and windows) of planning permission ref; 22/01848/NMA granted in respect of the hotel development 40 ET. Planning enforcement ref; 23/78502/H. Condition 27 states.

A. The doors (notwithstanding the specific allowances under B and C of this condition) and windows to the rear elevation facing Chilworth Mews shall not be opened or used, except in the case of an emergency and for maintenance.

Outcome

Warning letters were issued 3 July 2023 requiring full compliance with Condition 27.

The Agent provided a response stating that the doors are being used by security staff in accordance with Condition 27.

The matter continues to be monitored.

Alterations to the façade of the hotel

Alleged breach

Possible unauthorised air vents installed on the western façade of the hotel building.

Planning enforcement ref; 23/78287/H

Outcome

It was confirmed that these are grilles to support the brickwork to be erected to the facade of the hotel and as such there was no breach of planning control.

50 EASTBOURNE TERRACE

The Planning permission for 50 Eastbourne Terrace & associated highways works to Chilworth Mews.

Conditional planning permission was granted for the redevelopment of 50 Eastbourne Terrace in 2016 and varied in 2019 and 2020. The 2020 permission (19/07378/FULL) permitted in February 2020 was for:-

Variation of condition 1 of planning permission dated 10 July 2019 (RN: 18/09733/FULL) which itself varied condition 1 of planning permission dated 15 November 2016 (RN: 16/07359/FULL) for demolition of existing buildings and redevelopment of the site to provide a 6 storey (plus existing lower ground floor) 'L' shaped building, including terraces, a plant room, a green roof and solar panels at roof level to comprise 2 x A1 (retail shops) units and 1 x flexible A1 (retail shop)/ A2 (financial and professional services) / A3 (cafe and restaurant) unit at ground floor level and B1 (office) floorspace at part ground and all upper stories, Erection of 7 residential townhouses, incorporating concealed roof terraces and landscaped areas to the front on Chilworth Mews. NAMELY, to allow the relocation of cycle and refuse storages into defensible zone landscaping along Chilworth Mews; party wall adjustments to incorporate services; amendment to unit mix increasing the provision of family sized dwellings; amendments to facade and roof; to the mews buildings and changes to the ground floor office reception layout and the introduction of an ancillary retail cafe unit (Class A1)

This permission is governed by a Deed of Variation an earlier Deed of Variation dated 10.07.2019 which varied the original S106 legal agreement dated 2016 between the applicant and us under Section 106 of the Town and Country Planning Act 1990 to secure the following planning obligations:

- a) Obligations set out in the original legal agreement 2016:
 - i) Provision of car parking on an unallocated basis.
 - ii) Highways works surrounding the site necessary for the development to occur, including vehicle crossovers, changes to on-street restrictions and footway repaving.
 - iii) Employment and Training Strategy for the construction and operational phases of the development.
 - iv) Crossrail planning obligation
- b) Additional obligations: in the Deed of Variation dated 10.07.2019
 - i) A financial contribution of £200,437 to the Affordable Housing Fund to offset shortfall in residential floor space on the site.
 - ii) A financial contribution of £22,515 to the Carbon Off-Set Fund to offset the shortfall in on-site carbon reduction.

To be paid on commencement of development (definition within S106 legal agreement excludes demolition).

Approved Servicing Management Plan

Approval on 05.10.2020 of Details of Servicing Management Plan and waste storage pursuant to condition 18 and 24 of planning permission dated 5th February 2020 (RN:19/07378/FULL).(20/02855/ADFULL)

PLANNING ENFORCEMENT – RECENT CASES SUMMARY

Loading bay (in regard to use by the occupier of 50 Eastbourne Terrace)

Alleged breaches

- Deliveries not taking place in loading bay in breach of the approved Servicing Management Plan discharged by application ref; 20/02855/ADFULL and Conditions 18 (Servicing Management plan) and 31 of permission ref; Planning Enforcement case ref; 22/77213/H.
- Deliveries taking place in the loading bay outside of the permitted hours in breach of the approved Servicing Management Plan discharged by application ref; 20/02855/ADFULL and Conditions 18 (Servicing Management plan) and 31 of permission ref; permission ref; 19/07378/FULL. Planning Enforcement case ref; 22/77462/H.
- Noise from the use of loading bay out of hours and noise the storage of waste materials in the loading, in breach of the approved Servicing Management Plan discharged by application ref; 20/02855/ADFULL and Condition 18 (Servicing Management Plan) of permission ref; 19/07378/FULL. Planning Enforcement case refs; 23/77834/H and 23/78349/H.

Condition 18 states.

Notwithstanding the outline servicing plan submitted, you must apply to us for approval of a detailed Servicing Management Plan in relation to the commercial premises. You must not occupy the commercial premises until we have approved what you have sent us and abide by the terms of the Servicing Management Plan at all times.

Condition 31 states;

All servicing must take place from the loading bay shown on the drawings (whether enclosed in a structure or not) and this area shall only be used for this purpose and servicing must only take place between 07.00-20.00 on Monday to Saturday and 10.00-16.00 on Sunday and Bank Holidays. Servicing includes loading and unloading goods from vehicles and putting rubbish outside the building.

Outcome

Warning letters have been issued in respect of these breaches and the Planning Enforcement Team have continued to monitor the through 2022 and 2023.

The alleged breaches identified by residents and as a result of the monitoring of the site by the Planning Enforcement Team have been raised with Freeholders Agent's for investigation and to take the appropriate action to remedy the situation.

Given that there continues to be ongoing alleged breaches of planning control in regard to deliveries to 50 Eastbourne Terrace the Planning Enforcement Team are currently

drafting an enforcement report recommending to the Head of Legal Services that formal enforcement proceedings commence with the service of an enforcement notice for breach of the Servicing Management Plan (approval ref; 20/02855/ADFULL) and Conditions 18 and 31 of planning permission ref; 19/07378/FULL.

Vapiano Restaurant

Alleged breach

Commencement of the use of the premises as a restaurant prior to discharge of the Condition 4B (Operational Management Plan) and Condition 10 (Odour Abatement Scheme) of planning permission ref; 22/00672/FULL. Planning Enforcement case refs; 22/77460/H and 23/77732/H.

Condition 4B states;

B. Prior to the use of the retail/restaurant and ancillary take-away and delivery service, you must apply to us for approval of an operational management plan to show how you will prevent customers who are leaving the building from causing nuisance for people in the area, including people who live in nearby buildings and to minimise any impact in environmental, highways and amenity terms.

The Operational Management Plan must include:-

- *Details of staff and capacity, arrival and departure processes, hours of operation.*
- *Delivery & Click and Collect to remain ancillary to the sit down restaurant.*
- *Delivery operatives must only attend the site by way of foot, by bicycle or by electrically powered bicycle.*
- *Delivery operatives must park lawfully.*
- *No obstruction of the pedestrian or vehicular highway within the vicinity of the site.*
- *No use of Chilworth Mews at any time*
- *Litter patrols*
- *Dedicated restaurant employee to monitor delivery driver compliance with OMP.*
- *Policy to exclude delivery operatives who fail to comply with OMP.*
- *Contact for complaints.*
- *Log of complaints/issues over 12 months from date of first occupation of the restaurant.*
- *Resubmission of OMP with any necessary refinements/ revisions*

You must not start the retail/restaurant and ancillary take away or delivery use until we have approved in writing what you have sent us. You must then carry out the measures included in the approved management plan at all times that the restaurant is in use.

Condition 10 states.

A. Prior to the use of the Restaurant on the corner of Craven Road and Eastbourne Terrace for hot food, you must submit for approval a scheme for the prevention of odour nuisance from the kitchen extract ventilation and subsequently install it maintain it.

Outcome

On 3 March 2023 the City Council served the relevant parties with both Breach of Condition Notices and Enforcement Notices in respect of breach of Condition 4B and Condition 10.

Condition 4B was later discharged by way of application ref; 22/08590/ADFULL and Condition 10 was later discharged by way of application ref; 23/00964/ADFULL.

Therefore, these matters are considered to be closed.

Treeology Café

Alleged breach

Unauthorised A boards and planters placed on the public highway outside the premises.
Planning Enforcement case ref; 23/78121/O.

Outcome

A boards and planters have been removed following the issue of warning letters.

7. THE PROPOSAL

This is an Application for Approval of Details reserved by conditions following the grant of planning permission on 01.11.2019 under reference (RN:19/03058/FULL) for the demolition of top floor and erection of replacement floor plus one storey extension, rear extensions, and replacement facades with associated external alterations for use as a 366 bed hotel (Class C1) with flexible use at part of ground floor for restaurant/hotel use (Class A3/C1). *NB. Class A3 has now been replaced by Class E.*

Three conditions are sought for discharge:-

1. Operational Management Plan for Hotel and Restaurant uses- Condition 10A.
2. No Coach/No Group Bookings- Condition 10B
3. Servicing Management Plan- Condition 32

Condition 10

Prior to occupation you must provide to us and we must have agreed:-

a. An Operational Management Plan for the hotel and restaurant uses.

b. Details of how you will manage a No Coach/No group bookings policy.

c. Details of Electric Vehicle charging points for LGV delivery use and the 4 DDA car parking bays.

These plans must thereafter be followed/maintained for the life of the development, unless a revised plan is agreed by us in writing.

Reason for condition:- *In the interests of public safety, to avoid blocking the road and to protect the environment of residents and the area generally as set out in S41 and S29 of Westminster's City Plan (November 2016) and STRA25, TRANS 2, TRANS23, ENV5, ENV6 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007.*

Condition 32

Notwithstanding the outline servicing plan submitted, you must apply to us for approval of a detailed Servicing Management Plan in relation to the hotel and restaurant premises.

The Servicing Management Plan will include details of the operational safety measures that will be employed to restrict the use of reversing "bleepers" associated with vehicles reversing into the loading bay at 40 Eastbourne Terrace. An associated risk assessment must also be provided.

The Servicing Management Plan will also include confirmation of the maximum permitted vehicle size to be used to service the development, namely 7.5 t vehicle class approximately 8 m in length.

The hotel and/or restaurant must not commence operation until we have approved what you have sent us. You must then operate the hotel and/or restaurant in accordance with the approved Servicing Management Plan at all times.

Reason for condition:-*To protect neighbouring residents from noise nuisance and to safeguard highway safety, as set out in S24, S29, S32, S41 and S42 of Westminster's City Plan (November 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007*

Informative 16 of Planning permission granted on 01.11.2019 under reference: 19/03058/FULL.

"With respect to condition 32, you are expected to undertake neighbour liaison as required and set out in the minutes of the Planning Applications Sub-Committee 17.09.2019. Any forthcoming approval of details application pertaining to condition 32 will also be the subject of formal consultation by the City Council with neighbours".

1st Residents Meeting 29.06.2022.

As encouraged by informative 16, a residents meeting with the developer took place on 29.06.2022 chaired by Councillor Jude, with the case officer and planning highway officer in attendance, along with SEBRA, other Ward Councillors and residents of Chilworth Mews.

The details of the SMP for 40 Eastbourne Terrace were not really discussed, instead discussions focused on the highway works that had been undertaken by the City Council in Chilworth Mews, in particular the installation of a pavement area outside of the seven new Mews houses (which were constructed as part of the redevelopment of 50 Eastbourne Terrace) on the east side of Chilworth Mews towards the southern arch with Craven Road.

Concern was raised that the installation of the pavement had physically reduced the width of this part of Chilworth Mews for vehicular traffic. And, furthermore, the single yellow line was now located adjacent to that pavement, which when a vehicle was parked there, reduced the width of Chilworth Mews even further. Consequently, concerns were raised as to whether the servicing vehicles attending 40 and 50 Eastbourne Terrace, would be obstructed from accessing the joint off-street loading bay and whether vehicles could in fact access the joint off-street loading bay without oversailing "private" land. Residents remain of the opinion that the area of land between the mews houses on the east side of Chilworth Mews and the single yellow line is private land, belonging to the owners of the Mews houses.

It was agreed at the meeting that Highways Planning would request City Highway's to undertake a review of Chilworth Mews with respect to vehicular access to and through the Mews and to consider a number of highways matters raised by those who attended the meeting.

The report was circulated to those who attended the residents meeting on 29.06.2022 and was also placed on the City Council's website for this application as part of a re-consultation exercise.

The City Highways Report on Chilworth Mews

A summary of the key findings of the report are set out below:-

- Both the southern and northern arches to Chilworth Mews are accessible by the City Council's Refuse and Recycling collection vehicles (26 tonne) and are therefore accessible by a 7.5 tonne vehicle class of approximately 8m in length, which is the maximum size vehicle permitted to service the development.
- The Highway boundary maintainable at public expense is the entirety of Chilworth Mews, to the front building line of the Mews houses on the east side of the Mews and not the location of the yellow line (as disputed by residents).
- An extension to the Controlled Parking Zone (CPZ) is required - to install double yellow lines to the entire east side of the mews to prevent waiting at any time and to ensure that all vehicles, including those servicing 40 & 50 Eastbourne Terrace, Emergency vehicles and those accessing garages are not obstructing access along Chilworth Mews.

Table 1:- Comparison of Servicing hours of 40 & 50 Eastbourne Terrace and Existing Controlled Parking Zone restrictions

NB/ Single yellow line -No parking, but allows loading and unloading within designated times.

Double yellow line – No waiting at any time

Day	M-F	SAT	Sunday	Bank Holidays
Existing CPZ- single yellow line East and West side of the mews	08.30-18.30	08.30-13.30	None	08.30-18.30
Servicing Hours	07.00-20.00	07.00-20.00	09.00-16.00	09.00-16.00
Servicing hours when no CPZ	07.00-08.30 18.30-20.00	07.00-08.30 13.30-20.00	09.00-16.00	08.30-09.00
Proposed CPZ				
i) Double yellow line to east side of mews	i)No waiting at any time on east side	i) no waiting at any time on east side	i)no waiting at any time on east side	i)No waiting at any time on east side
ii)single yellow line to west side of mews	ii)As per existing situation	ii)As per existing situation	ii)As per existing situation	ii)As per existing situation

A second residents meeting (Via Teams) with the developer took place on 5th June 2023 attended by Ward Councillors, SEBRA, PRACT, the developer, the residents of Chilworth Mews, the case officer and planning highway officer. Following discussions over the content of the SMP & OMP (& no coach parties) a final revised submission was made, and full consultation carried out.

8. DETAILED CONSIDERATIONS

8.1 Land Use

Planning permission has already been granted for the use of the site for hotel and restaurant purposes and development has commenced on site. The applicant has indicated that the Servicing Management and Operational Management Plan has been prepared in connection with Whitbred PLC, the proposed hotel operator. As such, this application does not raise land use issues.

8.2 Environment & Sustainability

Not applicable to this Approval of Details Application.

8.3 Biodiversity & Greening

Not applicable to this Approval of Details Application.

8.4 Townscape, Design & Heritage Impact

Not applicable to this Approval of Details Application.

8.5 Residential Amenity

See assessment under transport section.

8.6 Transportation, Accessibility & Servicing

Pre-Existing Servicing Arrangement

Prior to the commencement of development, the previously existing office building was serviced externally off-street from the rear car park/curtilage area via Chilworth Mews and was unrestricted and unregulated.

The original permission granted permission (by our Planning Applications Sub-Committee) for the hotel development, on the basis that it would be serviced from a new purpose built enclosed loading bay structure also at the rear and accessed via Chilworth Mews. The structure would contain two bays, 1 for this site (40 Eastbourne Terrace) and 1 for the adjacent site (50 Eastbourne Terrace). The loading bay was not to contain a turntable and vehicles would be required to reverse into/out of the loading bay. Servicing hours of 0600-21.00 (with restriction between 08.00-10.00 and 16.00 and 19.00) were originally proposed but were subsequently revised to 07.00-20.00 Monday to Saturday and 09.00-16.00 Sundays and Bank Holidays.

The City Council's Highways Planning Manager was satisfied that the servicing arrangements including the reverse manoeuvres required to access the off-street loading bay were acceptable and did not raise highway concerns. A Servicing Management Plan (SMP) had been submitted which contained overarching principles of how servicing would be managed. However, given the revised hours etc, a revised and simplified SMP was required by condition 32 of the original permission.

Proposed Servicing Management Plan

A Servicing Management Plan (SMP) has now been submitted with a view to discharging condition 32. This is not an opportunity to revisit the principle of servicing of the site from the rear and the details of that as set out above. The SMP and OMP seek to exert some control over the servicing and operation of the premises so that, for example, the servicing is spread across the day and a large number of vehicles do not all arrive at once.

The Highway- Chilworth Mews

As part of the approved S106 agreement for 50 Eastbourne Terrace (see history section of this report), there was a requirement for highways works to be undertaken immediately around the building to ensure the area was returned to an acceptable highway standard.

The highways proposals (which included a new pedestrian footway outside the development in Chilworth Mews) were consulted on with residents and local groups in January 2021. Numerous responses were received to the consultation, many of which were incorporated within the design for the scheme. The scheme was approved for implementation via Delegated Authority on 26 February 2021 by the Director of City Highways.

Following commencement of the highways works in late 2021, ongoing communication was received by officers regarding the new footway in Chilworth Mews. Concerns were raised over the apparent inability of vehicles to access garages should the new footway be implemented. It was viewed that the footway would reduce the width of the carriageway affecting turning movement of vehicles. This concern was heightened by the possibility of vehicles parking at the edge of the new footway reducing the width of the carriageway even further.

Swept path analysis was undertaken using standard industry methods based on the new and now current layout and dimensions of Chilworth Mews, inclusive of the new footway. The analysis was undertaken using both an 8m long HGV accessing the new servicing bays within both 40 and 50 Eastbourne Terrace, as well as a large car exiting a garage opposite the location of the new footway with a parked van located opposite. No issues regarding turning movement or access were identified.

The new footway has been implemented flush with the carriageway and so has no raised kerb edge, creating a single surface (similar to the remainder of the mews). The footway has been built to carriageway specification meaning that although vehicles are not permitted to park on the footway, it has been built to withstand vehicle overrun if required.

All highways work relating to the 50 Eastbourne Terrace is now complete.

Several communication chains have been received by officers in response to the consultation on the proposed Service Management Plan (SMP) and Operational Management Plan (OMP) for the development at 40 Eastbourne Terrace. The communications focus on whether Chilworth Mews, which would be used to access the

off-street servicing bays for both 40 and 50 Eastbourne Terrace, remains suitable to provide vehicular access to the off-street servicing bays following recent highway works (in particular the new pedestrian footway) undertaken in the Mews as part of the development at 50 Eastbourne Terrace. The representations of objection submitted in relation to this application are set out in the consultation section of this report and in the background papers. It should be noted that copies of the several communication chains of emails have not been included to avoid duplication and residents have been made aware of this.

Highway boundary

The western highway boundary of Chilworth Mews is the building line.

post The majority of items (e.g., plant pots, furniture) etc have only appeared in the mews 2016. Previous to that, the mews had limited items outside properties.

In the majority of Westminster, highway will be building/railing line to building/railing line due to the historical nature of the borough. Although all areas are highway, elements such as smoke vents or pavement lights may not be maintained at public expense due to being supporting highway structures (but do still form part of the highway). These areas are not private forecourts. With respect to the yellow lines on Chilworth Mews, these are parking restrictions only, they do not denote the extent of highway. As an example, a street location with a kerb and footway, the yellow line would be painted near the edge of carriageway – as it is an indicator to motorists not pedestrians. In a mews or where there is a single surface, the yellow line is painted as close the edge as possible – this is not also immediately against the building line for a variety of reasons.

Vehicle Tracking

Vehicles, the maximum size which the loading bay can accommodate, can manoeuvre into and out of the off-street loading bays using the carriageway between the single yellow line on the western side of Chilworth Mews and the new single surface footway.

It is agreed that parked vehicles would impact manoeuvring of any vehicle. This would have been the case of the previous building access, as well as mews garage access. A solution could be to alter traffic management order to limit parking and/or loading on sections of carriageway, as previously discussed with residents.

Servicing Management Plan

It is important to note that decisions to allow both developments at 40 and 50 Eastbourne Terrace to proceed have been taken some time ago and on the basis that servicing will take place from the Mews, with the size of the servicing bays also agreed. The SMP seeks to exert some control over the servicing and operation of the premises so that, for example, the servicing is spread across the day and a large number of vehicles do not all arrive at once.

The Servicing Management Plan, by Steer June 2023 is written as a manual to assist in the operation of the site as to what is allowed and expected . The Plan includes details of the following:-

- The loading area will be managed by the building management team already appointed for 50 Eastbourne Terrace. At the time of submission this is BNPPRE.

- Previous agreed estimated deliveries- 15 per day.
- All deliveries to the site via a loading area within the site boundary.
- No deliveries will be accepted by tenants other than from the designated loading bay provided.
- Booking system- online tenant portal platform available to all building occupiers (half hour slots & no double booking).
- Any repeated failure to comply with the SMP principles, can refuse the delivery of goods from particular suppliers both at the time of infringement and until the reasons for non-compliance are identified and the rules are complied with.
- Maximum vehicle size 8m in length (vehicle class MGV/7.5T), where possible use of smaller vehicles.
- Personal deliveries for individual staff members or hotel guests discouraged.
- Request for vehicles with white noise or broadband reversing alarms, standard beepers prohibited before 08.00 Monday to Saturday.
- BNPPRE will continue to monitor the usage and operations of the loading bay to ensure that access and egress from the loading bay can occur safely at all times whilst minimising any disturbance to local residents and visitors.
- Servicing and waste management activities must only take place between 07:00 and 20:00 on Monday to Saturday and 10.00-16.00 on Sunday and Bank Holidays as specified in Condition 18 of the planning permission.
- The doors of this enclosure will be kept closed at all times, other than to allow a vehicle to enter or exit the designated loading bays.
- All drivers servicing the site will be required to deliver goods through the service access adjacent to the loading bay. An intercom will be provided to the Hotel and Independent Restaurant's back of house areas to permit direct contact with associated staff if required.
- A "no-idling" policy for all vehicles within the loading bay and all vehicles will be instructed to turn off their engines whilst unloading goods.
- All waste collection will occur via the loading bay provided. The operator will move all waste for a particular waste stream to the loading bay area immediately prior to collection. They will then return the empty bins to the designated waste store.
- Waste collections will occur daily with all waste collections scheduled to occur during the early afternoon where possible to avoid the morning when the loading bay is more heavily used for commercial deliveries and also avoid the evening peak for traffic on the road network.
- Electrical Vehicle Charging Points will encourage the use of 'green' vehicles by allowing the opportunity for electric goods vehicles and other powered "last mile" delivery vehicles to be charged on site.
- Management of SMP including monitoring and Travel surveys within 6 months of occupation and 3rd and 5th years.
- Measures to reduce servicing and delivery trips.
- Cycle couriers to use Eastbourne Terrace.
- Operational risk assessment provided.

The Highways Planning Officer has advised that the details are satisfactory. The SMP includes commitment for all servicing to occur off-street within the designated loading bay which has been designed for the largest vehicle expected to service the site. The vehicle tracking is considered to be robust and satisfactorily demonstrates that the maximum size vehicle would be able to enter and exit the loading bay with minimal

impact on other highway users.

Consideration has been given to the ability for vehicles to access the loading bay through the arches at each end of the Mews, taking into account the new pavement. The Mews is considered to remain accessible to all vehicles including the emergency services (Fire Engine) and refuse vehicles and therefore the vehicles expected to service the site are considered to be able to satisfactorily access Chilworth Mews.

Whilst a separate Highways Report and discussions are taking place with respect to potential changes to Chilworth Mews and surrounding roads (Craven Road, Chilworth Street), these are outside the scope of this application and outside the control of the developer/applicant. As such, whilst a request has been made to delay the determination of this application until the outcome of the Highways Report, there is not considered to be justification for this, and the request is therefore considered to be unreasonable.

Operational Management Plan including No Coach/Group booking.

The Operational Management Plan by Steer June 2023 has been prepared to set out the strategy and approach to operation of the proposed hotel and restaurant. The plan includes details of the following:-

- The main access to the hotel/s will be provided on Eastbourne Terrace. A third access point is provided to the rear of the hotel via Chilworth Mews, only for those guests that book one of the accessible parking bays provided within the Mews, and for staff using the secure cycle parking provided.
- Visitor cycle parking is provided in two areas of the site on Eastbourne Terrace and Chilworth Street. Cycle parking for staff is provided in a new secure facility within the lower level ground floor.
- Occupants of the building at the time of any alarm will escape via fire exits into Chilworth Mews and will muster in Westbourne terrace.
- Staff and guests will only be able to gain access and egress from the hotel in line with conditions 27 & 28.
- The hotel reception and front desk will be staffed 24 hours a day, 7 days a week, to facilitate guest and visitor arrivals and departures. This will be supplemented by a comprehensive CCTV monitoring system.
- The independent restaurant unit will be open as follows:
 - Sun – Weds 07.00 – 12.00
 - Thursday – Saturday 07.00 -01.00
- Staff and customers wishing to smoke will be directed to do so on Eastbourne Terrace away from the main entrance doors. Suitable cigarette disposal facilities will be provided and regularly emptied / maintained by the facilities management team. Note staff and customers will not be permitted to smoke to the rear of the building within Chilworth Mews.
- There are no taxi facilities provided at the site. Staff or visitors will be encouraged to use the existing taxi ranks in the vicinity, particularly at Paddington Station if they need a taxi. There is no dedicated drop off facilities however taxis are allowed to temporarily stop on Eastbourne Terrace or Chilworth Street to drop off passengers. Taxis will not be permitted to use Chilworth Mews to pick up or drop off passengers associated with the 40ET development. This will be confirmed to all staff and guests.

- Hotel and restaurant staff will not be permitted to book licensed taxis directly to the hotel in order to minimise associated disruption to Eastbourne Terrace; instead, they will be directed to proceed to the Paddington Station taxi rank which is a high capacity rank situated approx. 200m from the hotel entrance (approx. 2.5 minutes' walk).
- Any tour operators or similar entities contact the hotel to request access for a coach party they must be made aware that the hotel cannot accept large parties arriving by coach. They would be told that other transport arrangements must be made (for example using the many public transport options at Paddington Station) should they wish to make a reservation.
- The hotel will be staffed 24 hours a day.
- A private, direct contact telephone number will be made available to local residents and businesses to enable them to contact the hotel management directly, should they have cause for concern.

The OMP is sufficiently detailed and provides a working document for the operator to ensure that operation of the hotel and restaurants minimise their impact on their neighbours. The document references conditions of the Planning permission, that provide additional safeguards for residents of Chilworth Mews and directs most activities to Eastbourne Terrace. As such, the OMP is considered to be acceptable and subject to compliance should ensure that the amenities of residents of Chilworth Mews are protected.

8.7 Economy including Employment & Skills

Not applicable to this Approval of Details Application

8.8 Other Considerations

Construction

The development site is currently subject to the Council's Code of Construction Practice (CoCP). It is a written code of standards and procedures that developers and contractors must adhere to. The purpose of the CoCP is to monitor, control and manage construction impacts throughout Westminster. It applies to all major development sites (among others). Its aim is to manage the environmental impacts of construction projects and identify main responsibilities and requirements of developers and contractors. Construction sites are inspected and monitored by Environmental Sciences and Highways Officers to ensure that contractors and sub-contractors comply with the requirements of the Code. Contractors are required to inform neighbours about key stages of the development. They must also provide contact details to allow complaints to be raised and notify the council of any complaints.

50 Eastbourne Terrace

As can be seen from the history section of this report, there have been a number of breaches of planning control associated with 50 Eastbourne Terrace and these are all being dealt with by our Planning Enforcement Team.

8.9 Environmental Impact Assessment

Not applicable to this Approval of Details Application

8.10 Planning Obligations & Pre-Commencement Conditions

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

9. Conclusion

The Servicing Management Plan and Operational Management Plan (including No coach parties) by Steer June 2023 is considered to provide an added layer of control over the operation of the site. The details provided as summarised in bullet point above are considered to be satisfactory and together with other planning conditions will minimise the impact of the operation in highways, environmentally and residential amenity terms. The objections raised by SEBRA, PRACT and local residents are not supported by officers.

The requested changes to the highway noted in this report are currently subject to consideration by the City Council's, City Highways Team and are outside of the control of the developer. As such, it is unreasonable to withhold making a determination of this application on that basis. In conclusion, subject to compliance with the SMP, OMP and No coach party document, the use should be able to be operated satisfactorily.

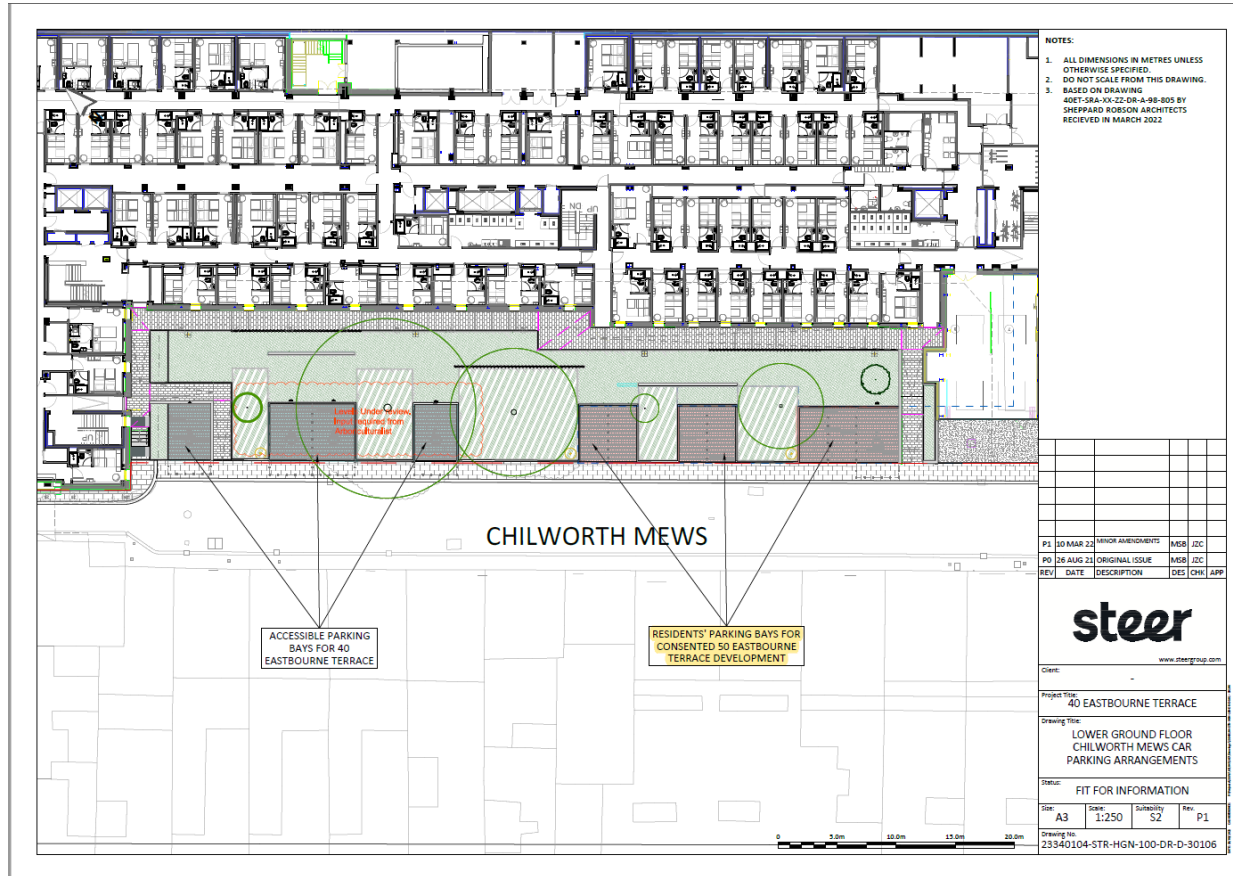
Representations have cited the ongoing problems at the adjoining site at 50 Eastbourne Terrace and their lack of compliance with their approved SMP, notably the requirement to service off-street within their approved loading bay. And on this basis, they state that the SMP for 40 Eastbourne Terrace does not work and should not be approved, there is not considered to be any reason why that operator cannot comply with their approved SMP, its content is very similar to other operators throughout Westminster. As such continued non-compliance is likely to result in enforcement action being taken. The breaches at this adjoining site are not considered to give reason to refuse this application. The document meets the requirement of the conditions and is sufficiently detailed. The development is not yet complete or operational. However, the expectation is that the operator will comply with the SMP/OMP they themselves have submitted. The fear of non-compliance with the SMP/OMP does not justify withholding permission.

(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: SARAH WHITNALL BY EMAIL AT swhitnall@westminster.gov.uk.

10. KEY DRAWINGS

Lower ground floor plan



DRAFT DECISION LETTER

Address: 40 Eastbourne Terrace, London, W2 6LG,

Proposal: Servicing Management Plan, Operational Management Plan for the hotel and restaurant uses, and details of how a no Coach/no group bookings policy will be managed, pursuant to condition 10A (OMP) and 10B (No coach or Group booking policy) and 32 (SMP) of planning permission dated 1 November 2019 (19/03058/FULL).

Reference: 22/01773/ADFULL

Plan Nos: 40 Eastbourne Terrace Servicing Management Plan and Operational Management Plan June 2023 ref: 23340101.

Case Officer: Sarah Whitnall

Direct Tel. No. 020 7641
07866036375

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

- 1 This permission fully meets condition(s) 10A, 10B and 32 of the planning permission dated 1 November 2019 (19/03058/FULL). (I11AA)
- 2 Failure to comply with the Servicing Management Plan & Operational Management Plan may result in us taking legal action to stop any breach of planning of condition.

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.