

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 6 th March 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved St James's	
Subject of Report	Trocadero , 13 Coventry Street, London, W1D 7AB		
Proposal	Use of part basements, part ground and part first to eleventh floor levels as a hotel (Class C1) comprising up to 740 bedrooms; erection of entrance canopy on Shaftesbury Avenue and plant enclosures at levels 07 to 11 and associated works; erection of roof extensions, plant, pool and terraces at levels 12 and 13 for use as a restaurant and bar (Class A3 and A4).		
Agent	Savills		
On behalf of	Criterion Capital Limited		
Registered Number	17/08541/FULL 17/08542/LBC	Date amended/ completed	29 September 2017
Date Application Received	22 September 2017		
Historic Building Grade	Grade II Listed Building		
Conservation Area	Soho		

1. RECOMMENDATION

<p>1. Grant conditional permission, subject to a S106 legal agreement to secure the following:</p> <p>i. The costs of implementing revisions to the traffic order to provide a shared coach and loading bay on Rupert Street and crossover works into the proposed loading bay;</p> <p>ii. A Crossrail payment;</p> <p>iii. An employment and training strategy for the demolition, construction and operational phases of the development;</p> <p>iv. S106 monitoring costs.</p> <p>2. If the S106 legal agreements has not been completed within six weeks of the date of the Committee resolution, then:</p> <p>(a) The Director of Planning shall consider whether it would be possible and appropriate to issue the permission with additional conditions attached to secure the benefits listed above. If so, the Director of Planning is authorised to determine and issue the decision under Delegated Powers; however, if not;</p> <p>(b) The Director of Planning shall consider whether the permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits which would have been secured;</p>
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if so, the Director of Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

3. Grant conditional listed building consent.
4. Agree the reasons for granting listed building consent as set out in Informative 1 of the draft decision letter.

2. SUMMARY

The application relates to the Trocadero complex which occupies a prominent site within the West End. A large part of the building was formerly in leisure use but the majority of the upper floors are currently being converted to hotel use following a consent granted in 2012. The site is located within the Soho Conservation Area, the West End Stress Area and part of the building is Grade II listed.

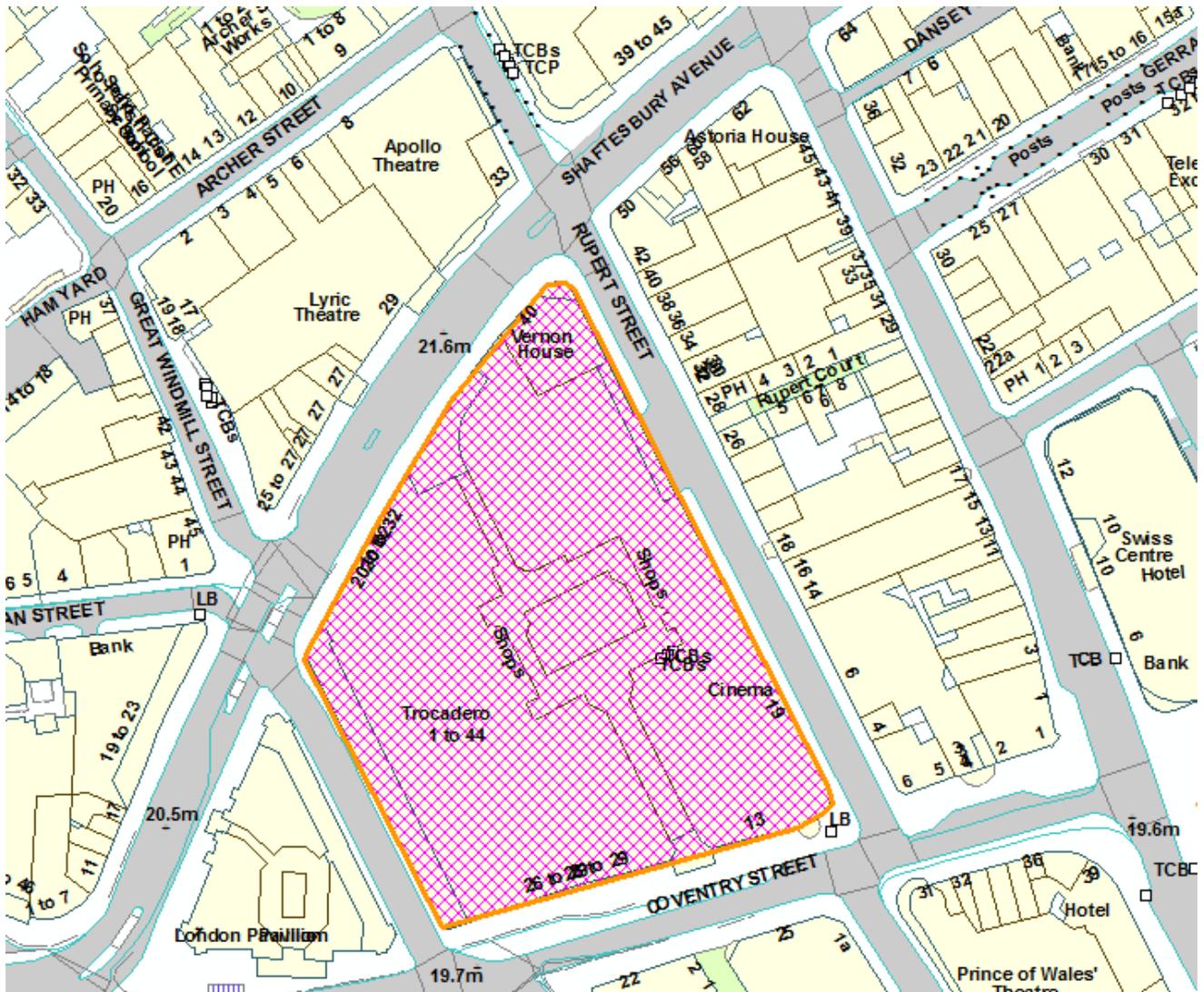
The principle of a hotel on this site has previously been accepted with permissions granted in 2008, 2010 and 2012. The permission granted in 2012 was based on a windowless room 'pod' concept providing 666 hotel rooms. This application incorporates additional floorspace including vacant space at first floor formerly occupied by Funland, conversion of the rear part of two ground floor retail units, and use of consented residential floorspace all for extended hotel purposes. This application involves an additional 74 rooms compared to the extant scheme. External alterations including a new roof top bar/restaurant, a three storey plant deck within the roof valley onto Coventry Street and minor alterations to the proposed hotel entrance on Shaftesbury Avenue and to the existing loading bay on Rupert Street are also proposed. The proposed roof top bar/restaurant would run independently from the hotel.

The key issues in this case are:

- * The acceptability of the proposals in land use terms;
- * The impact of the proposals on the highway network;
- * The impact of the proposed works on the character and appearance of the Soho Conservation Area;
- * The impact of the proposals on the amenity of neighbouring residents.

The proposals would provide a new hotel, providing visitor accommodation within an appropriate location within the Central Activities Zone. The application is considered acceptable in land use, design, highways and amenity terms and is subsequently recommended for approval, subject first to the completion of a legal agreement to secure the benefits set out above.

3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

GREATER LONDON AUTHORITY

The revised application does not raise any new strategic issues.

ENGLISH HERITAGE

Authorisation received.

THE SOHO SOCIETY

No objection but believes that another hotel is unwanted and that it represents a missed opportunity to provide a proper entrance for Crossrail 2. Believes that the site is an ideal location for affordable housing.

WESTMINSTER SOCIETY

Welcome the proposals.

CROSSRAIL

Any comments to be reported verbally.

THE THEATRES TRUST

No objections to the redevelopment of the Trocadero but seek assurances that the construction work involved, and the operation of the hotel and roof terraces, will not affect the operation of the Apollo, Lyric, Gielgud or Prince of Wales Theatres. Requests that a construction management plan is secured by condition and that appropriate conditions are imposed to limit the impacts of noise and music emitted from the outdoor terraces.

MET POLICE

Any comments to be reported verbally.

ENVIRONMENTAL HEALTH

No objections raised.

HIGHWAYS PLANNING MANAGER

No objections provided all servicing takes place off-street.

CLEANSING MANAGER

No objections raised.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 309; Total No. of Replies: 2.

One letter of support and one letter of objection on the grounds of:

* Disturbance during construction.

* Noise from the hotel and its roof top bar and from congestion and noise at street level queuing.

* Requests that the developer liaises with adjacent theatres during the construction period to ensure no noisy works are carried out during theatre performances

* Requests that a noise assessment and report is produced to ensure that any noise from the proposed bar, restaurant and queues on Shaftesbury Avenue is not audible in adjacent theatres

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The Trocadero complex occupies the street block bounded by Coventry Street, Rupert Street, Shaftesbury Avenue and Great Windmill Street and comprises four Grade II listed buildings known as Lyons Corner House, Lyons Corner House Extension, Scott's Corner building and Avenue Mansions. The other buildings on the site are unlisted, are modern and of generally little merit, with the exception of Vernon House on the corner of Shaftesbury Avenue and Rupert Street (which falls outside of the application site). The whole of the block falls within the Soho Conservation Area, the Central Activities Zone (CAZ), the West End Special Retail Policy Area (WESPRA) and the West End Stress Area. Part of the site lies within the Strategic Viewing Corridor 2: Primrose Hill to the Palace of Westminster.

The Trocadero complex comprises a variety of uses primarily permitted either as part of the original mixed use concept approved by the Greater London Council in 1980, as part of an extensive scheme of refurbishment and extensions approved by the City Council in 1989 or as part of a 1995 permission for the use of the third to eighth floors as an indoor theme park with ancillary retail and restaurant facilities (Segaworld). New infill elevations were constructed in Coventry Street, Great Windmill Street, Shaftesbury Avenue and Rupert Street in the 1980s. The Trocadero accommodates the following land uses:

Sub Basement – Golden Nugget casino (sui generis), Rainforest Café (Class A3), CCTV operation room, communal areas and plant rooms (sui generis).

Basement - Rainforest Café (Class A3), Platinum Lace (bar and nightclub - sui generis), a vacant cinema (formerly The Other Cinema - Class D2), Dstrkt nightclub (sui generis), vacant Class A1 retail, vacant D1 (formerly Titanic Exhibition) and vacant horror-themed multi-media use (Pasaje del Terror) (Class D2).

Basement Mezzanine - Bar Rumba (sui generis), vacant retail (Class A1) and (vacant) bookmakers (William Hill) accommodation (Class A2).

Ground Floor - Rainforest Café (Class A3), Five Guys (Class A3), Bubba Gump (Class A3/A1), retail outlets in the former mall (Class A1), Picturehouse cinema entrance (Class D2), communal areas and service bay.

First Floor – Bubba Gump (Class A3/A1), vacant (formerly Funland (sui generis), vacant restaurant (Class A3), Picturehouse cinema, vacant Imax cinema (Class D2), serviced apartments (Class C1) and communal areas.

First Mezzanine - Golden Nugget Casino (sui generis), vacant (formerly Funland (sui generis)) and office (Class B1).

Second Floor – vacant (formerly Funland (sui generis)), Picturehouse cinema (Class D2), Golden Nugget Casino (sui generis) and serviced apartments (Class C1).

Third Floor - vacant (formerly Segaworld (sui generis)), Golden Nugget casino (sui generis), Picturehouse cinema (Class D2) and office (Class B1).

Fourth Floor - vacant (formerly Segaworld (sui generis)), Golden Nugget casino (sui generis), UGC cinema (Class D2) and serviced apartments (Class C1).

Fifth Floor - Picturehouse cinema (Class D2).

Sixth, Seventh and Eighth Floors - vacant (formerly Segaworld (sui generis)).

Funland was an indoor amusement park with ten-pin bowling, dodgems, arcade machines and sports bar that closed in 2011. Segaworld was an indoor theme park with virtual reality rides that closed in 1999. The Imax Cinema was a 3-dimensional cinema on a large screen that closed in April 2000.

The principal pedestrian access to the building was originally from Coventry Street through the former mall area. There are secondary entrances and exits from Piccadilly Underground Station at basement level and from Shaftesbury Avenue.

6.2 Recent Relevant History

The London Trocadero was created in the early 1980s under a Greater London Council permission issued on 22 January 1980. Following this a major scheme of refurbishment works was approved by the City Council on 24 November 1989 which permitted, inter alia, alterations and extensions to allow for an expanded mixed use complex incorporating retail, restaurant, entertainment, cinema and office uses. This scheme was substantially completed by the end of 1992.

Permission was subsequently granted in October 1995 to use the second to sixth floors of Lyons Corner House and the third to eighth floors above the main atrium and flanking Rupert Street as an indoor theme park (a sui generis use) with ancillary retail and restaurant facilities. The indoor theme park was known as Segaworld.

Planning permission for the partial demolition and redevelopment of the Trocadero for use as a 471 bedroom hotel, eight residential units, retail (Class A1) uses and a restaurant (Class A3), Community Arts Space and provision of a replacement facade on Shaftesbury Avenue and alteration to the existing facade on Rupert Street was granted in October 2008.

Planning permission was granted in July 2010 for the use of part second to seventh floor levels as a 495 bedroom hotel. New retail (Class A1) at ground and first floor level on Shaftesbury Avenue, reconfiguration of the loading bay on Rupert Street and use of part basement, ground and second to fifth floors of 40 Shaftesbury Avenue (Vernon House) for residential purposes (4 x 1-bed, 4 x 2-bed and 1 x 3-bed flats).

Planning permission was granted in November 2012 for the erection of a two storey extension at eighth and ninth floor levels; use of part basement, sub-basement, part ground to ninth floor levels as a hotel (Class C1) comprising of 527 bedrooms and 56 aparthotel rooms with a rooftop bar and associated terraces at eighth and ninth floor levels; use of part ground, first and first floor mezzanine levels (Rupert Street frontage) for residential purposes (Class C3) comprising 1x1, 6x2, 1x3 bedroom flats, use of part ground and first floor levels as a retail unit (Class A1). Reconfiguration of the loading bay on Rupert Street, alterations to the shopfronts on Shaftesbury Avenue and internal alterations at all floor levels. This permission has been partly implemented.

7. THE PROPOSAL

The proposal involves the use of the existing internal vacant parts of the Trocadero building for hotel and restaurant/bar use. Compared to the hotel permission granted in 2012, this application incorporates additional floorspace including vacant space at first floor formerly occupied by Funland, conversion of the rear part of two ground floor retail units, and use of consented residential floorspace all for extended hotel purposes. This application involves an additional 74 rooms compared to the scheme currently being implemented. The proposals involve a new roof level extension and minor alterations to the proposed hotel entrance on Shaftesbury Avenue, including relocation of the existing entrance to Bar Rumba. Alterations to the existing loading bay on Rupert Street are also proposed. A three storey plant deck is proposed within the roof valley between the side return facade of the Grade II listed Lyons Corner House extension and the adjoining 1980s infill development. The proposed roof top bar/restaurant would run independently from the hotel.

The changes in floorspace, as compared to the partly implemented scheme, are shown in the following table.

Use	Existing/as approved GIA sqm)	Proposed GIA (sqm)	+/-
A1 retail	353	47	-306
Sui generis Funland	2,556	0	-2,556
A3/A4 restaurant/bar	410	1,612	+1,202
C1 hotel	20,189	25,791	+5,601
Sui generis (Bar Rumba)	23.6	0	-23.6
C3 residential	791	0	-791

The key part of the proposal involves the provision of a 740 bed hotel with its main entrance on Shaftesbury Avenue, and a secondary access, for use by coach parties and staff on Rupert Street. The hotel is also accessible at basement level from Piccadilly underground station.

Basement levels 2 and sub-basement 2 provide staff changing rooms and facilities, back-of-house offices and linen store. Basement level 1 provides a lobby entrance for guests accessing the hotel from the underground, a 'grab & go' café and associated kitchen and seating area. A small business lounge for guests is provided at basement

mezzanine level and the main lobby area and self-check-in facilities are located at ground floor level. The ground floor lobby also includes an entrance lobby to the 'sky bar' lifts together with back of house facilities including luggage stores and the hotel manager's office. 52 of the rooms proposed are fully accessible. A sky bar/restaurant with terraced area at 12th and 13th floor levels is also proposed.

All of guestrooms are proposed to be 'pod' type rooms without windows.

8. DETAILED CONSIDERATIONS

8.1 Land Use

Hotel use

Hotels are important to support the visitor and business economy, and they have strong links with other activities in central London such as shopping, theatre and other cultural and entertainment activities. In addition to providing 740 rooms, the proposal also provides a restaurant/bar which would run independently from the hotel and would be open to the public. This is discussed in further detail below.

Policy S23 of Westminster's City Plan directs new hotels to the CAZ and to those streets which do not have a predominantly residential character. Policy TACE 2 of the UDP is also permissive towards new hotels in the CAZ that do not have a predominantly residential character where (i) no adverse environmental and traffic effects would be generated and (ii) adequate on-site facilities are incorporated within developments proposing significant amounts of new visitor accommodation, including spaces for the setting down and picking up of visitors by coaches and for taxis serving the hotel.

It is considered that whilst there are some residential properties on Rupert Street, this part of the West End does not have a predominantly residential character. In these circumstances, the introduction of a new hotel on this site is considered acceptable in principle in land use terms.

The application is supported by a draft Operational Management Statement which includes measures designed to ameliorate the impact of the hotel and entertainment uses on residents' amenities and local environment quality and this is discussed below. The impact of the proposals on traffic and parking is set out in section 8.4.

The hotel will have 740 en-suite bedrooms with an average size of approximately 9-17sqm. The supporting documentation states that the hotel is to provide high quality affordable visitor and business accommodation. Ancillary facilities in the form of a 'grab and go' cafe facility at basement level 1 are also proposed.

The size of the hotel is considered appropriate to the character and scale of the surrounding area, which has a mix of uses including a large number of entertainment uses. The hotel will also provide affordable accommodation for visitors to this part of Central London, which is considered welcome in view of the closure of the nearby Regents Palace Hotel (which had 920 private and shared bedrooms) in December 2006. On the basis of the above, the hotel is unlikely to generate adverse environmental effects that would harm the character and function of the area.

The size and type of accommodation proposed is also similar to the previous permission which has now been implemented. Whilst an additional 74 rooms are proposed compared to the 2012 scheme, this increase in bed spaces is as a result of the proposed hotel use of the vacant space formerly occupied by Funland at first floor level. The replacement of this former entertainment space with hotel bed spaces is not considered contentious and the principle of an hotel in this location is therefore considered acceptable.

Retail use

The proposals also involve the loss of 306sqm of Class A1 retail space. The majority of this space is located at the rear of two ground floor retail units located on Coventry Street. UDP SS5 states that A1 uses at ground, basement or first floor level in the CAZ will be protected. City Plan policy S21 seeks to protect existing retail uses throughout Westminster, except where it can be demonstrated that the unit is unviable through long term vacancy, despite attempts to let. The areas involved form part of a unit formerly occupied by HMV, who vacated the site in 2013, and the remainder is at the rear of a unit currently occupied by Kingdom of Sweets. These areas were to be kept in retail use in the last permission on this site.

The area formerly occupied by HMV has now become a fragmented retail space as the remainder of this former unit has, since the last permission on this site, been converted to restaurant use and is now occupied by Five Guys. The space at the rear of Kingdom of Sweets is some 39m from the Coventry Street entrance and deep within the building. The loss of the rear part of Kingdom of Sweets would still retain a retail unit of over 400sqm.

The text to Policy SS5 also states that 'changes of use above, below or adjoining an A1 use should not jeopardise the long-term A1 use of a ground floor shop by, for example, diminishing essential ancillary storage/office space, or by reducing the size of a shop unit. Any of these will make it difficult to retain an A1 use in the ground floor unit.' In this regard, it is not considered that the loss of these spaces at ground floor level would have any material harm on local shopping character and function.

Restaurant and Entertainment Use

The proposals involve a 'grab and go' breakfast area at basement level and a restaurant/bar area at levels 12 and 13. The breakfast area would operate as a coffee shop with no hot food preparation and would be for use by both hotel and non-hotel guests. It will perform the dual function of being a secondary hotel reception for guests coming from the tube station access. As such this element of the proposals is considered to operate as ancillary hotel space.

The proposed roof level restaurant and bar, The Skybar, would run independently from the hotel. In total, this area involves 1,612sqm of floor area (GEA) and therefore falls to be considered within Policies TACE 10 and S24 of the City Plan. Policy TACE 10 states that entertainment uses over 500m² will only be permissible in exceptional circumstances. Policy S24 states that 'new entertainment uses will need to demonstrate that they are appropriate in terms of the type and size of use, scale of activity, relationship to any existing concentrations of entertainment uses and any cumulative impacts, and that they do not adversely impact residential amenity, health and safety, local environmental quality and the character and function of the area'. The

policy also states that new large scale late night entertainment uses measuring in excess of 500sqm (GEA), will not generally be appropriate within Westminster.

The area occupied as a bar is significantly smaller than the areas formerly occupied by Funland and Segaworld (some 13,000sqm) on the first to seventh floors and in this regard it would be difficult to argue that the impact of the restaurant/bar would be harmful in this location. Overall there would be a significant reduction in entertainment floorspace within the West End Stress Area and this is welcomed in policy terms.

Whilst there are some residential properties on Rupert Street and on the opposite site of Coventry Street, none of the occupiers have objected to the proposal. Concerns have however been raised from both the Theatres Trust and Nimax Theatres on the grounds that the creation of a terrace at roof level will increase noise levels, increase congestion and create noise at street level queuing.

With regard to noise from the roof level terrace, this area is set back some 60m from Shaftesbury Avenue, and approximately some 80m from the Lyric, the nearest theatre, and it is not considered that in this location that noise from guests using the terraced area would result in any adverse noise or disturbance to the operation of the theatres. Although this element of the scheme is larger than the approved roof terrace for this site, it is fully screened from Shaftesbury Avenue by the proposed roof extension.

The nearest residential properties are within Rupert Street to the east of the site. There are also residential flats on the upper floors of Coventry House directly opposite the application site on the south side of Coventry Street. These residents would be some 30m from the proposed terrace. Drawings submitted with the application indicate that the terrace could be intensively used and the applicant suggests that the roof top bar and restaurant would have a capacity of 1,200. In this regard, it is considered that the hours of use of the terrace should be limited until 23:00 hours daily and the applicant has agreed to such a condition, and to a condition requiring windows and doors to the terrace area to be closed at 23:00. With these conditions in place it is considered that the impact on adjacent residential occupiers from noise from the use of the terrace would be minimised.

The application is supported by an acoustic report which proposes some emission limits for noise from the rooftop bar, but without an end user a detailed assessment has not been carried out. Standard noise conditions regarding internal noise limits are proposed and Environmental Health suggest the need for a supplementary acoustic report to demonstrate that these limits can be met. The acoustic report also suggests a music noise limiter, which would be a condition of any future premises licence.

The applicant has also requested opening hours until 02:00 daily in line with two other nearby licensed premises who operate to the similar hours, namely; Bar Rumba (within the Trocadero complex) which operates to a terminal hour of 03:00 and Sophie's restaurant and cocktail bar on Great Windmill Street which operates to a terminal hour of 01:30. It is acknowledged that the proposed hours would have a later terminal hour than the previous consent on this site which limited the approved roof top bar to operate only until midnight. However, access to the roof bar is via a dedicated entrance on Shaftesbury Avenue which also has a substantial lobby area to enable queuing to take place off-street. As there are no residential properties on this part of Shaftesbury

Avenue, the hours proposed are considered to be acceptable and would not adversely impact on either residential amenity or the character of the area.

The majority of hotels within Central Westminster provide bars and restaurants that are also open to members of the public, and the bar area will still form an integral part of the hotel operation (for serving snacks and drinks etc). Given the location of hotel bedrooms directly beneath, it will be in the interests of the hotel to ensure that these areas are properly managed. In addition, it is considered that appropriate conditions can be attached to ensure that the restaurant/bar area does not cause an unacceptable impact, including restrictions on hours that the terrace can be used, limiting noise levels from within the bar and the submission of an operational management plan to address concerns regarding queuing.

Cinema uses

The Trocadero currently contains two cinemas, namely the two screen 'Other Cinema' (accessed from Rupert Street) and the multi-screen Picturehouse cinema. Both cinemas fall outside the demise of the application site and are to be retained as part of these proposals. The site also includes the space previously occupied by the IMAX cinema at first floor which closed in April 2000 for financial reasons. Although UDP Policy TACE 5 seeks to retain existing arts and cultural uses (including cinemas), in determining the previous consents for this site, it was accepted that the IMAX was not financially viable, and its loss was mitigated by the benefits of new hotel accommodation and in bringing a vacant building back into use. The 2012 permission involved the conversion of the former IMAX to hotel floorspace and in implementing that consent, all parts of the former IMAX, including its shell and core, seats and fittings, have now been removed and as such there is no cinema here to protect.

Loss of consented residential floorspace

Policy S14 of the City Plan seeks to optimise housing delivery in the borough. It states that proposals that would result in the reduction in the number of residential units will not be acceptable, except where:

- the Council considers that reconfiguration or redevelopment of affordable housing would better meet affordable housing need;
- a converted house is being returned to a family-sized dwelling or dwellings;
- two flats are being joined to create a family-sized dwelling.

In addition to the Council's own policies, London Plan Policy 3.4 requires development proposals to optimise housing output and Policy 3.3 of the London Plan requires the City Council to seek to achieve and exceed a minimum annual delivery of 770 additional dwellings.

In this case the permission granted in 2012 required, as a result of the mixed use policy in place at that time, an equivalent amount of residential floorspace to be provided to off-set the uplift of hotel floorspace. The 2012 hotel permission therefore also involved the provision of 8 flats on-site. Whilst works have now commenced to implement the 2012 hotel/residential planning permission, the development is far from completion and the premises are clearly not ready for occupation for residential use. Therefore, whilst the proposal would result in a reduction of some 730sqm consented residential floorspace relative to the implemented permission contrary to adopted policies, in

practice, it would not actually result in the loss of any existing housing stock. In this instance, the use of this space for hotel purposes is considered acceptable in principle.

The Soho Society believe that the site is an appropriate location for affordable housing, however, no such proposed use has been put forward for consideration, and as the current application involves only an uplift of hotel and restaurant/bar floorspace, a residential requirement is not triggered by the Council's mixed use policies.

8.2 Townscape and Design

The proposals involve a roof extension, alterations to the Shaftesbury Avenue façade and new plant at roof level as set out below:

Roof Extensions

The proposed roof extension would be situated in the same location as previously but will make better use of the available space by extending further south across the roofscape and by raising the approved roof terrace to link directly with the eighth storey to allow views over the London skyline. The roof extension is a mansard type on three sides which reduces the impact of the extension in street views. However, the south-east elevation facing the roof terrace will feature a large, stepped, glazed façade. Dormer windows on the north-east roof slope, above the Rupert Street façade, will align with the fenestration of the floors below.

Along the south-west roof slope the dormers will be of a simple design with openings covered at night with sliding perforated screens to reduce their visual impact and to prevent an incongruous 'lantern' effect in night-time views from Piccadilly. The rear roof slope, facing north-west towards Shaftesbury Avenue, will incorporate vents to serve back of house facilities. These will be narrow and concealed within the roof plane to minimise their impact in views of this elevation from Denman Street.

The effect of the proposal on the view of the Palace of Westminster from Primrose Hill (4A.2) would be negligible. The small amount which would appear in the view is unlikely to be noticed, even with a zoomed lens, because it is beyond much taller buildings and set well to the left of the Elizabeth Tower (Big Ben).

Proposed Elevations

The approved new Shaftesbury Avenue façade is to have a full width canopy added over the entrance doors and it is also proposed to add translucent film to the inside face of the window glazing on the upper floors of this façade as well as to the upper floor windows of some of the other buildings forming part of the Trocadero complex. Other minor changes include the installation of concertina doors rather than roller shutters to the Rupert Street service entrance. These will have a minimal impact on the character of the conservation area but the proposed panelled doors would be an improvement over the more utilitarian roller shutter in design terms.

Roof Plant Area

A three storey plant deck is proposed to site within the roof valley between the side return facade of the Grade II listed Lyons Corner House extension and the adjoining 1980s infill development. Only part of the proposed plant screen would be visible in limited views from Haymarket, and due to its set back position the plant screen would

not be visible in views of the listed buildings along Coventry Street. It will obscure high level views from the plain upper floor windows in the western return elevation of the building Lyons Corner House extension, but these views are already obscured by the 1980s roof extension opposite and otherwise overlook an unremarkable lightwell area.

Subject to approval of the detailed design and materials of the screen, the visible element of the plant screen would not be harmful to the appearance or special architectural interest of the Grade II listed Lyons Corner House extension, being visible only in a single and partial view of the building from Haymarket. It would also maintain the setting of the corner building at No. 7-14 Coventry Street.

Conclusion

The design of the proposed alterations and extensions will ensure that the development maintains the appearance and special architectural interest of the listed buildings, the character and appearance of the Soho Conservation Area, the setting of the surrounding Chinatown, Regent Street, Leicester Square and Haymarket Conservation Areas, and the protected vista of the Palace of Westminster from Primrose Hill.

8.3 Residential Amenity

The closest affected residential properties are within Rupert Street to the east of the site. There are also residential flats on the upper floors of Coventry House directly opposite the application site on the south side of Coventry Street.

Sunlight/daylight

The bulk of the new floor at roof level is only marginally greater than the height and bulk of the existing roof level plant room and the applicant's submitted daylight and sunlight report demonstrates that none of the windows tested would be adversely affected as a result of these proposals.

Noise from Construction

Concerns have been raised from both the Theatres Trust and Nimax Theatres on the grounds of disturbance during construction. They also seek assurances that during construction that the operation of the Apollo, Lyric, Gielgud or Prince of Wales Theatres will not be affected.

Construction matters are now exclusively covered by the Code of Construction Practice (COCP) and the Environmental Inspectorate. The COCP categorise developments into three levels, and this scheme, as a Level 1 development will require the submission of a Site Environmental Management Plan (SEMP).

The applicant also argues that substantive demolition has already been undertaken under the previously permitted scheme, and that to their knowledge no complaints have been received in relation to this work. As construction works will be undertaken during normal working hours it is anticipated that there will be no disturbance to the theatre operations other than on Wednesday afternoon matinees. The applicant also confirms that they met with Nimax Theatres in August 2017 to discuss the proposals prior to submission and confirms that they will seek to continue ongoing engagement with Nimax Theatres during the construction period. In these circumstances, it is considered that the issue of construction noise has been satisfactorily addressed.

Quality of Accommodation Proposed

The majority of the bedroom accommodation proposed is formed of 'pod' type rooms without windows. Whilst this type of accommodation is unusual, the principle of windowless accommodation was previously considered acceptable. Environmental Health have raised no objection to window-less hotel rooms.

8.3 Transportation/Parking

It is anticipated that, given the site's excellent public transport links, and direct access from Piccadilly underground, that most visitors will arrive by tube. No car parking spaces are proposed in line with UDP car parking standards for new hotels.

Servicing

Policy TRANS20 requires servicing and delivery to be adequately accommodated on-site and off-street and Policy S42 is similarly worded. There is an existing off-street servicing bay onto Rupert Street which is to be increased in capacity as part of the proposed works. These works will involve alterations to the existing crossover into the loading bay and these works will be secured by legal agreement.

The Delivery and Service Plan (DSP) submitted with the application estimates some 95 deliveries to the site per day (of which 9 are associated with the rooftop bar/restaurant). Both the DSP and the Transport Statement suggest that the development should be served by a combination of off-street servicing and use of on-street facilities. However, the view of the Highways Planning Manager is that there is no reason why servicing should not be entirely off-street in accordance with the previous permission on this site. The applicant has agreed with this approach and a revised DSP is to be secured by condition to demonstrate that all servicing can be undertaken in the loading bay.

Coach parking

The provision of an off-street coach bay cannot be provided due to the constraints of the site and so it is proposed to provide a shared on-street coach waiting/loading bay at the southern end of Rupert Street which is to be secured through by legal agreement. Visitors arriving by coach will be able to access the hotel via a secondary hotel entrance on Rupert Street. There is no proposal to provide a taxi rank due to the constraints of the site.

Cycle parking

It is proposed to provide 62 cycle racks in the basement which is less than the requirements set out in the London Plan, however, the Highways Planning Manager considers this number to be acceptable.

8.4 Economic Considerations

The economic benefits generated are welcomed.

8.5 Access

The proposed development has been designed to meet the requirements of the Building Regulations and incorporates the principles of inclusive design. All entrances to the

proposed hotel are level with the public pavement and the main core is fitted with wheelchair accessible lifts that provide flush access to all floors.

8.6 Other UDP/Westminster Policy Considerations

Plant

Three areas for plant are proposed, one at roof level on the corner of Coventry Street and Rupert Street, a three storey plant deck within the roof valley at seventh floor level on Coventry Street and at roof level on Shaftesbury Avenue. The application is supported by an acoustic report. The Environmental Health officer has assessed the submitted acoustic report and raises no objection to the proposals subject to conditions relating to plant noise and vibration and restricting noise levels from generators (C50AB). However, as the plant scheme design is at an early stage, the applicant will need to provide a supplementary acoustic report to demonstrate that the selected equipment will operate in accordance with the standard noise condition. Subject to these conditions, it is not considered that the plant operation would adversely affect the amenities of existing, or future, residents.

Refuse /Recycling

Dedicated waste storage areas are proposed at basement level 2 which provides adequate facilities for waste and recycling facilities for the hotel. These facilities will be secured through condition.

Sustainability

Sustainability and Energy Statements, prepared by Foreman Roberts have been submitted in support of the proposed development. These assess the proposals' compliance with policies and principles for sustainable development and energy efficiency.

Policies 5.1 to 5.9 of the London Plan focus on how to mitigate climate change and the carbon dioxide emissions reduction targets that are necessary across London to achieve this. Developments are required to make the fullest contribution to tackling climate change by minimising carbon dioxide emissions (be lean), adopting sustainable design and construction measures and prioritising decentralised energy (be clean), including renewables (be green). London Plan Policy 5.2 sets out carbon reduction targets which apply to major developments and requires a 35% reduction of CO2 emissions over the baseline emissions to be achieved by the development.

Policies S28 and S40 of Westminster's City Plan require major development to reduce energy use and emissions that contribute to climate change during the life-cycle of the development and to maximise onsite renewable energy generation to achieve at least 20% reduction of carbon dioxide emissions.

The Energy and Sustainability report sets out passive design measures (thermal insulation, secondary glazing retrofitted to existing glazing and the subsequent improvements to air tightness) and the use of energy efficient building services (high efficiency chillers and lighting, variable speed control, heat recovery, daylight sensing etc) to improve the building's performance and to reduce CO2 emissions. In addition, the applicant proposes to include air-source heat pumps. This results in total cumulative CO2 savings of 65%, set against the 35% target of policy.

Air Quality

The submitted Air Quality Assessment concludes the development is likely to be air quality neutral for building emissions. However, the final plant selections have not been made and therefore Environmental Health recommend the attachment of a condition requiring the submission of an Air Quality Neutral assessment once the final plant has been selected.

8.7 London Plan

The London Plan contains hotel-related objectives. These include the provision of 40,000 additional hotel bedrooms by 2031, to improve the quality, variety and distribution of visitor accommodation and facilities (Policy 4.5). The need to accommodate a wide range of provision is highlighted. The proposed 740 hotel bedrooms will help meet London Plan targets.

The mayor considers that the application raises no strategic issues.

8.8 National Policy/Guidance Considerations

The City Plan and UDP policies referred to in the consideration of this application are considered to be consistent with the NPPF unless stated otherwise.

8.9 Planning Obligations

The draft 'Heads' of agreement are proposed to cover the following issues:

- i. The costs of implementing revisions to the traffic order to provide a shared coach and loading bay on Rupert Street and crossover works into the proposed loading bay;
- ii. Crossrail payment (currently calculated at £98,332 but to be deducted from the Mayoral CIL as allowed by the SPG)
- iii. An Employment and Training Strategy for the demolition, construction and operational phases of the development;
- iv. Monitoring costs

The estimated CIL payment is:

Mayoral CIL £113,129
Borough CIL £372,366

8.10 Environmental Impact Assessment

The proposal is of an insufficient scale to require an Environmental Impact Assessment.

9. BACKGROUND PAPERS

1. Application form
2. Letter from Historic England dated 17 October 2017
3. Letter from Greater London Authority dated 6 February 2018
4. Response from Westminster Society, dated 12 October 2017

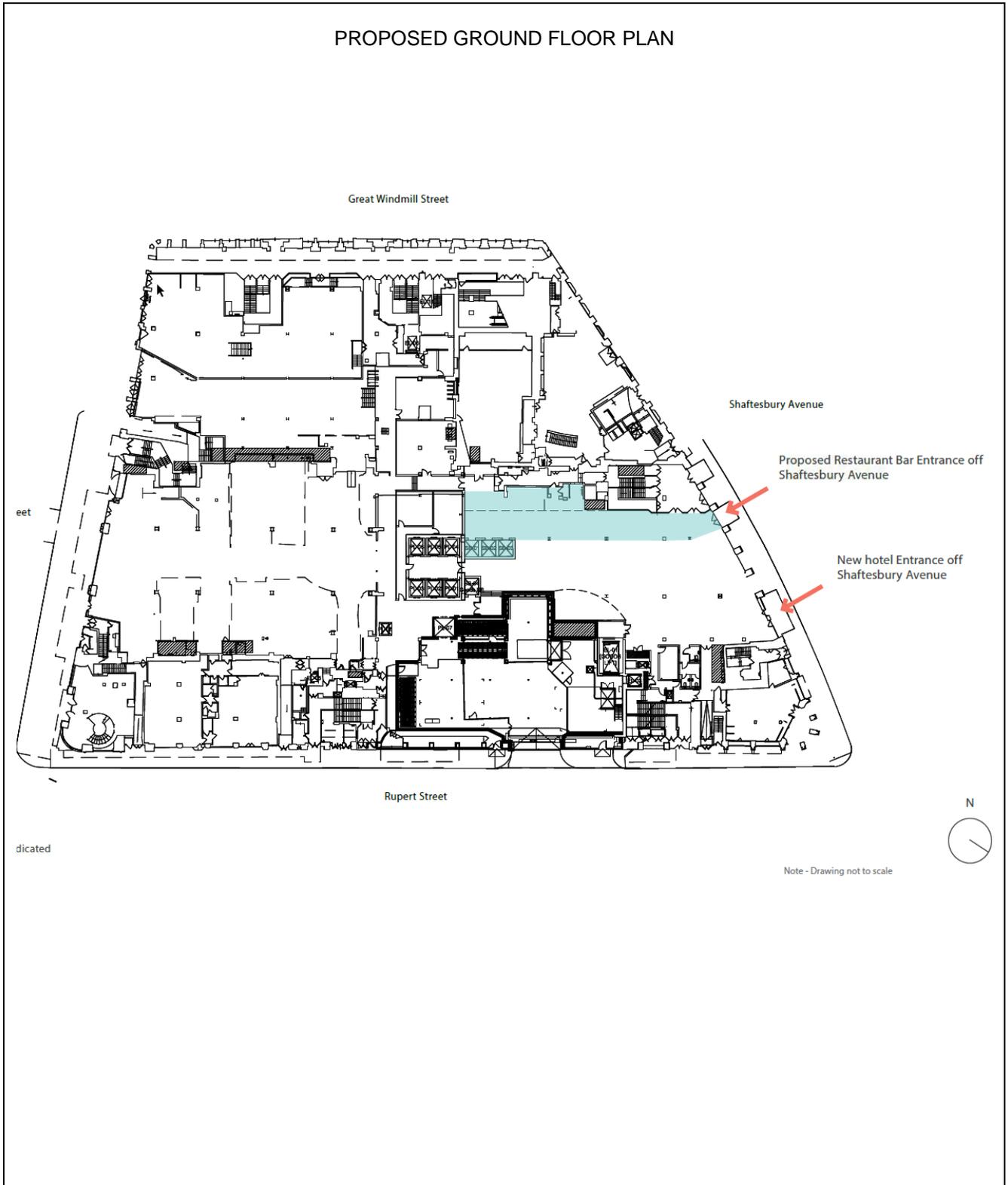
5. Response from Soho Society dated 13 November 2017
6. Response from Environmental Health dated 1 November 2017
7. Response from Cross London Rail Links Ltd (1), dated 5 October 2017
8. Response from Cleansing dated 15 February 2018
9. Letter from occupier of The Theatres Trust dated 26 October 2017
10. Letter from occupier of Flat 17, 59 Rupert Street, dated 22 November 2017
11. Letter from occupier of Nimax Theatres, 11 Maiden Lane, dated 6 December 2017
12. Response from Highways Planning Manager dated 7 December 2017 and 14 February 2018

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

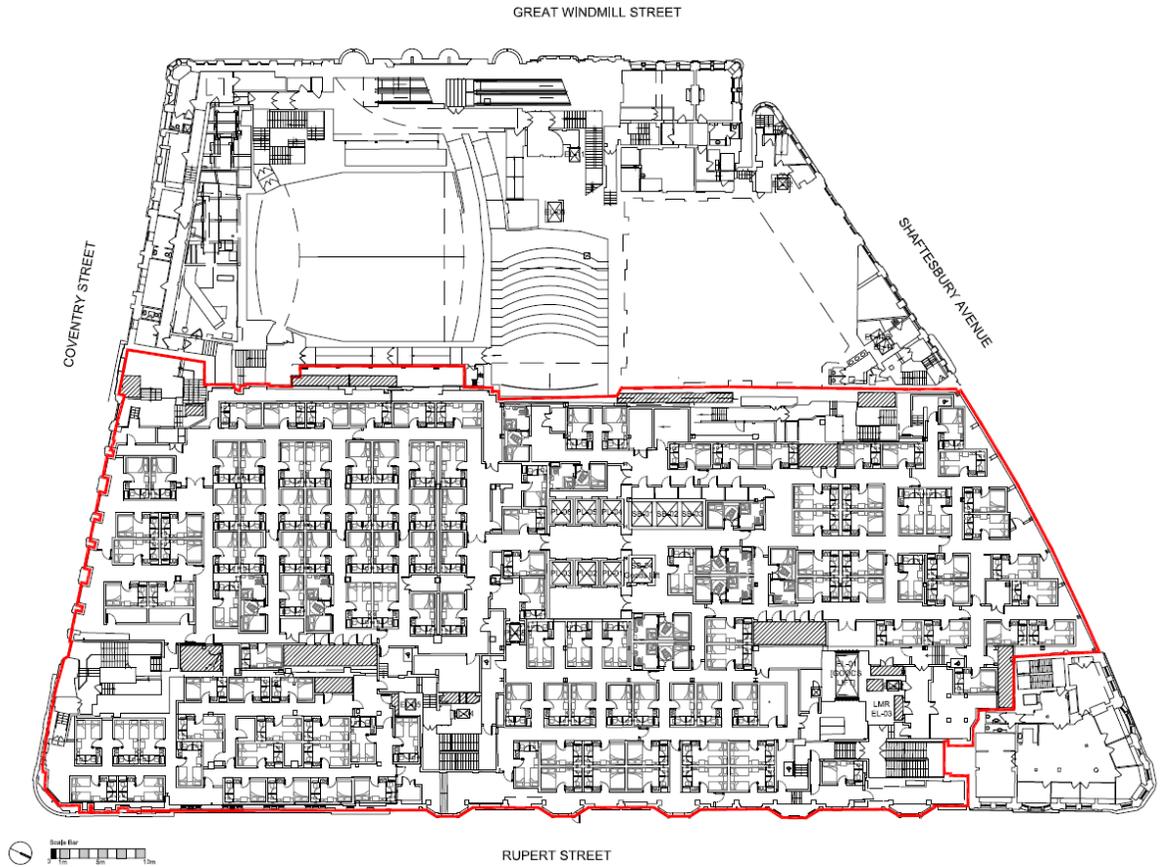
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: JO PALMER BY EMAIL AT jpalme@westminster.gov.uk

10. KEY DRAWINGS

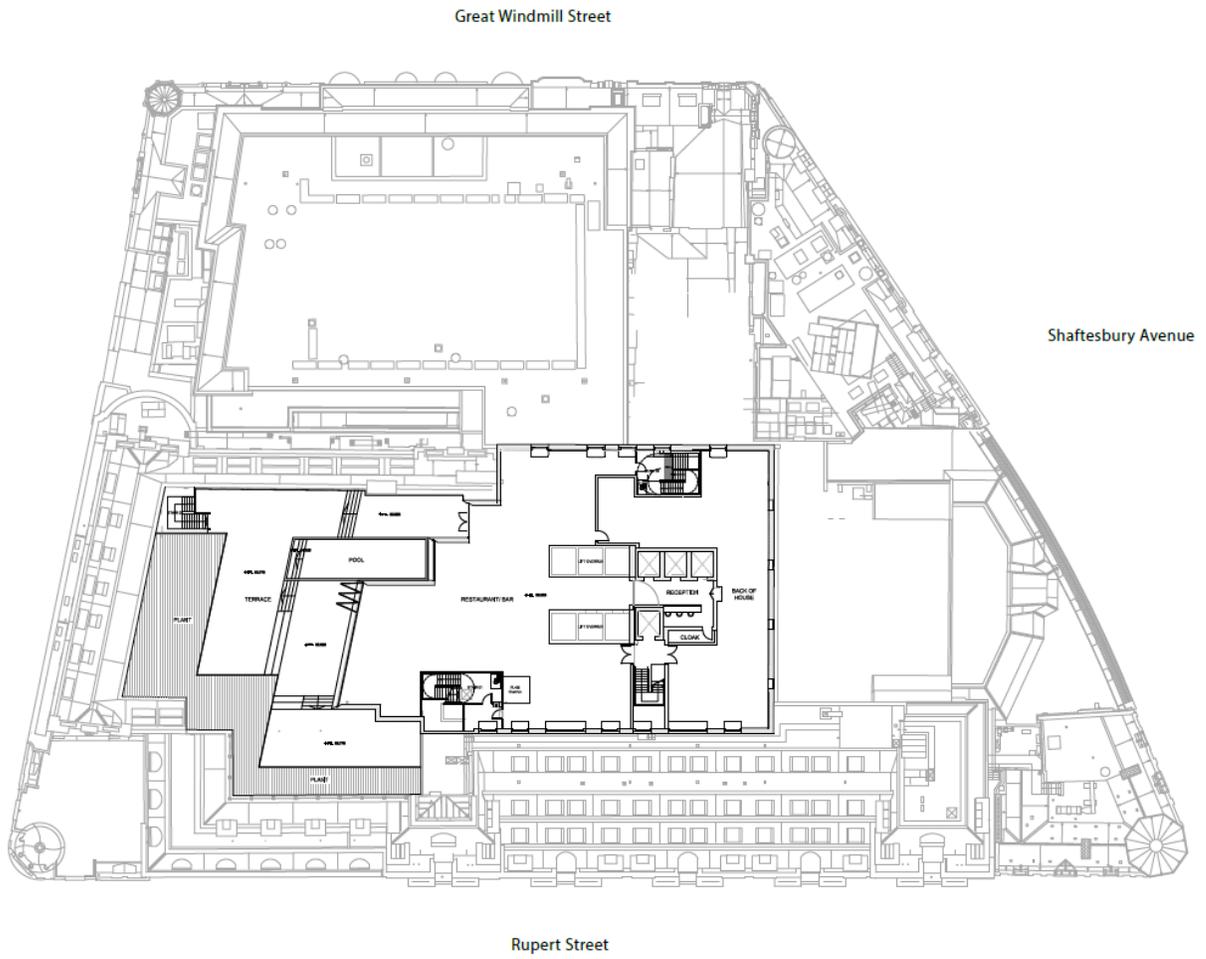
PROPOSED GROUND FLOOR PLAN



TYPICAL UPPER FLOOR PLAN

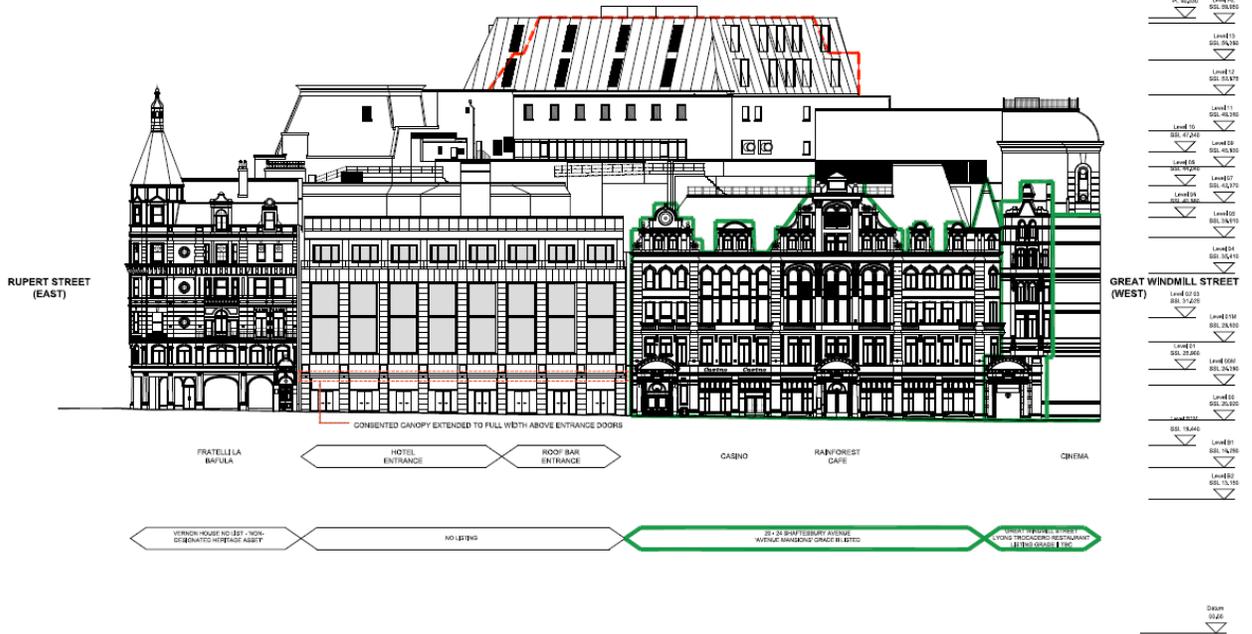


PROPOSED ROOF LEVEL RESTAURANT/BAR



Note - Drawing

PROPOSED SHAFTESBURY AVENUE ELEVATION



ROOF LEVEL VISUAL



DRAFT DECISION LETTER

Address: Trocadero , 13 Coventry Street, London, W1D 7AB

Proposal: Use of part basements, part ground and part first to eleventh floor levels as a hotel (Class C1) comprising up to 740 bedrooms; erection of entrance canopy on Shaftesbury Avenue and plant enclosures at levels 07 to 11 and associated works; erection of roof extensions, plant, pool and terraces at levels 12 and 13 for use as a restaurant and bar (Class A3 and A4).

Reference: 17/08541/FULL

Plan Nos: 16-352-103 Rev D

Case Officer: Jo Palmer

Direct Tel. No. 020 7641 2723

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 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings we have approved or are required by conditions to this permission. (C26AA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Soho Conservation Area. This is as set out in STRA 28, 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. (R26BD)

- 3 You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the roof terrace. (C26NA)

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 STRA 28, 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. (R26BD)

- 4 You must apply to us for approval of detailed drawings (at scales 1:10) of the following parts of the development

1. All new plant screening;
2. The new canopy on the Shaftesbury Avenue façade – including its height and distance from Shaftesbury Avenue;
3. Each new window and external door type (with 1:1 details of a typical example of each)
4. Each new decorative screen for the windows in the roof extension (with 1:1 details of a typical example of each)

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, that it contributes to the character and appearance of this part of the Soho Conservation Area and in the interests of public safety (Part 2). This is as set out in TRANS2, TRANS3, STRA 28, 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. (R26BD)

- 5 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 (November 2016) and DES 1, DES 4 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26DD)

- 6 You must paint all new outside rainwater and soil pipes black and keep them that colour. (C26EA)

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 (November 2016) and DES 1, DES 4 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26DD)

- 7 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 STRA 16, STRA 17 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AB)

- 8 The hotel and restaurant/bar use allowed by this permission must not begin until you have completed the alterations to the loading bay as set out in the approved drawings. Thereafter you must use the parking, access, loading, unloading and manoeuvring areas shown on the approved drawings only for those purposes.

Reason:

To ensure the loading bay is provided as set out on the approved drawings and to make sure that the service bay will be available for all types of vehicles for which it has been designed, to avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in STRA 24, STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007.

- 9 You must provide the waste and recycleable material stores shown on drawing no 16-352-103 Rev D before you use the building for hotel or restaurant/bar use. You must clearly mark it and make it available at all times to everyone using the building. 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.

Reason:

To protect the environment and provide suitable storage for waste and materials for recycling as set out in STRA 35 and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14CB)

- 10 (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 STRA 17 of our Unitary Development Plan that we adopted in January 2007, 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.

- 11 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.

- 12 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 10 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 STRA 17 of our Unitary Development Plan that we adopted in January 2007, by contributing to reducing excessive ambient noise levels.

- 13 (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 the restaurant/bar use 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 the restaurant/bar use 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 (November 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

- 14 You must apply to us for approval of details of a supplementary acoustic report demonstrating that the internal activity within the restaurant/bar will comply with the Council's noise criteria as set out in Condition 13 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 (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 (November 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

- 15 You must apply to us for approval of a 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. You must not start the hotel or restaurant/bar use until we have approved what you have sent us. You must then carry out the measures included in the management plan at all times that the hotel and restaurant/bar is in use. (C05JB)

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 (November 2016) and TACE 10 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05GB)

- 16 You must provide each bicycle space shown on the approved drawings prior to the use of the building for either hotel or restaurant/bar use and these spaces shall only be used for the parking of bicycles of people visiting, living or working at the development.,

Reason:

To provide bicycle parking spaces for people using the development as set out in STRA 21, TRANS 10 and TRANS 11 of our Unitary Development Plan that we adopted in January 2007.

- 17 You must provide the environmental sustainability features (environmentally friendly features) as set out in your Energy Statement dated July 2017 before you start to use any part of the development., , You must not remove any of these features, unless we have given you our permission in writing.

Reason:

To make sure that the development provides the environmental sustainability features included in your application, as set out in STRA 32, STRA 33 and ENV 1 of our Unitary Development Plan that we adopted in January 2007. (R44AA)

- 18 No goods, including fuel, delivered or collected by vehicles arriving at or departing from the building shall be accepted or despatched if unloaded or loaded on the public highway. You may accept or despatch such goods (other than collection of compacted waste) only if they are unloaded or loaded within the loading bay area.

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in STRA 24, STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AB)

- 19 All deliveries and collections to the loading bay can only take place between 08:00 and 18:00 hours on Monday to Fridays and 08:00 and 12:00 on Saturdays. No deliveries or collections to the loading bay shall take place on Sundays or Bank Holidays. Outside of these hours the loading bay door must remain closed.

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan (November 2016) and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

- 20 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 unless otherwise agreed in writing by the local

planning authority.

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan (November 2016) and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

- 21 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 (November 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

- 22 You must apply to us for approval of a method statement setting out how the hotel pods are to be installed and the works of making good following their installation. You must not start work on this part of the development until we have approved what you have sent us. You must then install the pods/make good in accordance with the method statement.

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 STRA 28, 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. (R26BD)

- 23 The use of the roof terrace areas hereby approved can only take place between 10:00 and 23:00 hours daily.

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 (November 2016) and TACE 10 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05GB)

- 24 No music or amplified sound played on the roof top terrace areas shall be audible outside the premises at any time.

Reason:

To protect neighbouring residents from noise nuisance, as set out in CS23, CS28 and CS31 of our Core Strategy that we adopted in January 2011 and ENV 6 of our Unitary Development Plan that we adopted in January 2007.

- 25 Customers shall not be permitted within the roof top restaurant/bar before 10:00 or after 02:00 hours the following morning.
- 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 (November 2016) and TACE 10 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05GB)
- 26 All doors and windows within the restaurant/bar shall be remain closed between the hours of 23:00 and 10:00
- 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 (November 2016) and TACE 10 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05GB)
- 27 You must apply to us for approval of details of the ventilation system to get rid of cooking smells, including details of how it will be built and how it will look. You must not begin the 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 (November 2016) and ENV 6, ENV 7 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R14AC)
- 28 (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 (November 2016) 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.

- 29 You must apply to us for approval of details to demonstrate how the development will meet the required air quality neutral benchmarks of the Greater London Authority SPG on Sustainable Design and Construction. You must then carry out the work according to these details.

Reason:

To make sure that the development provides the air quality mitigation measures included in your application as set out in S31 of Westminster's City Plan (November 2016)

- 30 Prior to the commencement of any demolition or construction on site the applicant shall submit an approval of details application to the City Council as local planning authority comprising evidence that any implementation of the scheme hereby approved, by the applicant or any other party, will be bound by the council's Code of Construction Practice. Such evidence must take the form of a completed Appendix A of the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Inspectorate, which constitutes an agreement to comply with the code and requirements contained therein. Commencement of any demolition or construction cannot take place until the City Council as local planning authority has issued its approval of such an application (C11CB)

Reason:

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

- 31 You must not cook raw or fresh food in the area marked 'grab and go' at basement level. (C05DA)

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 (November 2016) and ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05DC)

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 The development for which planning permission has been granted has been identified as potentially liable for payment of both the Mayor of London and Westminster City Council's Community Infrastructure Levy (CIL). Further details on both Community Infrastructure Levies, including reliefs that may be available,

can be found on the council's website at: , www.westminster.gov.uk/cil , Responsibility to pay the levy runs with the ownership of the land, unless another party has assumed liability. If you have not already you must submit an Assumption of Liability Form immediately. On receipt of this notice a CIL Liability Notice setting out the estimated CIL charges will be issued by the council as soon as practicable, to the landowner or the party that has assumed liability, with a copy to the planning applicant. You must also notify the Council before commencing development using a Commencement Form , CIL forms are available from the planning on the planning portal: , <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> , Forms can be submitted to CIL@Westminster.gov.uk , Payment of the CIL charge is mandatory and there are strong enforcement powers and penalties for failure to pay, including Stop Notices, surcharges, late payment interest and prison terms.

- 3 When carrying out building work you must do all you can to reduce noise emission and take suitable steps to prevent nuisance from dust and smoke. Please speak to our Environmental Health Service to make sure that you meet all requirements before you draw up the contracts for demolition and building work.

Your main contractor should also speak to our Environmental Health Service before starting work. They can do this formally by applying to the following address for consent to work on construction sites under Section 61 of the Control of Pollution Act 1974.

24 Hour Noise Team
Environmental Health Service
Westminster City Hall
64 Victoria Street
London
SW1E 6QP

Phone: 020 7641 2000

Our Environmental Health Service may change the hours of working we have set out in this permission if your work is particularly noisy. Deliveries to and from the site should not take place outside the permitted hours unless you have our written approval. (I50AA)

- 4 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.
- 5 Conditions 10 & 11 control noise from the approved machinery. It is very important that you meet the conditions and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (I82AA)
- 6 Please contact our Cleansing section on 020 7641 7962 about your arrangements for storing and collecting waste. (I08AA)
- 7 With reference to condition 30 please refer to the Council's Code of Construction Practice at (<https://www.westminster.gov.uk/code-construction-practice>). You will be required to enter into the relevant Code appropriate to this scale of development and to pay the relevant fees prior to starting work.

The Code does require the submission of a full Site Environmental Management Plan or Construction Management Plan as appropriate 40 days prior to commencement of works (including demolition). These documents must be sent to environmentalsciences2@westminster.gov.uk. , , Appendix A or B must be signed and countersigned by Environmental Sciences prior to the submission of the approval of details of the above condition. , , You are urged to give this your early attention

- 8 You may need separate licensing approval for the roof top bar/restaurant premises. Your approved licensing hours may differ from those given above but you must not have any customers on the premises outside the hours set out in this planning permission. (I61AB)
- 9 As this development involves demolishing the buildings on the site, we recommend that you survey the buildings thoroughly before demolition begins, to see if asbestos materials or other contaminated materials are present - for example, hydrocarbon tanks associated with heating systems. If you find any unexpected contamination while developing the site, you must contact:

Contaminated Land Officer
Environmental Health Consultation Team
Westminster City Council
Westminster City Hall
64 Victoria Street
London SW1E 6QP

Phone: 020 7641 3153
(I73CA)

- 10 Under condition 31 you must not cook food in any way which is likely to cause a nuisance by smell. You must not, for example, grill, fry, toast, braise, boil, bake, hot smoke or roast food. But you can reheat food by microwave or convection oven as long as you do not need extractor equipment., , If you want to remove this condition you will need to send us full details of all the extractor equipment needed to get rid of cooking fumes. We will also consider the design and effect on neighbouring properties of any new ducts. (I72AA)

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.

DRAFT DECISION LETTER

Address: Trocadero , 13 Coventry Street, London, W1D 7AB

Proposal: Use of basement, ground and levels 01 to 11 as a hotel (Class C1) comprising up to 740 bedrooms; Erection of entrance canopy on Shaftesbury Avenue, plant decks at levels 07 to 11 and associated works; Erection and extensions of terraces at roof levels 12 and 13 for use as a restaurant and bar (Class A3 and A4).

Reference: 17/08542/LBC

Plan Nos:

Case Officer: Jo Palmer

Direct Tel. No. 020 7641 2723

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 All new work and improvements inside and outside the building must match existing original adjacent work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the approved drawings or are required in conditions to this permission. (C27AA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Soho Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 3 The facing brickwork must match the existing original work in terms of colour, texture, face bond and pointing. This applies unless differences are shown on the approved drawings. (C27CA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Soho Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 4 All new outside rainwater and soil pipes must be made out of metal and painted black. (C27HA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Soho Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 5 You must not disturb existing ornamental features including chimney pieces, plasterwork, architraves, panelling, doors and staircase balustrades. You must leave them in their present position unless changes are shown on the approved drawings or are required by conditions to this permission. You must protect those features properly during work on site. (C27KA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Soho Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 6 You must apply to us for approval of detailed drawings (at scales 1:10) of the following parts of the development

1. All new plant screening;
2. The new canopy on the Shaftesbury Avenue façade;
3. Each new window and external door type (with 1:1 details of a typical example of each),
4. Each new decorative screen for the windows in the roof extension (with 1:1 details of a typical example of each),

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 protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Soho Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

Informative(s):

- 1 SUMMARY OF REASONS FOR GRANTING CONDITIONAL LISTED BUILDING CONSENT - In reaching the decision to grant listed building consent with conditions, the City Council has had regard to the relevant policies in the National Planning Policy Framework March 2012, the London Plan March 2016, Westminster's City Plan (November 2016), and the City of Westminster Unitary Development Plan adopted January 2007, as well as relevant

supplementary planning guidance, representations received and all other material considerations., , The City Council decided that the proposed works would not harm the special architectural and historic interest of this listed building., , In reaching this decision the following were of particular relevance:, S25 and S28 of Westminster's City Plan and DES 10 including paras 10.130 to 10.146 of the Unitary Development Plan, and paragraph 2.3 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

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.