

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 17 November 2015	Classification For General Release.	
Report of Director of Planning		Wards involved West End	
Subject of Report	90-91 Berwick Street, London, W1F 0QB		
Proposal	Variation of Conditions 1 and 30 of planning permission dated 20 February 2015 (RN: 13/12007) for the partial demolition and rebuilding of existing podium levels with additional part single and part two storey extensions; front extension of part of the west elevation to Hopkins Street; replacement facades and new shopfronts; all in association with continued use of parts of the basement and ground floor on Berwick Street for shops (Class A1), financial and professional services (Class A2) and food and drink (Class A3) and new retail unit at northern end of Hopkins Street, use of remainder of podium (as extended) for hotel (Class C1) and residential (Class C3) purposes (maximum of 16 units) together with associated roof terraces (including for use by existing Kemp House residents); green roofs, landscaping, car and cycle parking, servicing, plant and ancillary works. Namely, to amend the approved drawings so as to allow the provision of an additional 17 hotel bedrooms and to expand the food and drink offer to hotel guests on a 24 hour basis rather than just serving breakfasts.		
Agent	Gerald Eve LLP		
On behalf of	Berwick Street Securities LLP		
Registered Number	15/06792/FULL	TP / PP No	TP/11524
Date of Application	24.07.2015	Date amended/ completed	28.07.2015
Category of Application	Minor		
Historic Building Grade	Unlisted		
Conservation Area	Soho		
Development Plan Context - London Plan July 2011 - Westminster's City Plan: Strategic Policies 2013 - Unitary Development Plan (UDP) January 2007	Within London Plan Central Activities Zone Within Central Activities Zone		
Stress Area	Within Stress Area		
Current Licensing Position	Not Applicable		

1. RECOMMENDATION

1. Grant conditional permission subject to a Deed of Variation to the S106 legal agreement relating to planning permission ref: 13/12007/FULL to secure the following:

- i) The provision of the on-site affordable housing as proposed.
- ii) Free car club membership for 20 years for each new and existing flat at the site.

- iii) The provision, at a discounted rate, of eight car parking spaces for existing residents in the off-street public car park in Poland Street for as long as that car park remains.
- iv) £16,000 towards parking review studies following implementation of the development.
- v) £113,163 towards public realm improvements.
- vi) Provision of a roof garden and roof terrace for the sole use of the residents of Kemp House in perpetuity.
- vii) Highway works (including works to footways and changes to traffic orders).
- viii) A contribution towards the Council's Environmental Inspectorate for monitoring.
- ix) S106 monitoring.

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

a) The Director of Planning shall consider whether the permission can be issued with additional conditions attached to secure the benefits listed above. If this is possible and appropriate, the Director of Planning is authorised to determine and issue such a decision under Delegated Powers; however, if not

b) The Director of Planning shall consider whether permission should be refused on the grounds that it has not proved possible to complete an agreement within an appropriate timescale, and that the proposals are unacceptable in the absence of the benefits that would have been secured; if so the Director of Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.





90-91 BERWICK STREET, W1

2. SUMMARY

Kemp House comprises a modern three storey (plus basement) podium block with a 17 storey tower extending from the podium roof with 57 residential flats. At ground floor level the podium contains mainly shops with frontages to Berwick Street which extend into the basement level. The largest shop is at the southern end of the site, comprising a Co-Op store with a flank to Peter Street. The two upper floors of the podium are in office use, whilst the remainder of the basement contains a car park for the occupiers of Kemp House accessed from Hopkins Street.

Planning permission was granted in February 2015 for partial redevelopment of the podium, including extensions, which would provide increased shopping floorspace, a hotel and both affordable and market housing. The roof of the podium on both the north and south sides of the residential tower would be extended by the addition of two storeys covering most of the podium but set back from the roof edge and from the tower itself. At second floor level the northern extension would extend over the roof of the neighbouring Duck and Rice pub/restaurant.

In the approved scheme new shopping floorspace would be added on Hopkins Street whilst windows would be inserted in the flank of the existing large shop on Peter Street to enliven that frontage. The basement car park and the first and second floor offices would be removed and replaced by a 95 bedroom hotel with an entrance on Hopkins Street and 16 residential flats including four affordable units. The flat roof areas of the proposed extensions would be used as residential terraces or green roofs, with the terraced areas on the proposed northern podium extension provided as amenity space for the existing residents of the tower.

No hotel operator was yet involved when the planning permission was granted. It was anticipated by the applicant that given its location in a central part of the West End, a hotel operator would have no requirement for extensive ancillary hotel facilities such as restaurant or bar, and no provision was made for these in the scheme. The applicant did, however, wish to have the option of a breakfast bar, which was subsequently allowed for in the permission.

A hotel operator is now interested in the project but is requesting certain changes to the approved scheme, and this forms the content of the current planning application. The hotel operator is the 'hub at Premier Inn' which is Premier Inn's new concept of City Centre compact, hi-tech hotel accommodation with smaller than average bedrooms. It focusses on a high degree of self-service with self check-in kiosks and in-room facilities controlled via the hub by an app. These hotels do not provide formal restaurants or bars as such, but have a 'Deli + Bar' which offers mainly takeaway breakfast boxes, pastries, sandwiches and drinks including alcohol. There is, however, no primary cooking and therefore no requirement for a fully operational hotel kitchen.

There are two main proposed amendments to the approved scheme in order to accommodate the hub hotel. Firstly, it is now proposed to allocate part of the hotel floorspace in the basement to a food and beverage area to accommodate the 'Deli + Bar'. This is a relatively small area in comparison to the overall scale of the hotel, accommodating seating for 46 persons, most of which would be around refectory style tables. This would amount to a modest hotel food and drink ancillary facility, which would be a minor part of the hotel operation. Although there have been some objections to this part of the proposals, it would be difficult to justify its refusal given the limited floorspace concerned which does not result in a highly intensive use. It is unlikely that the 'Deli + Bar' would be used by persons other than hotel guests and therefore it would not be an entertainment facility to be considered as a separate use in its own right under the Council's entertainment policies, rather being an integral part of the hotel and therefore acceptable under UDP Policy TACE2.

There have been objections that the food and drink offer would lead to rowdy behaviour by hotel guests to the detriment of existing residential amenity, especially for those living in Kemp House, and would divert trade away from local food and drink businesses who would otherwise benefit from custom from hotel guests. However, as discussed above, the 'Deli + Bar' would be a relatively minor facility and is not intended to, or be capable of, servicing the entire capacity of the hotel and therefore the majority of the hotel guests would still use external facilities for their meals.

The second change to the hotel proposed in this application is the increase in the number of hotel bedrooms from 95 to 112. The creation of these new rooms would be achieved by wholly internal alterations with no external changes to the approved scheme. At first to third floors in the approved scheme there is a middle row of hotel rooms which have no street windows, instead being lit from internal lightwells. In the proposed alterations these lightwells would be replaced by hotel bedrooms, meaning that all the middle row bedrooms on these three levels would be windowless. Although many people would not wish to stay in a hotel bedroom without a window, it is increasingly a feature of hotels in high cost City Centre locations throughout the world to offer these as it helps to reduce costs and enables more affordable accommodation in these places. The City Council has recently granted planning permission for a hotel with windowless rooms in the Trocodero building at Piccadilly Circus. Unlike for permanent residential accommodation, which are required to meet certain standards for natural lighting, there are no planning policies or legislative requirements for hotel bedrooms to have access to natural light. There is therefore no planning objection to the creation of additional internal hotel bedrooms.

Some local residents have objected to the increase in the capacity of the hotel on the grounds that this would create more activity, both pedestrian and vehicular, leading to greater noise and disturbance for local residents. However, any increase in activity is not likely to be so materially harmful that planning permission could reasonably be withheld.

There have also been objections from local residents to the potential use of the external terraces by hotel guests. This was not the intention in the approved scheme, and it is not proposed in the current alterations, as these terraces are to be provided for the existing residents of Kemp House. However, it is considered appropriate to ensure this by controls imposed by planning conditions and legal agreement.

It is recommended that planning permission should be granted.

3. CONSULTATIONS

SOHO SOCIETY

Objects to the introduction of additional hotel bedrooms leading to overdevelopment of the site with windowless rooms; and also object to food and drink being sold at the hotel as this will not support local businesses which would otherwise have benefitted from hotel guests' custom.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 308; Total No. of Replies: 5. One letter of support and four objections.

Objections to:-

- The increased capacity of the hotel will increase the likelihood of noise and disturbance to existing local residents from hotel guests arriving late at night.
- Greater demand for servicing for a larger capacity hotel with food and drink facilities would increase the chances of disturbance from delivery traffic early in the morning.
- Food and drink offer will make the hotel more of an entertainment venue with accompanying noise and disturbance to local residents.

- Food and drink offer will compete with local businesses which is the opposite of the original idea of the hotel which was to provide custom to local businesses.
- Terraces should not be used as external space by hotel guests or by Kemp House residents if they are consuming alcohol.
- Kitchen extract equipment will be required which may be noisy.
- Increased use of taxis to serve additional guests will cause noise and disturbance.

BACKGROUND PAPERS

1. Application form

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT PAUL QUAYLE ON 020 7641 2547 OR BY E-MAIL – pquayle@westminster.gov.uk

DRAFT DECISION LETTER

Address: 90-91 Berwick Street, London, W1F 0QB

Proposal: Variation of Conditions 1 and 30 of planning permission dated 20 February 2015 (RN: 13/12007) for the partial demolition and rebuilding of existing podium levels with additional part single and part two storey extensions; front extension of part of the west elevation to Hopkins Street; replacement facades and new shopfronts; all in association with continued use of parts of the basement and ground floor on Berwick Street for shops (Class A1), financial and professional services (Class A2) and food and drink (Class A3) and new retail unit at northern end of Hopkins Street, use of remainder of podium (as extended) for hotel (Class C1) and residential (Class C3) purposes (maximum of 16 units) together with associated roof terraces (including for use by existing Kemp House residents); green roofs, landscaping, car and cycle parking, servicing, plant and ancillary works. Namely, to amend the approved drawings so as to allow the provision of an additional 17 hotel bedrooms and to expand the food and drink offer to hotel guests on a 24-hour basis rather than just serving breakfasts.

Plan Nos: P(15.1)01C, 02C, 03C, 04C, 05C, 06D, 07C; P(15.2)01D, 02C, 03D, 04C; (15.3)01C, 02C, 03C, 04D.

Case Officer: Steve Brandon

Direct Tel. No. 020 7641 8541

Recommended Condition(s) and Reason(s):

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

Reason:

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

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

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

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

Reason:

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

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

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

Reason:

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

- 4 The area of the site used for Class A3 purposes shall not exceed 247sqm

Reason:

We cannot grant planning permission for unrestricted use in this case because it would not meet S21 and S24 of Westminster's City Plan: Strategic Policies adopted November 2013 and TACE10 of our Unitary Development Plan that we adopted in January 2007.

- 5 If you provide an A3 use or uses, no more than 15% of the floor area of each of the uses shall consist of a bar or bar seating. You must use the bar to serve restaurant customers only, before, during or after their meals. (C05GA)

Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out in S24, S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and TACE 10 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05GB)

- 6 You must not open the Class A3 premises to customers, and you must not allow customers on the premises, outside the hours 07.00 to midnight. (C12DC)

Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out in S24, S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and TACE 10 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05GB)

- 7 You must apply to us for approval of details of the ventilation system to get rid of cooking smells from any Class A3 use, including details of how it will be built and how it will look. You must not begin any such use allowed by this permission until we have approved what you have sent us and you have carried out the work according to the approved details. (C14AB)

Reason:

To protect the environment of people in neighbouring properties as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6, ENV 7 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R14AC)

- 8 The area of the site used for Class A2 and Class A3 purposes combined shall not exceed 369sqm

Reason:

We cannot grant planning permission for unrestricted use in this case because it would not meet S7, S21 and S24 of Westminster's City Plan: Strategic Policies adopted November 2013 and SS4 and TACE10 of our Unitary Development Plan that we adopted in January 2007.

- 9 You must provide the waste storage facilities shown on drawing nos.P(15.1)01C, P(15.1)02B and P(15.1)08A before anyone moves into the property. You must clearly mark them and make them available at all times to everyone using the office, restaurants and shops. You must store waste inside the property and only put it outside just before it is going to be collected. You must not use the waste store for any other purpose. (C14DC)

Reason:

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

- 10 You must provide each cycle parking space shown on the approved drawings prior to occupation. Thereafter the cycle spaces must be retained and the space used for no other purpose without the prior written consent of the local planning authority.

Reason:

To provide cycle parking spaces for people using the development as set out in TRANS 10 of our Unitary Development Plan that we adopted in January 2007.

- 11 Before occupation of any of the development you must provide for approval details of how the bicycle parking will be allocated between the commercial and residential occupiers of the building. The use of the bicycle parking facilities shall be in accordance with the allocation as approved by this condition.

Reason:

To provide cycle parking spaces for people using the development as set out in TRANS 10 of our Unitary Development Plan that we adopted in January 2007.

- 12 You must use the parking, access, loading, unloading and manoeuvring areas shown on the approved plans only for those purposes. (C23AA)

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: Strategic Policies adopted November 2013 and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

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

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

Reason:

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

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

Reason:

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

- 15 (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: Strategic Policies adopted November 2013, by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

- 16 You must apply to us for approval of details of a supplementary acoustic report demonstrating that the plant will comply with the Council's noise criteria as set out in Condition 15 of this permission. You must not start work on this part of the development until we have approved what you have sent us.

Reason:

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

- 17 No vibration shall be transmitted to adjoining or other premises and structures through the building structure and fabric of this development as to cause a vibration dose value of greater than 0.4m/s (1.75) 16 hour day-time nor 0.26 m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.

Reason:

As set out in ENV6 (2) and (6) of our Unitary Development Plan that we adopted in January 2007, to ensure that the development is designed to prevent structural transmission of noise or vibration.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Soho Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 18 (1) Noise emitted from the emergency plant and generators hereby permitted shall not increase the minimum assessed background noise level (expressed as the lowest 24 hour LA90, 15 mins) by more than 10 dB one metre outside any premises.
- (2) The emergency plant and generators hereby permitted may be operated only for essential testing, except when required by an emergency loss of power.
- (3) Testing of emergency plant and generators hereby permitted may be carried out only for up to one hour in a calendar month, and only during the hours 09.00 to 17.00 hrs Monday to Friday and not at all on public holidays.

Reason:

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

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

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

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

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007 (UDP), so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan: Strategic Policies adopted November 2013, by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

- 20 The design and structure of the development shall be of such a standard that it will protect residents within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

Reason:

The design and structure of the development shall be of such a standard that it will protect residents within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

- 21 The design and structure of the development shall be of such a standard that it will protect residents within the same building or in adjoining buildings from noise and vibration from the development, so that they are not exposed to noise levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

Reason:

The design and structure of the development shall be of such a standard that it will protect residents within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

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

facilities for public viewing, where appropriate);

(v) wheel washing facilities and measures to control the emission of dust and dirt during construction; and

(vi) a scheme for recycling/disposing of waste resulting from demolition and construction works.

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

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

Reason:

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

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

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: Strategic Policies adopted November 2013 and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

- 24 You must apply to us for approval of details of a security scheme for the entrances on Hopkins Street including the recessed doorway adjacent to the external servicing lay-by to show how they will be protected from anti-social behaviour. You must not occupy any part of the development until we have approved what you have sent us. You must then carry out the work according to the approved details before anyone moves into the building. (C16AB)

Reason:

To reduce the chances of crime without harming the appearance of the building as set out in S29 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 (B) of our Unitary Development Plan that we adopted in January 2007. (R16AC)

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

You must not start work on the public art until we have approved what you have sent us. Before anyone moves into the building you must carry out the scheme according to the approved details.

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

Reason:

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

- 26 You must apply to us for approval of samples of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located.

You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work using the approved materials. (C26BC)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Soho Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1, DES 4 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26DD)

- 27 You must apply to us for approval of detailed drawings (at scales 1:20 and 1:5) of the following parts of the development:

1. Typical details of all new facades
2. Public art

You must not start any work on these parts of the development until we have approved what you have sent us.

You must then carry out the work according to these detailed drawings. (C26DB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Soho Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

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

Reason:

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

- 29 The proposed new retail unit at the northern end of the site fronting Hopkins Street shall not be used as a supermarket or foodstore

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: Strategic Policies adopted November 2013 and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

- 30 With the exception of the areas annotated as "Hotel Food and Beverage Area" and "Hotel Lobby" as shown on the approved drawings nos. P(15.1)01C and P(15.1)02C the hotel shall only be used for guest bedrooms and there shall be no other hotel facilities included.

Reason:

To make sure that the use will not cause nuisance for people in the area and to avoid congestion on the local highway. This is as set out in S24, S29, S32 and S42 of Westminster's City Plan: Strategic Policies adopted November 2013 and STRA 25, TACE 10, ENV 6, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007.

- 31 You must not cook raw or fresh food anywhere on the hotel premises.

Reason:

We do not have enough information to decide whether it would be possible to provide extractor equipment that would deal properly with cooking smells and look suitable. This is as set out in S24, S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05DC)

- 32 None of the external flat roof areas, green roofs or terraces on the building shall be used for hotel purposes.

Reason:

To protect the environment of the people in the residential part of the development. This is as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R21CC)

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan: Strategic Policies adopted November 2013, Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

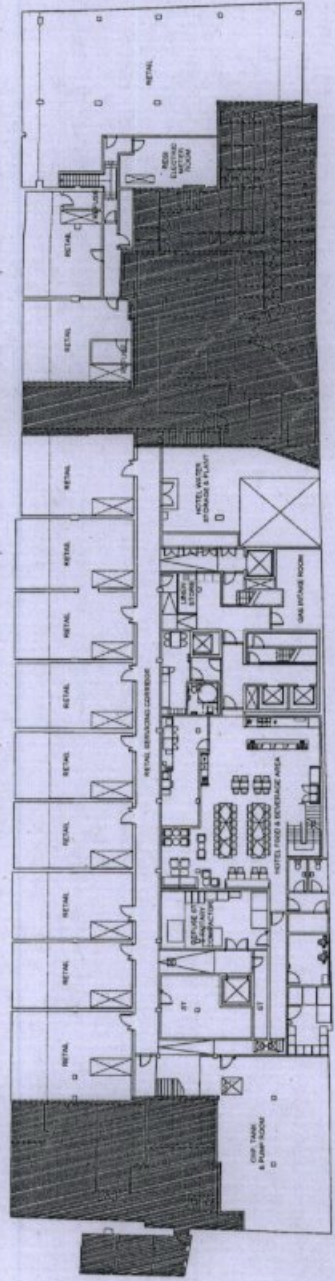
GENERAL NOTES

Drawing is based on information supplied by the architect, structural engineer, & other consultants.
The architect is responsible for the accuracy of the information, but the contractor is responsible for the accuracy of the construction. The contractor is responsible for the accuracy of the construction.
This drawing is the property of Latitude Architects and Engineers and must not be used or reproduced in any form without their written consent.

KEY



DENOTES AREA OUTSIDE OF CURB



- C LVI/MB 1/2025 Issued for Minor Material Amendment
- D LVI/MB 1/2025 Issued for Non-Material Amendment
- A LVI/MB 02/2024 Issued for Stage 3 Report

Issue	Checked By	Date	Description

Drawing No: **PLANNING**
 Job No: **1106**
 Date: **F115.101**
 Issue: **C**

Project: **PROPOSED BASEMENT FLOOR PLAN**
 Address: **90-104 BERWICK STREET**

Latitude Architects
 15 Wether Street
 Cambridge VIC 3174
 www.latitudearchitects.com

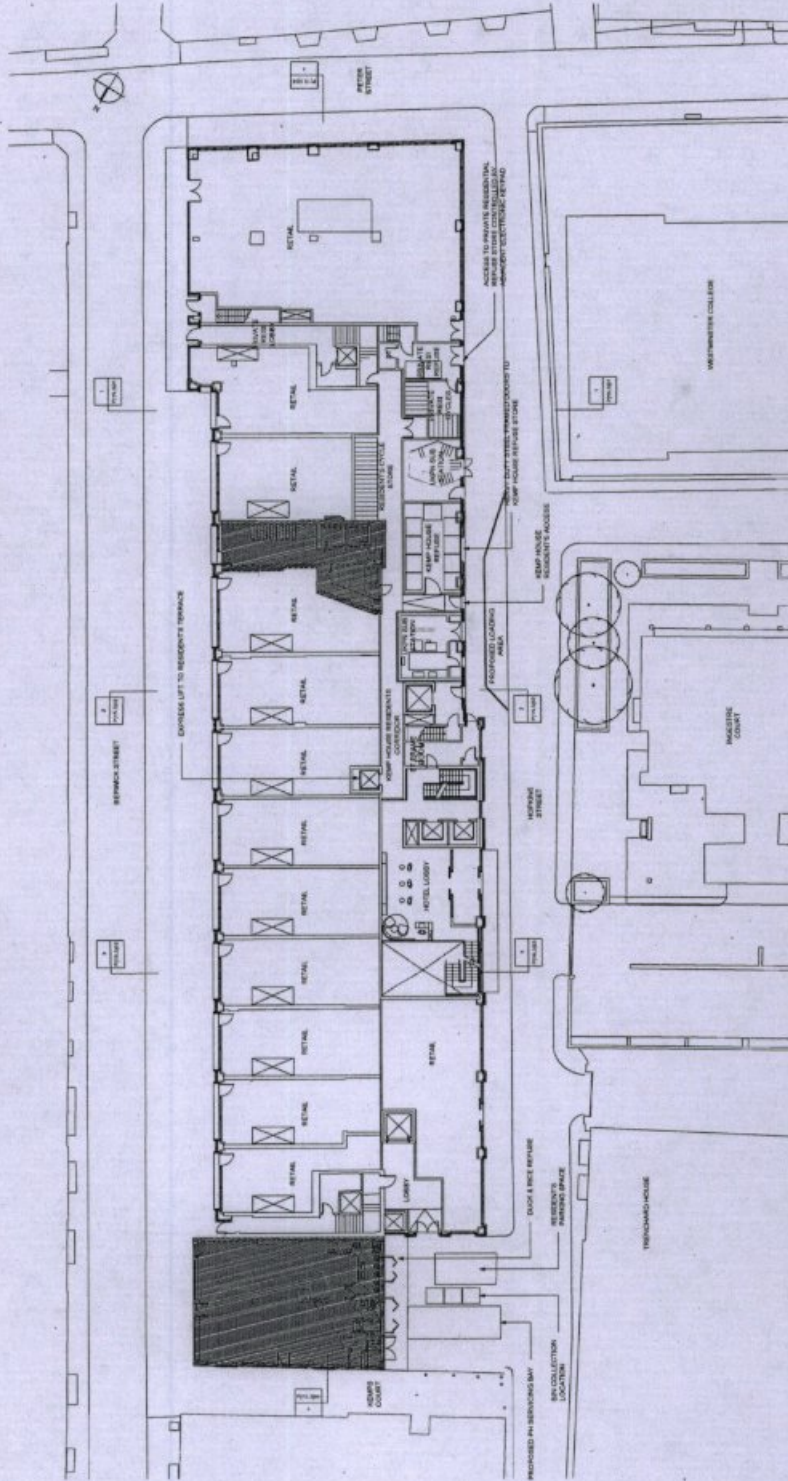
GENERAL NOTES

Drawings to be used in conjunction with all information by architect, structural engineer & service consultants.
 Dimensions are given in feet and inches. All dimensions are to be verified by the contractor. All dimensions are to be verified by the contractor. All dimensions are to be verified by the contractor.
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KEY



DENOTES AREA OUTSIDE OF DEMISE



- C LVI/MB 1/15/10 Issued for Minor Material Amendments
- B LVI/LB 2/20/10 Issued for Mechanical Amendments
- A LVI/MB 05/11/10 Issued for Stage 3 Report

Status	Job No.	Draw No.	Issue
PLANNING	1106	P115.1002	C

Drawing: PROPOSED GROUND FLOOR PLAN
 Scale: 1/8"=1'-0" (1:200)

Project: 90-104 BERWICK STREET

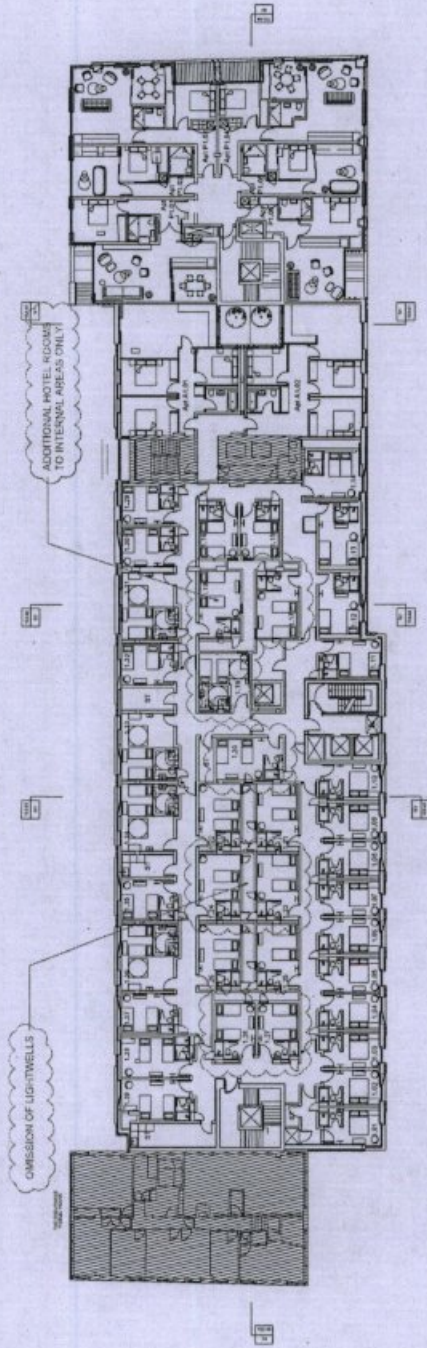
GENERAL NOTES

Drawings to be used in conjunction with all information by architect, structural engineer & other disciplines.
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KEY



DENOTES AREA OUTSIDE OF DENISE



- C LW/MB 17/07/12 Issued for Minor Material Amendment
- B LW/LB 20/03/10 Issued for Non-Material Amendment
- A LW/MB 05/11/14 Issued for Stage 3 Report

Issue	Checked/Drawn	Date	Description
STATUS	PLANNING	1106	15/10/03
DATE			
ISSUE			

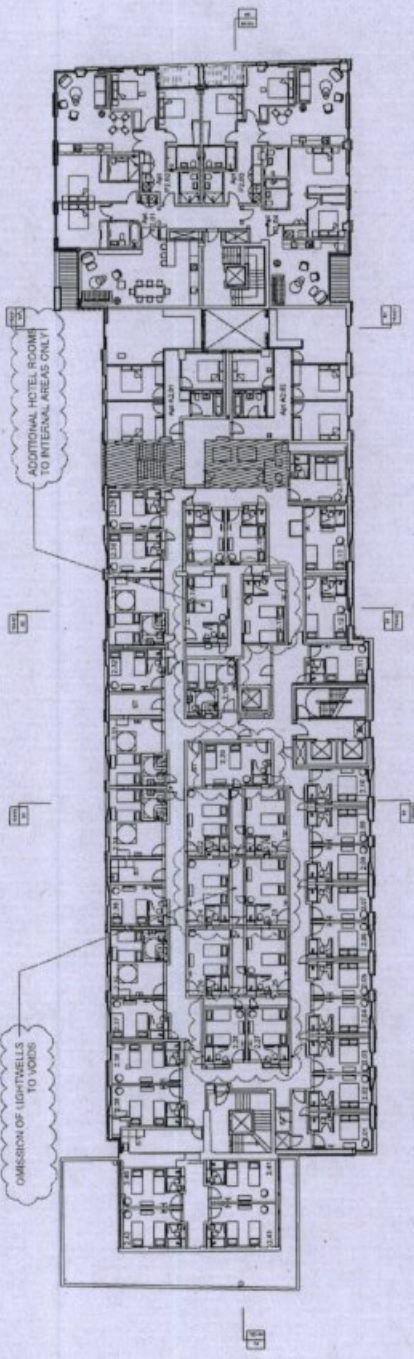
Drawing: PROPOSED FIRST FLOOR PLAN
 Project: 90-104 BERWICK STREET

GENERAL NOTES

Drawing to be used in conjunction with all information to architect, structural engineer & services providers.
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KEY

DENOTES AREA OUTSIDE OF SCHEME



- C LIV / WS 17/07/15 Issued for Minor Material Amendment
- B LIV / LB 20/03/15 Issued for Non-Material Amendment
- A LIV / WS 05/11/14 Issued for Stage 3 Report

Issue	Checked	Date	Description
PLANNING		11/15/1004	C

Drawing: PROPOSED SECOND FLOOR PLAN
 Project: 91-105 BERWICK STREET

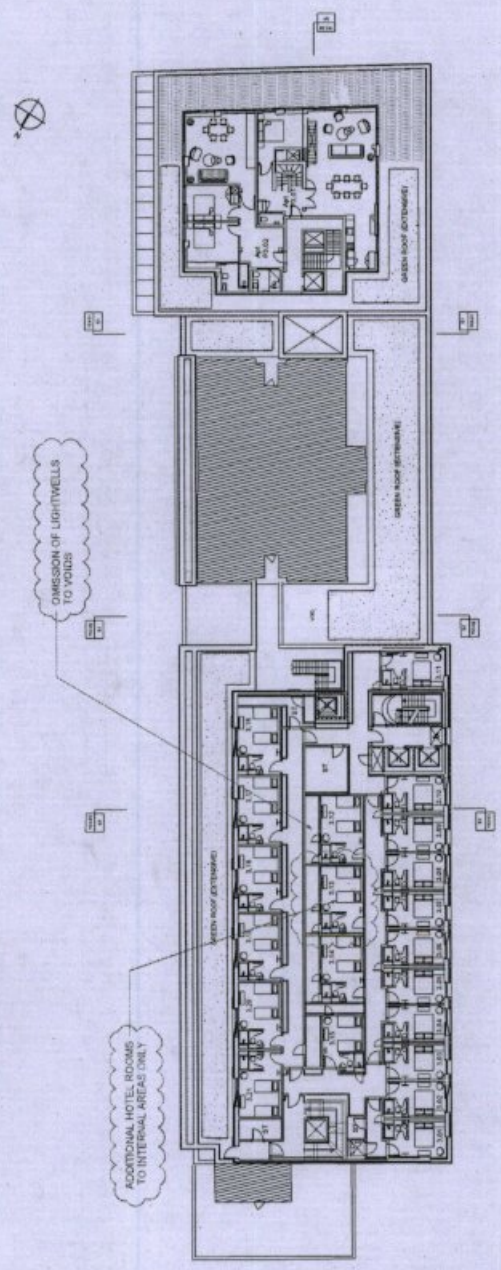
Latitude
 Latitude Architects
 15 Water Street
 London EC1R 1JQ
 www.latitudearchitects.com

GENERAL NOTES
 Drawings to be read in conjunction with all information by architect, structural engineer & services consultants.
 The contractor shall be responsible for the design of all works. Contractors to be notified of any changes to the drawings or specifications. Drawings shall be used in accordance with the contract documents.
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KEY



DENOTES AREA OUTSIDE OF SCHEME



- C LW/MB 17/07/15 Issued for Minor Material Amendment
 - B LW/LB 20/07/15 Issued for Non-Material Amendment
 - A LW/MB 09/11/14 Issued for Stage 3 Permit
- Issue | Check/Drawn | Date | Description

Sheet	Job No.	Draw No.	Issue
PLANNING	1106	P115.3105	C

Drawing
PROPOSED THIRD FLOOR PLAN
 Project
90-104 BERWICK STREET

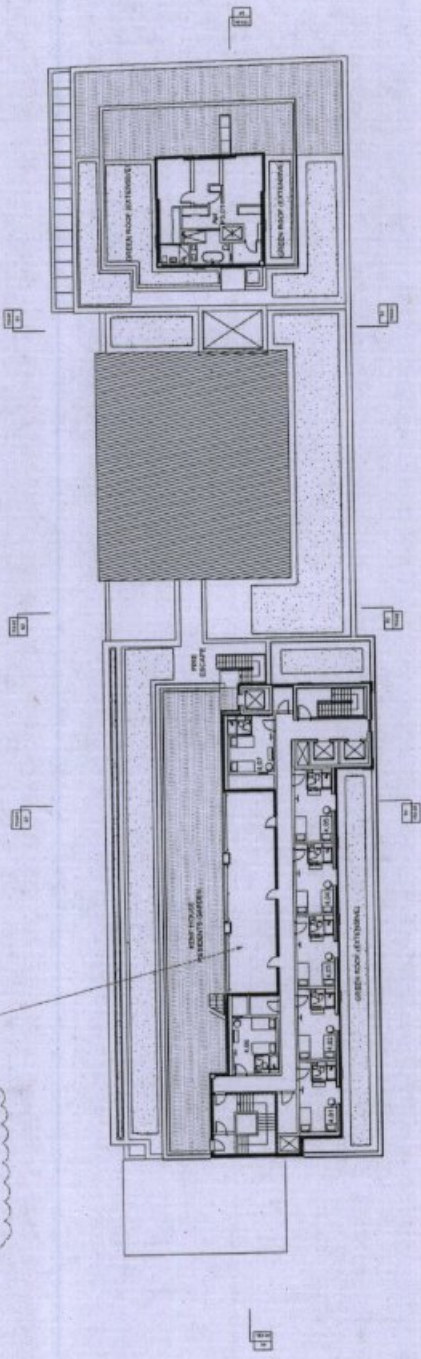
GENERAL NOTES
 Owners to be used in conjunction with all information by architect, structural engineer & other consultants.
 The contractor is to verify with their site drawing all work dimensions to be checked on site before work commences. Discrepancies, when identified, must be reported to the architect.
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KEY

DENOTES AREA OUTSIDE OF DEMISE



OMISSION OF LIGHTWELLS TO VIGAS



D LVY / ME 1707015 Based for Minor Material Amendments
 C LVY / ME 2003015 Based for Non-Structural Amendments
 B MO / LW 1403014 Final design and final enclosure removed and doors reduced
 A LVY / ME 0801104 Based for Stage 3 Report

Name	Checked	Date	Description
PLANNING		1106	P115.1106

Issue: D
 Drawing: PROPOSED FOURTH FLOOR PLAN
 Project: 90-104 BERWICK STREET