

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 2 February 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved West End	
Subject of Report	Car Park, 32 Brewer Street, London, W1F 0ST,		
Proposal	Use of the basement, ground, first, second and third floors of Brewer Street Car Park and external areas surrounding the building (including two enclosures containing plant on Peter Street and Brewer Street) for event space by the British Fashion Council for London Fashion Week between 19 February 2016 and 23 February 2016, and for five days in each of the following months: September 2016, February 2017 and September 2017.		
Agent	Turley		
On behalf of	British Fashion Council		
Registered Number	15/11068/FULL 15/11070/LBC 15/11069/ADV	Date amended/ completed	11 December 2015
Date Application Received	27 November 2015		
Historic Building Grade	II		
Conservation Area	Soho		

1. RECOMMENDATION

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

2. SUMMARY

The application site comprises a Grade II listed public car park building situated within the Soho Conservation Area. The car park comprises lower ground, ground and three full upper floors. Planning permission, listed building consent and advertisement consent are sought for the temporary use of part of the car park to host London Fashion Week events between 19 February 2016 and 23 February 2016 and for five days in each of the following months: September 2016, February 2017, September 2017, and for associated works including the display of advertisement banners, and use of parts of Peter Street and Brewer Street for enclosures containing plant.

The key issues for consideration are:

- * The temporary use of the car park as event space;
- * The impact of the proposals upon the amenities of neighbouring residents;
- * The impact of the advertisements and plant within enclosures upon both the special interest of the listed building and the character and appearance of the conservation area.

The Brewer Street Car Park consists of five storeys (including basement). It can accommodate 350 parked cars (70 per floor) and also has 20 motorcycle spaces at ground floor level. It was built in 1929 in Classical-Moderne Art Deco style, and is now Grade II listed, being one of the earliest examples of buildings of this type.

The building is rectangular in shape with a narrow frontage to Brewer Street and a long flank set behind neighbouring buildings which face Lexington Street. The front corner on Brewer Street/Lexington Street forms a tower which is set forward of the main frontage, and alongside this tower is a recessed forecourt. There is a pedestrian entrance to the tower in Lexington Street. Part of the forecourt accommodates the vehicular entrance to all the car park floors except the basement, having a ramp to the upper floors and a level access to the ground floor. The vehicular access is separated from the remainder of the forecourt by a low wall with openable gates which provides the pedestrian access to the ground floor part of the car park.

At the rear, the car park abuts the flank elevation of 7 Ingestre Place, a property which accommodates eight residential flats. Part of the east facing flank elevation of the car park is exposed to the street in Ingestre Place and is part obscured by the Westminster Kingsway College site which lies in front in Ingestre Place. On the other side of the college Ingestre Place meets Peter Street, and the car park has a small return frontage to Peter Street which accommodates a separate vehicular access to the basement and a pedestrian access to the car park which is used as an emergency door. There are two emergency vehicular accesses from the ground floor of the car park in Ingestre Place, one adjacent to 7 Ingestre Place and one at the termination of Peter Street.

The character of this part of Soho is a mix of commercial and residential uses. As well as those properties adjoining the application site at 7 Ingestre Place (mentioned above), there are also adjoining residential properties at 20 Peter Street, which is a block of eight flats known as Salvo House. Further along Peter Street there are also residential flats on the upper floors of properties in Green's Court which links Peter Street to Brewer Street.

The other nearby residential properties are those opposite the front of the application site, namely St James Residences which comprises 23 flats on the upper floors of 23 Brewer Street, and on the other side of Lexington Street at 36 Brewer Street (10 flats).

The proposal is for the temporary use of part of the car park to host a London Fashion Week event between 19 February and 23 February 2016, and for three further five day Fashion Week events in the months of September 2016, February 2017 and September 2017. The exact dates for these subsequent events are yet to be finalised.

The purpose of the events are to showcase this country's contemporary fashion industry on the world

stage. A previous London Fashion Week event within the car park was permitted by the City Council last year (RN:15/06183/FULL).

The events would be mainly confined to the basement, first, second and third floors, with the ground floor being for access only. The car park function of the ground floor would continue during the event. Access to the event would be from Brewer Street where the forecourt would be used as the holding area for guests. In addition, the car park's basement will also contain a queueing area. The Peter Street entrance would be used for back stage purposes.

The proposal also includes the location of diesel generators on the car park's Brewer Street forecourt to power the equipment to be used at the event, and HVAC equipment (Heating, Ventilation, Air Conditioning) on Peter Street. Both these plant installations will be surrounded by enclosures with acoustic screening in order to minimise noise disruption to neighbouring residents.

The proposed events would be of very short duration, lasting for 5 consecutive days with setting up and dismantling taking place for 4 days before the event and 4 days after. To advertise the event it is proposed to display signage on Brewer Street, Lexington Street and Peter Street on hoardings and as a shroud-wrap for the building itself.

The proposed opening hours are 09.00-21.00 hours daily.

There would be no permanent loss of car parking facilities, and the ground floor of the car park would remain open, so there would no lasting harm to off-street car parking provision to justify refusing the application under UDP policy TRANS 25.

The Soho Society have not objected to the proposals, but have suggested the imposition of a condition requiring a travel management plan to encourage sustainable transport methods. Given, that the proposal is for four temporary five day events, it is considered that the imposition of a condition requiring a travel management plan would be onerous.

The use itself would be of very short duration and would not open excessively early or late, and given that the lawful use is a 24-hour car park it is not considered that material or lasting harm to surrounding residents could be demonstrated in this instance to a degree sufficient to justify withholding planning permission.

Most local objection has centred on the noise created from music played during the event and the location and operation of the HVAC plant equipment in Peter Street which are directly outside several residential dwellings and the diesel generators located on the forecourt on Brewer Street.

It is agreed that the plant installation on Peter Street is unneighbourly and would not ordinarily be acceptable. Environmental Health Officers have confirmed that, providing improved acoustic screening is installed, the noise should be adequately contained. When assessing the previous application for the use of the car park for London Fashion Week last year, officers stated that there was an expectation the plant installation on Peter Street would be better resolved for any future events. Subsequently, the City Council was given assurances that the plant located on Peter Street would be used for emergency purposes only. However, this is not the case, and it is now proposed that the HVAC equipment on Peter Street will be in use each day of the event and also for three days prior to the event commencing. The applicants state that the HVAC equipment must be located externally because the limited floor to ceiling heights within the car park do not allow for the required airflow.

Unlike the previously approved event, the applicant has confirmed that there are no diesel generators proposed on Peter Street and that the generators will be sited within the Brewer Street enclosure. This represents a slight improvement from the previous arrangements, albeit the Peter Street installation is still considered unneighbourly. Given that there is insufficient time for the applicant to come up with an alternative strategy, permission is recommended for the plant on Peter Street. However, a condition is proposed which will preclude the use of Peter Street for siting plant for any of the three subsequent events.

The second plant enclosure is proposed on the Brewer Street forecourt and includes the installation of 4 diesel generators. This is the less sensitive of the two plant enclosures in terms of their proximity to neighbouring residents. Environmental Health have confirmed that, subject to the imposition of conditions controlling the plant hours and noise levels, the two plant installations are considered to be acceptable given their temporary nature.

Objections have been received from neighbouring residents about the music to be played at the event and stating that during the previous fashion event music was unacceptably disruptive. The submitted noise report sets out that music will be played during fashion shows for a duration of 20 minutes per show. On the busiest day, five shows are scheduled, equating to 100 minutes of music throughout the day. The acoustic consultant comments that when attenuation from distance and the building's façade is accounted for internal noise levels at the nearest residential properties created by the music will be 29.6 dB(A). The City Council's Environmental Health Officer has considered the report and comments that due to the infrequent nature of music during daytime hours, and for the limited duration of the event, no objection is raised.

No permanent physical alterations are proposed to the building and the signs would not require fixings. The signs are of similar size and to be erected in the same locations as those permitted for the previous fashion event within the car park.

Given the prestige of the event which is crucial to the British fashion industry's exposure to a worldwide audience, it is considered that the economic considerations of this high profile event are an important contributory factor in the decision-making process in this instance and that planning permission should be granted.

3. LOCATION PLAN



4. PHOTOGRAPHS





5. CONSULTATIONS

Soho Society- No objection but suggests the use of a traffic management plan to encourage sustainable transport methods and to avoid congestion. The use of plant and acoustic screening should be conditioned.

Highways Planning - No objection subject to conditions

Environmental Health – Holding objection concerning potential noise nuisance from the plant; can be overcome by conditions.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 143

Total No. of replies: 4

No. of objections: 4

No. in support: 0

4 Objections from neighbouring residents on the following grounds:

*Music from the event will cause noise disruption to neighbours, and the 21.00 terminal hour is too late

* The location of plant on both Peter Street and Brewer Street are unacceptable and will cause noise disturbance to neighbouring residents.

* The use of diesel generators is unacceptable given the impact these will have on residents and the wider air pollution levels within the West End

*Noise and disturbance during set-up for the event.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 Recent Relevant History

15/11069/ADV

Display of three non-illuminated hoardings measuring 3.6m x 27.7m; 3.6m x 23.8m and 3.6m x 17.8m, one externally illuminated banner displayed at first - third floors measuring 9.6m x 7.1m and one internally illuminated lettering sign measuring 0.75m x 16.9m, and six items of non-illuminated mobile signage each measuring 0.4m x 0.3m. Temporary permission sought between 19 February 2016 and 22 February 2016, and for up to five days in each of the following months: September 2016, February 2017, September 2017.

15/06183/FULL

Use of ground, 1st, 2nd and 3rd floors of Brewer Street Car Park and external areas surrounding the building (including plant to be located within an enclosure on Peter Street) for event space by the British Fashion Council for London Fashion Week for a temporary period between Friday 18 September 2015 and Tuesday 22 September 2015.

Application Permitted 18 September 2015

15/06185/LBC

Internal alterations at ground, first and second floors and plant located within an enclosure on Peter Street. Installation of three non-illuminated hoardings measuring; 3.2m x 18m; 3.2m x 17m and 3.6m x 14.7m, one non-illuminated building wrap measuring 4.4m x 26m, and four non-illuminated banners measuring 9.6m x 3m, 10.9m x 26m, 10m x 8.3m.

Adverts to be displayed between 07/09/2015 and 07/10/2015. (Works in association of the temporary use of Brewer Street Car Park for London Fashion Week)

Application Permitted 18 September 2015

15/06184/ADV

Display of three non-illuminated hoardings measuring; 3.2m x 18m; 3.2m x 17m and 3.6m x 14.7m, one non-illuminated building wrap measuring 4.4m x 26m, six items of non-illuminated mobile signage each measuring 0.4m x 0.3m and four non-illuminated banners measuring 9.6m x 3m, 10.9m x 26m, 10m x 8.3m and . Temporary permission sought between 07/09/2015 and 07/10/2015.

Application Permitted 18 September 2015

15/11069/ADV

Display of three non-illuminated hoardings measuring 3.6m x 27.7m; 3.6m x 23.8m and 3.6m x 17.8m, one externally illuminated banner displayed at first - third floors measuring 9.6m x 7.1m and one internally illuminated lettering sign measuring 0.75m x 16.9m, and six items of non-illuminated mobile signage each measuring 0.4m x 0.3m. Temporary permission sought between 19 February 2016 and 22 February 2016, and for upto five days in each of the following months: September 2016, February 2017, September 2017.

15/11070/LBC

Internal alterations at basement, ground, first, second and third floors and plant located within an enclosure on Peter Street and Brewer Street. Installation of three non-illuminated hoardings measuring 3.6m x 27.7m; 3.6m x 23.8m and 3.6m x 17.8m, one externally illuminated banners displayed at first - third floor levels measuring 9.6m x 7.1m and one internally illuminated lettering sign measuring 0.75m x 16.9m. Adverts to be displayed between 19 February 2016 and 22 February 2016, and for upto five days in each of the following months: September 2016, February 2017, September 2017.

7. BACKGROUND PAPERS

1. Application form
2. Response from Soho Society, dated 10 January 2016
3. Letter from occupier of 2 Salvo House, 20 Peter Street, London, dated 30 December 2015
4. Letter from occupier of Flat 8, 20 PETER STREET, dated 18 December 2015
5. Letter from occupier of 43 St James's Residences, 23 Brewer Street, dated 1 January 2016
6. Letter from occupier of 3 Salvo House, 20 Peter Street, dated 3 January 2016

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(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 PAUL QUAYLE ON 020 7641 2547 OR BY EMAIL AT pquayle@westminster.gov.uk

8. KEY DRAWINGS

Site Address:
Brewer Street Car Park
Brewer Street
London, W1F 0ST

Project:
London Fashion Week

Client:
British Fashion Council

Print @ ARCH E Paper Size (36inch by 48inch - 914mm x 1219mm) Landscape
Number: 1/100 @ ARCH E

DATE	DESCRIPTION	BY	CHECKED	SCALE	STATUS
15/01/2018	02 - Turned Of The	1:100	...
15/01/2018	03 - BREWER STREET ELEVATION	1:100	...
15/01/2018	04 - PETER STREET ELEVATION	1:100	...

Project:
London Fashion Week

Client:
British Fashion Council

Print @ ARCH E Paper Size (36inch by 48inch - 914mm x 1219mm) Landscape
Number: 1/100 @ ARCH E

LEXINGTON STREET EAST ELEVATION
TOWER ELEVATIONS (BREWER STREET)

SOUTH
WEST

NORTH
BREWER STREET ELEVATION

EAST
BREWER STREET ELEVATION

PETER STREET SOUTH ELEVATION
PETER STREET WEST ELEVATION
PETER STREET NORTH
PLANT HOARDING ELEVATIONS (FLAT)

Proposed signage details

No.	Height	Width	Material	Notes	Reference image (if applicable and available)
1	1.2m	2.0m	Aluminium Composite Panel (ACP)	Signage for London Fashion Week	...
2	1.5m	2.5m	Aluminium Composite Panel (ACP)	Signage for London Fashion Week	...
3	1.8m	3.0m	Aluminium Composite Panel (ACP)	Signage for London Fashion Week	...
4	2.1m	3.5m	Aluminium Composite Panel (ACP)	Signage for London Fashion Week	...
5	2.4m	4.0m	Aluminium Composite Panel (ACP)	Signage for London Fashion Week	...
6	2.7m	4.5m	Aluminium Composite Panel (ACP)	Signage for London Fashion Week	...
7	3.0m	5.0m	Aluminium Composite Panel (ACP)	Signage for London Fashion Week	...

Site Address:
Brewer Street Car Park
Brewer Street
London, W1F 0ST

Project:
London Fashion Week

Client:
British Fashion Council

Print @ ARCH E Paper Size (36inch x 48inch)
Scale @ ARCH E 1:100

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DRAFT DECISION LETTER

Address: Car Park, 32 Brewer Street, London, W1F 0ST,

Proposal: Use of the basement, ground, first- third floors of Brewer Street Car Park and external areas surrounding the building (including two enclosures containing plant on Peter Street and Brewer Street) for event space by the British Fashion Council for London Fashion Week between 19 February 2016 and 23 February 2016, and for five days in each of the following months: September 2016, February 2017, September 2017.

Plan Nos: 01/A; 08/A; 09/D; 10/A; 11/A; 12/A; 14/A1; Acoustic Report VC102003-EN-RP-0002/ Rev 01

Case Officer: Billy Pattison

Direct Tel. No. 020 7641 3267

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 The use allowed by this permission is limited between 19 February 2016 until 23 February 2016. After that the land must return to its previous condition and use by 27 February 2016. The use allowed by this permission may then commence for one five day period in each of the following months: September 2016, February 2017 and September 2017.

You must inform the City Council in writing of the proposed dates for each of the following events at least three months before the events commence, and you must not commence the use until we have approved the dates you have sent us, including the assembly and disassembly dates before and after the event.

Reason:

The use is not an acceptable permanent use for the site.

- 3 The use hereby approved shall not be open to visitors except between 09.00 and 21.00 hours

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)

- 4 The plant installations and associated acoustic screening on Peter Street and Brewer Street shall be of such a standard that they will protect residents within neighbouring 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:

As set out in ENV6 (4) of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at sections 9.84 to 9.87, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the development from the intrusion of external noise.

- 5 The plant/machinery hereby permitted shall not be operated except between 07.00 hours and 21.00 hours daily (22.00 hours on Friday 19th February 2016).

Reason:

To safeguard the amenity of occupiers of noise sensitive properties and the area generally by ensuring that the plant/machinery hereby permitted is not operated at hours when external background noise levels are quietest thereby preventing noise and vibration nuisance as set out in 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.

- 6 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.

- 7 The plant located on Peter Street may only be operated between 16 February 2016 and 23 February 2016.

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 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)

- 9 Three months prior to the September 2016, February 2017 and September 2017 events you must apply to us for approval of detailed drawings showing the location of any plant required by the events and supported by a full acoustic report. You must not install any plant equipment until we have approved what you have sent us. You must then carry out the work according to the approved drawings.

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)

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

Reason:

The plans do not include any kitchen extractor equipment. For this reason we cannot agree to unrestricted use as people using neighbouring properties would suffer from cooking smells. This is as set out in S24 and S29 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 5 of our Unitary Development Plan that we adopted in January 2007. (R05EC)

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan: Strategic Policies adopted November 2013, Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 Please note that after the event in February 2016 the use of the highway on Peter Street for installing plant within enclosures will not be permitted for the subsequent events at the car park. You should consider arrangements for a more appropriate location for the plant.

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.

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