

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 24 May 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Vincent Square	
Subject of Report	108-112 Rochester Row, London, SW1P 1JU		
Proposal	Variation of Conditions 3 and 10 of planning permission dated 03 December 2013 (RN:13/10069/FULL) for use of the basement and ground floors as conference centre and meeting rooms (Class D1), namely to extend opening hours to 08.00 to 22.00 Monday to Saturday and to limit occupancy to 90 delegates between the hours of 21.00 and 22.00.		
Agent	Mr Andrew Goddard		
On behalf of	Mr Andrew Goddard		
Registered Number	15/10617/FULL	Date amended/ completed	1 March 2016
Date Application Received	16 November 2015		
Historic Building Grade	Unlisted		
Conservation Area	Not applicable		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

108 - 112 Rochester Row is an unlisted building that lies outside of the nearby Pimlico and Vincent Square Conservation Areas. The application site relates to the basement and ground floor of the building, which are currently in use as a conference centre (Class D1) following the change of use from offices (Class B1) and bank (Class A2) approved by planning permission in 2012.

The facility is primarily used by the Healthcare Financial Management Association as a central base for meetings and conferencing but is also let out to other organisations for the same use. In 2013, permission was granted to vary the capacity of the conference centre from the initially approved 120 delegates to 180 delegates.

The current application seeks to extend the operation of the conference centre by one hour from 08.00 and 21.00 Monday to Saturday and not at all on Sundays and Bank Holidays, to 08.00 and 22.00 Monday to Saturday and not at all on Sundays and Bank Holidays. The application also seeks to limit the occupancy to 90 delegates during that extended hour between 21.00 and 22.00. Originally it was sought to extend the hours until 23.00 with no restriction on occupancy past 21.00, however, the application was revised upon officer advice.

Policy ENV 13 of the Unitary Development Plan (UDP) and S29 of the Westminster City Plan (City Plan) seek to ensure that residential amenity is protected from development, while ENV 6 of the UDP and S32 of the City Plan seek to ensure that development is not permitted that might result in noise disturbance.

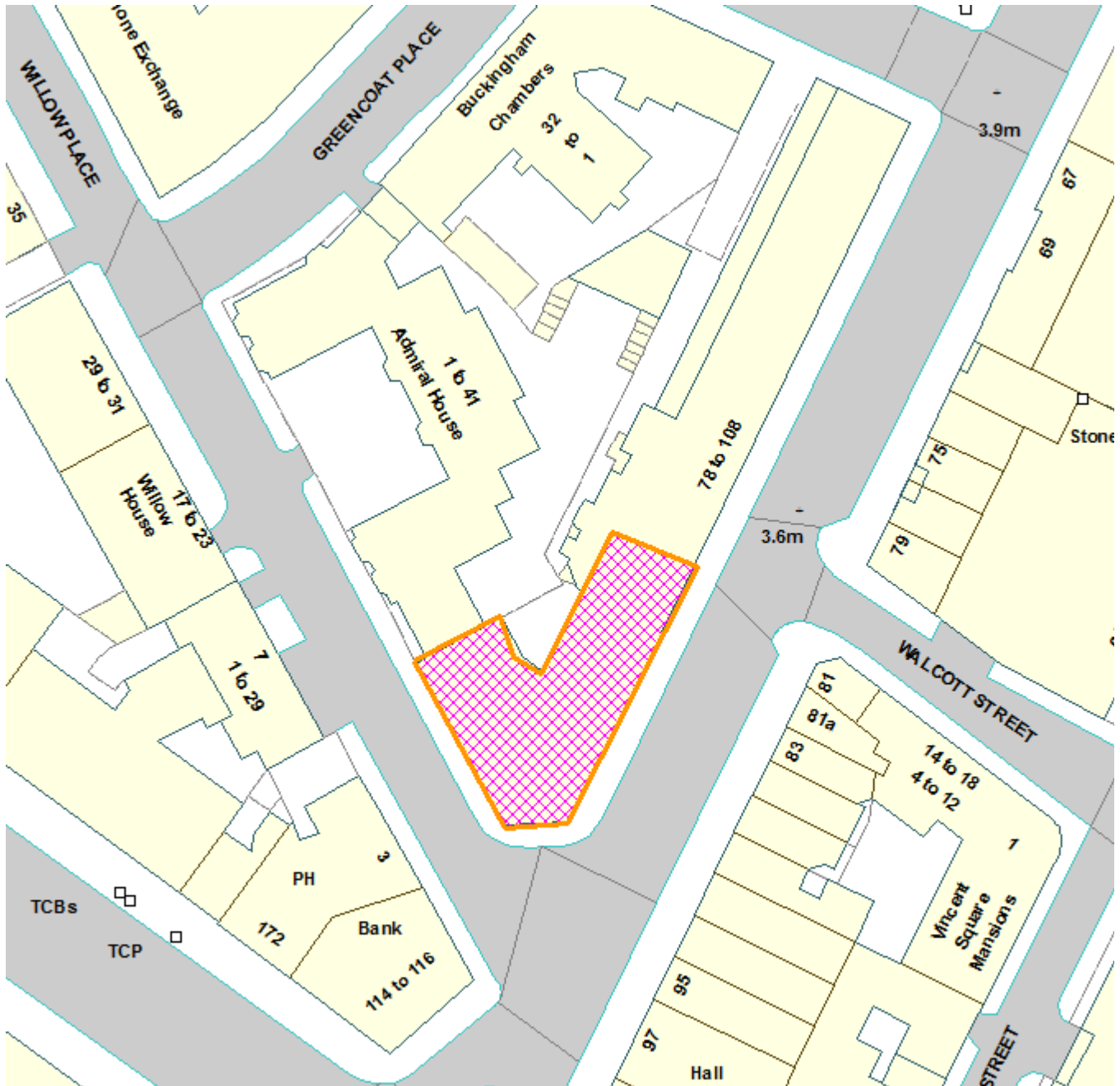
This area of Rochester Row is busy throughout much of the day with high numbers of pedestrian and vehicle movements owing largely to the local mix of land uses; with commercial, retail and residential activities all in close proximity to the application site. There are residential flats above the conference centre within the same building, opposite the conference centre on Rochester Row, and on Willow Place at Admiral House. In the evening, the area is characterised by being considerably quieter than during the daytime.

It was felt that the application as initially proposed, with operation until 23.00 would have an unacceptable impact on the amenity of nearby residential properties, allowing up to 180 delegates to spill onto a relatively quiet area in the late evening. Two objections have been received from neighbours in the residential flats above, which raised concerns regarding the noise created by people leaving the conference centre at 23.00. A comment was also received from the Westminster Society suggesting last admission to the conference facility be imposed at 21.00. In considering potential effects on amenity and consultation responses, the following revision was accepted by the applicant as an appropriate alternative that allows the facility to continue operation while mitigating the potential impacts of operating into the late evening:

- Hours of operation be varied from 08.00 - 21.00 to 08.00 to 22.00; and
- between the hours of 21.00 and 22.00 only 90 delegates will be permitted within the facility.

It is considered that the above is an acceptable arrangement enabling the ongoing use of the conference centre while reducing the risk of noise disturbance resulting from the facility. While the conference centre is located in close proximity to residential uses, the entrance is located on the corner a crossroad close to Vauxhall Bridge Road and an extension of hours to 22.00 with reduced capacity is appropriate in that context. The proposal is unlikely to result in a significant impact on residential amenity in the area and it is therefore recommended the application is approved, subject to the conditions imposed on the previous applications.

3. LOCATION PLAN



4. PHOTOGRAPHS

Conference centre entrance from Rochester Row at ground floor – residential apartments above.



Conference centre entrance (centre) looking towards Vauxhall Bridge Road

5. CONSULTATIONS

WESTMINSTER SOCIETY:

No objection, but suggest that last entry be imposed at 21.00.

HIGHWAYS PLANNING:

No objections.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 26

Total No. of replies: 2

No. of objections: 2

Two letters of objection received from residential flats at 102 Rochester Row raising concerns regarding noise from attendees leaving conference centre at 23.00 and impacting on residential amenity.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND PAPERS

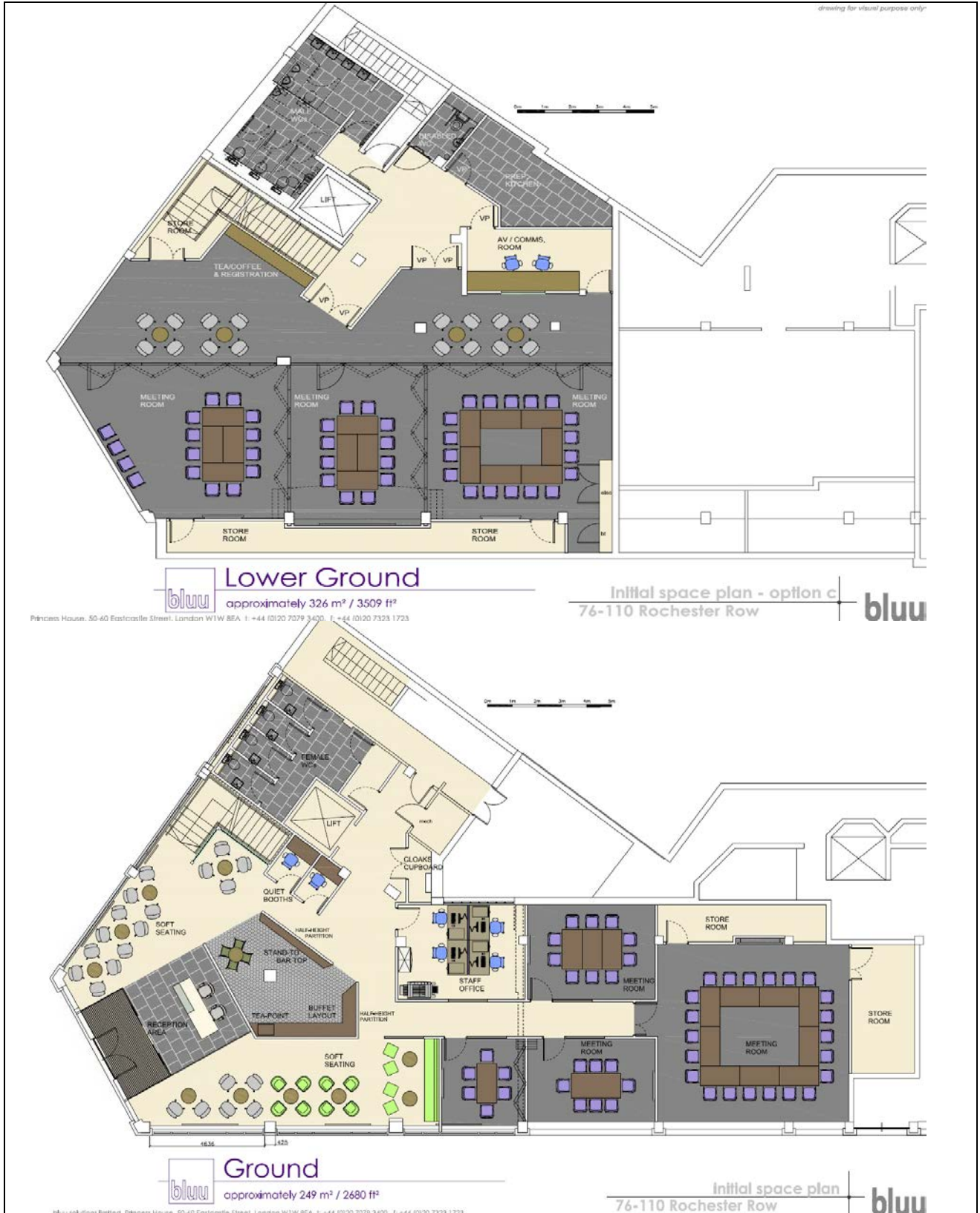
1. Application form
2. Response from Westminster Society dated 29 March 2016
3. Response from Highways Planning - Development Planning, dated 15 April 2016
4. Letter from occupier of Flat 17, 102 Rochester Row, dated 4 April 2016
5. Letter from occupier of Flat 13, 102 Rochester Row, dated 22 April 2016

Selected relevant drawings

(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 JOE WHITWORTH ON 020 7641 1968 OR BY EMAIL AT jwhitworth@westminster.gov.uk

7. KEY DRAWINGS



DRAFT DECISION LETTER

Address: 108 - 112 Rochester Row, London, SW1P 1JU,

Proposal: Variation of Conditions 3 and 10 of planning permission dated 03 December 2013 (RN:13/10069/FULL) for use of the basement and ground floors as conference centre and meeting rooms (Class D1), namely to extend opening hours to 08.00 to 22.00 Monday to Saturday and to limit occupancy to 90 delegates between the hours of 21.00 and 22.00.

Reference: 15/10617/FULL

Plan Nos: Location plan, L624(SK)020, Ground floor initial space plan, Lower Ground initial space plan - option c, External courtyard plan, Planning and Access Considerations Statement, Acoustic Enclosure details, Plant Noise Assessment 12/0320/R2, Undated Management Plan, Email from agent dated 20.03.13, Covering letter dated 09.10.13, Email from applicant dated 15 April 2015.

Case Officer: Joe Whitworth

Direct Tel. No. 020 7641 1968

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 not open the conference centre to customers, and you must not allow customers on the premises, outside of the following times: between 08.00 and 22.00 Monday to Saturday and not at all on Sundays and Bank Holidays.

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out in S24, S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 13 of our Unitary Development Plan that we adopted in January 2007.

- 4 The external courtyard as indicated on the External Courtyard Plan shall not be used by customers of the conference facility at any time.

Reason:

To protect the privacy and 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 13 of our Unitary Development Plan that we adopted in January 2007.

- 5 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum., , (2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum., , (3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:, (a) A schedule of all plant and equipment that formed part of this application;, (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;, (c) Manufacturer specifications of sound emissions in octave or third octave detail;, (d) The location of most affected noise sensitive receptor location and the most affected window of it;, (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;, (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;, (g) The lowest existing L A90, 15 mins measurement recorded under (f) above;, (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;, (i)

The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

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

- 6 The plant/machinery hereby permitted shall not be operated except between 08.00 hours and 21.00 hours daily between Monday and Saturday and not at all on Sundays or Bank Holidays.

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.

- 7 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.

- 8 The two air condensing units shall not be operated without the acoustic enclosure detailed in the submitted Plant Noise Assessment report and accompanying Acoustic Enclosure details being installed in full accordance with those details and retained for as long as the plant is in situ.

Reason:

To protect the privacy and 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 13 of our Unitary Development Plan that we adopted in January 2007.

- 9 You must only use the part of the property we have approved for a Conference Facility for that

purpose. You must not use it for any other purposes, including any within Class D1 of the Town and Country Planning (Use Classes) Order 1987 as amended April 2005 (or any equivalent class in any order that may replace it). (C05BB)

Reason:

We cannot grant planning permission for unrestricted use in this case because it would not meet ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R05AB)

- 10 The conference facility shall not exceed a capacity of 180 delegates between the hours of 08.00 and 21.00 and a capacity of 90 delegates between the hours of 21.00 and 22.00.

Reason:

To make sure that the use will not cause nuisance for people in the area 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.

- 11 The conference facility shall only be operated in full accordance with the Management Plan approved by the City Council as Local Planning Authority on 27th March 2013 under reference 13/01002/ADFULL or in accordance with other details as submitted to and approved by the City Council.

Reason:

To protect the environment of residents and the area generally as set out in S29 of Westminster's City Plan: Strategic Policies adopted November 2013 and STRA 25, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007.

- 12 Servicing shall only take place during the hours of 0800 to 2100 Monday to Saturday and not at all on Sundays and Bank Holidays.

Reason:

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

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan: 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 You must ensure that the environment within a workplace meets the minimum standard set out in the Workplace (Health, Safety and Welfare) Regulations 1992 with respect to lighting, heating and ventilation. Detailed information about these regulations can be found at www.hse.gov.uk/pubns/indg244.pdf. (I80DB)
- 3 If any licensable activities are proposed on site such as the Supply of Alcohol and Late night refreshment, then an application for a Premises Licence will have to be submitted to the Licensing Service under the Licensing Act 2003. Further advice can be given by the Council's Licensing Service on 020 7641 8549.
- 5 The applicant should contact the Council's Environmental Health Business Unit concerning the registration of any food business and to ensure that approved standards of construction are met.
- 6 Dedicated and sufficient wash hand basins are required in the Kitchen and any food preparation areas.

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.