

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 17 July 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved St James's	
Subject of Report	53 Chandos Place, London, WC2N 4HS		
Proposal	Use of the basement, ground to fourth floor of the building as a hotel (Class C1) with ancillary cafe at ground floor level. External alterations to include 5 no. new windows on the west elevation and installation of acoustic louvres and photovoltaics at roof level. Alterations to windows on the rear elevation and provision of a louvred screen (ground to fifth floor level) fronting rear courtyard area and alterations to rear courtyard area.		
Agent	Planning Resolution Ltd		
On behalf of	Z Hotels Ltd		
Registered Number	18/02861/FULL	Date amended/ completed	10 April 2018
Date Application Received	10 April 2018		
Historic Building Grade	Unlisted		
Conservation Area	Covent Garden		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

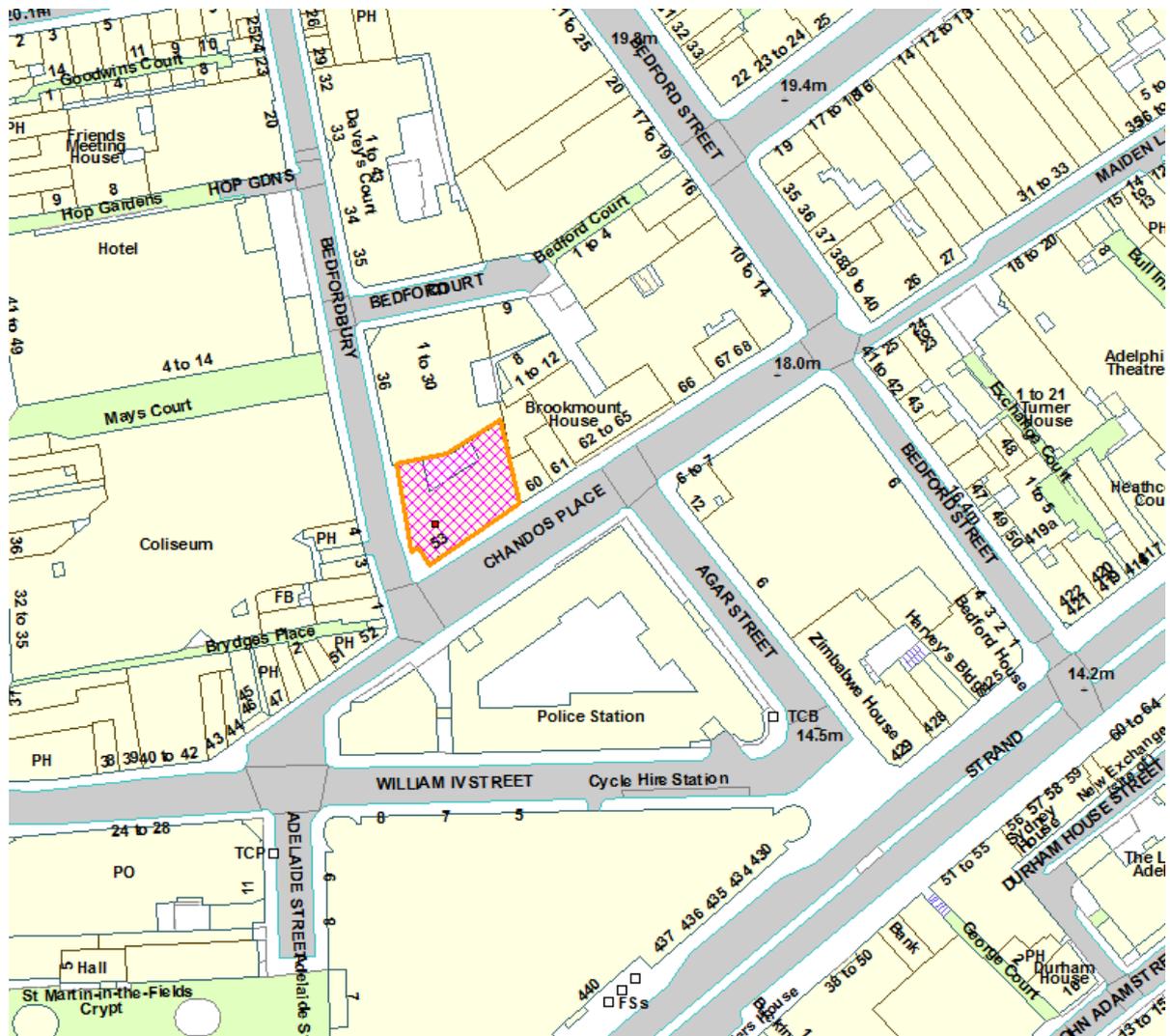
<p>53 Chandos Place is a seven-storey building comprising of offices at basement to fourth floor level and a residential unit at fifth floor level. The building is located on the corner of Chandos Place and Bedfordbury and is unlisted but within the Covent Garden Conservation Area. The site is within the Core Central Activities Zone. The nearest residential properties are located to the rear of the site at Duval Court, Bedfordbury and 8 Bedford Court.</p> <p>Planning permission is sought for use of the basement, ground to fourth floor of the building as a hotel (Class C1) with ancillary cafe at ground floor level. External alterations proposed include 5 no. new windows on the west elevation; installation of acoustic louvres and photovoltaics at roof level; alterations to windows and provision of a louvred screen (ground to fifth floor level) on the rear elevation fronting rear courtyard area; and alterations to rear courtyard area.</p>

The key issues for consideration are:

- The land use implications on the surrounding area;
- The impact of the proposal on the amenity of surrounding residents;
- The impact of the proposals on the surrounding highway network; and
- The impact of the proposed alterations on the character and appearance of the building and Covent Garden Conservation Area.

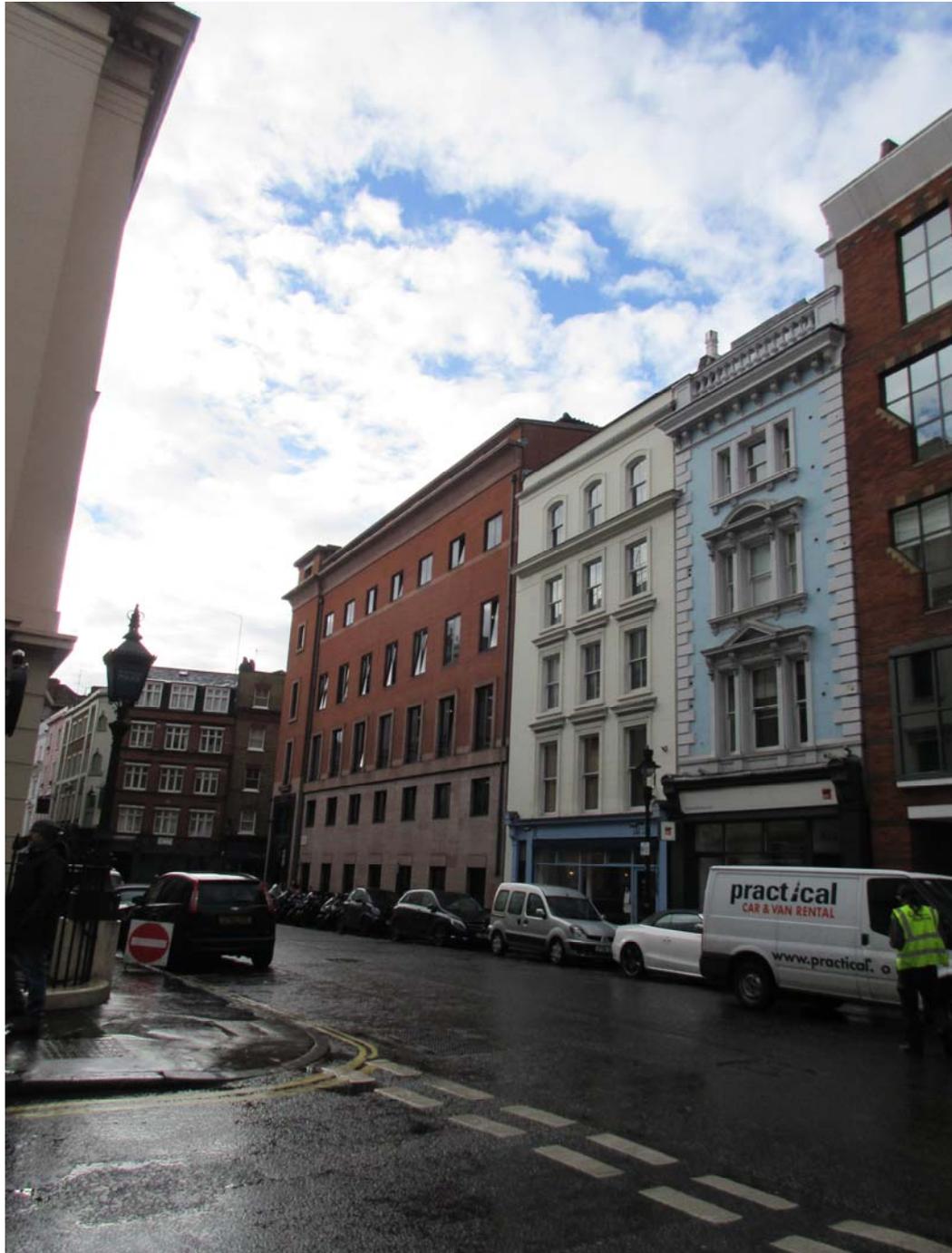
The proposed hotel use and associated works are considered acceptable in land use, amenity, design and conservation area terms and in accordance with the Westminster City Plan and Unitary Development Plan policies.

3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

COVENT GARDEN COMMUNITY ASSOCIATION:

Objection on following grounds:

- saturation of hotels in the conservation area, particularly the lack of diversity in the type of hotels being proposed.
- noise and disturbance caused by customers of the hotel to adjoining properties.
- increased volume of servicing and deliveries.
- Councils environmental health officer notes, the applicant has failed to properly account for the impact on local residents from the proposed hotel use as well as the addition of plant and equipment.

COVENT GARDEN AREA TRUST:

Any comments to be reported verbally.

METROPOLITAN POLICE:

No objection.

- the management plans and procedures in place do address a number of issues which hotels, especially in busy or central locations, suffer from (ranging from aggressive customers, credit card fraud, theft and Child Sexual Exploitation (CSE))
- security they have in place prior to any person attending the location is strict and controlled.
- they will support staff in challenging inappropriate behaviour whether inside the premises or outside in the public realm.
- there is no bar or restaurant attached to the premises which normally in any other hotel does cause issues and the café inside, though for public use, is subtle and has good natural surveillance from the serving area and reception.

DESIGNING OUT CRIME:

Any comments to be reported verbally.

ENVIRONMENTAL HEALTH:

No objection raised (Reconsulted on 07 June 2018 with revised acoustic report).

HIGHWAYS PLANNING MANAGER:

Unacceptable but could be made acceptable subject to:

- a condition requiring further details of how the operator would manage coach parties.
- a condition restricting bookings from no more than 14 people.

CLEANSING MANAGER:

No objection.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED:

No. Consulted: 124; Total No. of replies: 3

Three objections on some or all of the following grounds:

Land use

- Covent Garden is already well served by hotels.

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- Cumulative impact of hotel in light of recently approved schemes and existing hotels in immediate area.
- Existing building should be used to provide much needed flats.

Amenity

- noise disturbance from the proposed use.
- noise from mechanical plant.

Highways

- access to the hotel from public transport would be along Chandos Place where the pavements are inadequate for the amount of pedestrian traffic.
- additional traffic generated by the hotel would add to congestion in the area.

PRESS ADVERTISEMENT / SITE NOTICE:
Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

53 Chandos Place is a seven-storey building comprising of basement, ground and five upper floors. The building is in use as offices at basement to fourth floor level with a residential unit at fifth floor level. The nearest residential properties are located to the rear of the site at Duval Court, Bedfordbury and 8 Bedford Court.

The building is located on the corner of Chandos Place and Bedfordbury and is unlisted but within the Covent Garden Conservation Area. The site is within the Core Central Activities Zone.

6.2 Recent Relevant History

None relevant.

7. THE PROPOSAL

Planning permission is sought for use of the ground to fourth floor of the building as a hotel (Class C1) with ancillary cafe at ground floor level.

External alterations proposed include five no. new windows on the west elevation; installation of acoustic louvres and photovoltaics at roof level; alterations to windows and provision of a louvred screen (ground to fifth floor level) on the rear elevation fronting rear courtyard area; and alterations to rear courtyard area.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The existing and proposed land uses are summarised as follows:

	Existing GIA (sqm)	Proposed GIA (sqm)	+/-
Office (Class B1)	2179	0	
Hotel (Class C1)	0	2179	
Residential (Class C3)	323	323	
Total	2502	2502	

(Applicants calculations)

Loss of office use

The proposed use of the building as a hotel (Class C1) would result in the loss of 2179 sqm of office floorspace. Policy S20 of the Westminster City Plan (November 2016) relates to offices and seeks to restrict the loss of office space to housing; however, the loss of offices to other commercial uses is acceptable.

Hotel use

Policy S23 (Hotels and Conference Facilities) states that new hotels will be directed to the Paddington, Victoria and Tottenham Court Road Opportunity Areas, the Core Central Activities Zone, Named Streets, the Knightsbridge Strategic Cultural Area and the North Westminster Economic Development Area. Hotels are directed to those streets, which do not have a predominantly residential character.

Policy TACE 2 relates to new hotels and extensions to existing hotels. Part A of TACE 2 states that within the CAZ, in streets which do not have a predominantly residential character, on CAZ Frontages and in the PSPA, planning permission will be granted for new hotels and extensions to existing hotels where:

- 1) no adverse environmental and traffic effects would be generated and;
- 2) 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.

The proposal is for a high intensity 123-bedroom hotel by Z-hotels whose concept is to achieve a feeling of comfort and luxury within a limited floor area. A number of the rooms would be windowless. This is an established concept within Z-hotels who currently have four other hotels in operation within Westminster; 17 Moor Street, 5 Lower Belgrave Street, 2 Orange Street and 23 Gloucester Place. Two further schemes have recently been permitted in Covent Garden on 31 - 33 Bedford Street for a 111 bedroom hotel (16/04327/FULL) and at 1 Heathcock Court for a 118 bedroom hotel (17/09494/FULL).

The proposed hotel will provide 123 bedrooms at ground to fourth floor level and would occupy a floorspace of 2179sqm. The hotel bedrooms are of a compact size ranging from 10-16sqm. Out of the 123 bedrooms, 60 rooms would be windowless (48%). The principle of windowless rooms has previously being accepted in the other Z hotel locations.

A café is proposed at ground floor level. The proposed cafe will provide 35 covers for hotel guests and their visitors and can only be accessed through the hotel lobby. The proposed café at ground floor level would provide a selection of hot and cold snacks, refreshments and light snack meals, but no cooking would be involved. The cafe will be open from 0800 to 2100 hours Monday to Saturday and from 1000 to 1800 on Sundays. The provision of a café of this scale is characteristic of the Z Hotels and is acceptable subject to conditions controlling the number of covers, opening hours and that no primary cooking is carried out.

Comments have been received from the local amenity society and residents that the number of hotels in the area has reached a saturation point and that the type of hotels and their accommodation are limited. There is also concern over the cumulative impact of hotels within this part of Covent Garden.

There have been two other approved schemes within close proximity of the application site, 31-33 Bedford Street (16/04327/FULL) and 1 Heathcock Court (17/09494/FULL). In addition another hotel development by Nadler Covent Garden Ltd at 418-422 Strand and 50 Bedford Street is currently under construction. The applicant has stated that since the opening of the first Z Hotel in Old Compton Street there have been two other schemes which are now operating (Lower Belgrave Street and Orange Street). The applicant has further indicated that the Z Hotels which are operating are achieving an average occupancy rate of 82.3% with a 90% occupancy for all their hotels since opening this is indicated by the table below (NB: Fleet Street is within the City of London).

Z Hotels average occupancy since opening

	2012	2013	2014	2015	2016	2017
Z Soho Old Compton Street (85 Rooms)	92.4%	97.3%	98.5%	99.1%	99.7%	99.8%
Z Victoria Lower Belgrave Street (106 Rooms)		97.3%	97.7%	98.8%	99.2%	99.8%
Z Piccadilly Orange Street (112 Rooms)			95.4%	99.6%	99.7%	100.0%
Z City Fleet Street (109 Rooms)				95.9%	99.7%	99.8%

During this time all London Hotels have achieved an average occupancy of 82.3%

Whilst there may be a cluster of hotels within close proximity to the application site, the applicant has stated that there is demand for this type of accommodation and that the proposed hotel as with the other recently permitted hotels are within the Core Central Activities Zone where commercial uses such as a hotel are directed. The principle of a hotel in this location within the Core CAZ is considered acceptable.

Existing residential use

Policy S14 seeks to protect existing residential floorspace. There is an existing residential unit at fifth floor level, which is currently accessed from the main staircase within the building. It is noted that there is a secondary staircase, which can access the flat. The existing residential unit is to be maintained and it is proposed to use this secondary staircase to access the flat. In order to ensure that there is no loss of the existing residential unit a condition is proposed to maintain the existing flat.

8.2 Townscape and Design

The proposal seeks to install a column of five no. new windows on the west elevation. These windows would provide natural light to bedrooms from ground to fourth floor level. These windows match the existing windows on this façade and in design terms are not considered contentious.

The proposal includes the provision of a louvred screen from ground to fifth floor level on the western elevation facing the rear courtyard area. New mechanical plant is proposed internally at ground and fifth floor level. The proposed louvred screen serves to ventilate the internal mechanical plant. This elevation is not visible from the public realm and is only partially visible from private views from the rear rooms within the application site and from the internal courtyard area of Duval Court and Bedford Court. The proposed screen replaces an existing louvred screen and the proposed alterations are considered acceptable in design terms.

At rear ground floor level it is proposed to change an existing garage mesh with aluminium panels. This area is in a concealed located and only visible to the lower floors of the application site. In design terms, the proposed alterations here are considered acceptable.

Concern has been raised over the provision of mechanical plant at roof level. The proposals had described the relocation of mechanical plant at roof level; however, the plans submitted show that all the mechanical plant is to be located internally at ground and fifth floor level. The only external manifestations at roof level are the provision of acoustic louvres to the rear part of the roof and photovoltaic panels to front part of the roof. The acoustic louvres at roof level would not be visible from street level and there would be limited private views of this alteration. A series of photovoltaic panels are located to the front slope of the roof and given the height of the building there would also be limited views of this alteration.

8.3 Residential Amenity

Policy S29 of the City Plan and ENV 13 of the UDP aim to protect the amenity of residents from the effects of development. Policy ENV13 states that the Council will resist proposals that would result in a material loss of daylight/sunlight, particularly to dwellings, and that developments should not result in a significant increased sense of enclosure, overlooking or cause unacceptable overshadowing.

The rear of the site overlooks the rear building of Duval Court, Bedfordbury and 8 Bedford Court, which are in residential use as flats. An internal courtyard area separates the application site from the residential properties. The Covent Garden Community Association has raised concerns over the proposed mechanical plant and the impact in terms of noise on the adjoining residential properties. An acoustic report was submitted with the application and following officer's advice was revised to reference the impact of the proposed mechanical plant on the residential properties to the rear of the application site. Environmental Health have concluded that the proposed internal mechanical plant, which will be ventilated using acoustic louvres, demonstrates compliance with the City Council's planning noise conditions. In addition Environmental Health have noted that some final mechanical plant selections have yet to be made and on this basis a condition is recommended to secure a supplementary acoustic report.

As the fifth floor flat is to be retained conditions are recommended to secure the internal noise levels between the residential flat and commercial use.

The bottom half of the windows on the rear elevation from first to fourth floor level and facing Duval Court, Bedfordbury and 8 Bedford Court are to be obscurely glazed up to 1.6m high in order to provide privacy between the sites. This part of the building is only visible from private views and the obscuring of these windows, which will be secured by condition will preserve privacy between the two buildings.

In amenity terms, the proposals are in accordance with Policies S29 and S32 of the Westminster City Plan and ENV 13, ENV6 and ENV7 of the UDP (2007).

8.4 Transportation/Parking

Servicing and deliveries

Policy S42 of the City Plan and TRANS20 of the UDP require the provision of off-site servicing. The existing building has no vehicular access and no off-street servicing or parking. Servicing and refuse collection is currently undertaken on street. The site is located within a Controlled Parking Zone (Monday to Saturday between 0830 and 1830), which means that single and double yellow lines in the vicinity allow loading and unloading to occur. The largest regular service vehicle expected to be associated with this development in this location is the refuse collection vehicle.

It is proposed to service the hotel from both Bedfordbury and Chandos Place, as is currently done with the existing office use. The applicant estimates that a maximum of 3-4 deliveries will be required per day for food, beverages, linen, consumables and stationery. This will mean transporting goods along/over the footway and potentially obstructing pedestrian movement. This is an aspect that has been raised as a concern

by residents adjoining the site given the narrow nature of the pavement areas bordering the site. However, it is acknowledged that the existing office use is serviced in a similar manner. Given the size of the existing B1 use and the size of the ancillary café, it is not considered that the likely level of trip generation is expected to increase to a level, which would have a significant impact on the surrounding public highway. It is however considered that the number of covers provided within the café is subject to a condition to ensure that the café does not increase in terms of the number of covers provided or the area that it occupies at ground floor level. Whilst on street servicing is not an ideal solution, given the existing uncontrolled servicing arrangements for the offices, it is considered that planning permission could not reasonably be withheld on servicing grounds.

Coaches and Taxis

No provision for coach party arrivals is provided. The applicant indicates that they would not accept coach parties. Coach activity is common for hotels and the drop off or collection of guests from coaches can have a significant impact on the safety and operation of the highway network, including on pedestrians.

On this basis, a condition is recommended to restrict the size of party bookings to minimise the risk of coaches attending the site.

Cycle Parking

The London Plan Policy 6.9 requires one cycle space per 20 bedrooms. The proposal is seeking to provide 12 cycle spaces, which will be accommodated within the ground floor rear courtyard. The provision of 12 cycle spaces exceeds that required by policy and is considered acceptable. A condition is recommended to secure the provision of the cycle spaces.

8.5 Economic Considerations

The economic benefits associated with the creation of a new hotel are welcomed. The proposed hotel will employ 24 members of staff (full-time). An employment and training opportunities strategy will be secured by condition.

8.6 Access

The proposed development has been designed to meet the requirements of the Disability Discrimination Act (DDA) and incorporates the principles of inclusive design. Level access is proposed into the building with lift access to all floor levels. Six hotel bedrooms (5%) are proposed to be fully wheelchair accessible, with a further six rooms (5%) being adaptable in accordance with the London Plan's requirement for 10% of rooms to be wheelchair accessible. The accessible bedrooms are dispersed throughout the hotel to give a choice of room options.

8.7 Other UDP/Westminster Policy Considerations

Sustainability

The applicant has submitted an Energy and Renewables Statement in support of their application. The existing building will incorporate energy efficient mechanical and electrical elements including high performance glazing, heat recovery ventilation, lighting efficiency and low carbon energy technology comprising of Air Source Heat Pumps and Photovoltaic panels, which will achieve a 36.6% improvement in carbon emissions based on the current Building Regulations (2014) for the hotel.

The applicant has undertaken a BREEAM assessment, which confirms that the site proposal will achieve a rating of 62.85% (Very Good).

Refuse and Recycling

The proposed refuse store is to be located at ground floor level. The Cleansing Manager has stated that the refuse store is too small to cope with a hotel of 2,179sqm and requested a larger waste store, provision of bigger bins more than the proposed 240L bins and further information on the proposed compactor. This has now been provided and based on the information provided in the applicant's waste management plan a condition is recommended to secure these details.

8.8 London Plan

This application raises no strategic issues.

8.9 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.

8.10 Planning Obligations

Planning obligations are not relevant in the determination of this application. The applicant has agreed to provide an employment and training opportunities strategy for the hotel use and it is recommended that this be secured through a Grampian condition.

The estimated CIL payment is £1,423,988.56 Westminster CIL and £157,317.94 Mayor's CIL.

8.11 Environmental Impact Assessment

Not applicable.

8.12 Other Issues

Crime and security

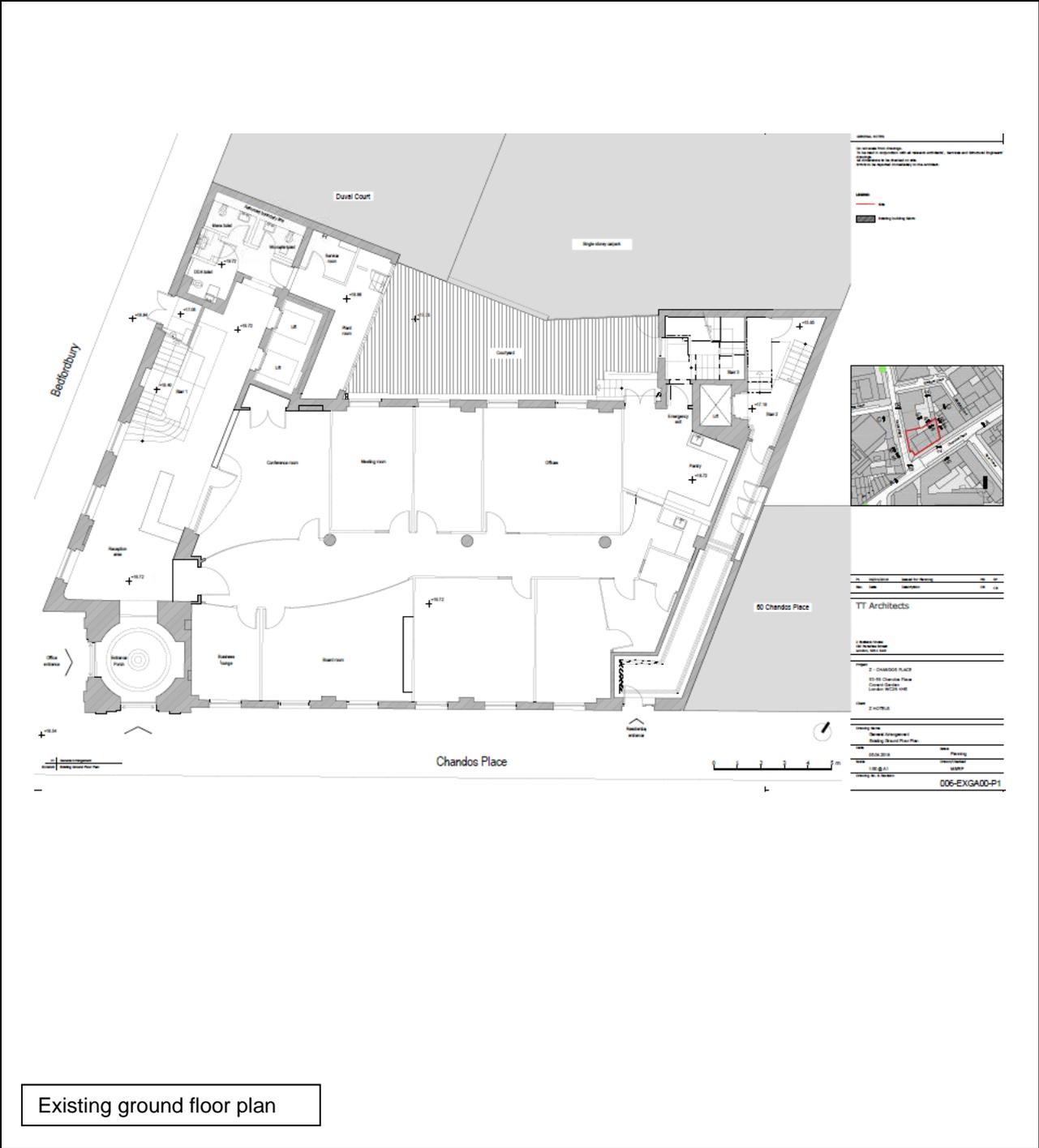
The hotel will provide active supervision through its own CCTV system with camera coverage of the entrance to the hotel, as well as other strategically located positions throughout the hotel, with monitoring for the CCTV

The Metropolitan Police have been consulted on the proposals and have confirmed that the management plans and procedures in place address a number of issues, which hotels especially in busy or central locations, suffer from. The security they have in place prior to any person attending the location is strict and controlled and they will support staff in challenging inappropriate behaviour whether inside the premises or outside in the public realm.

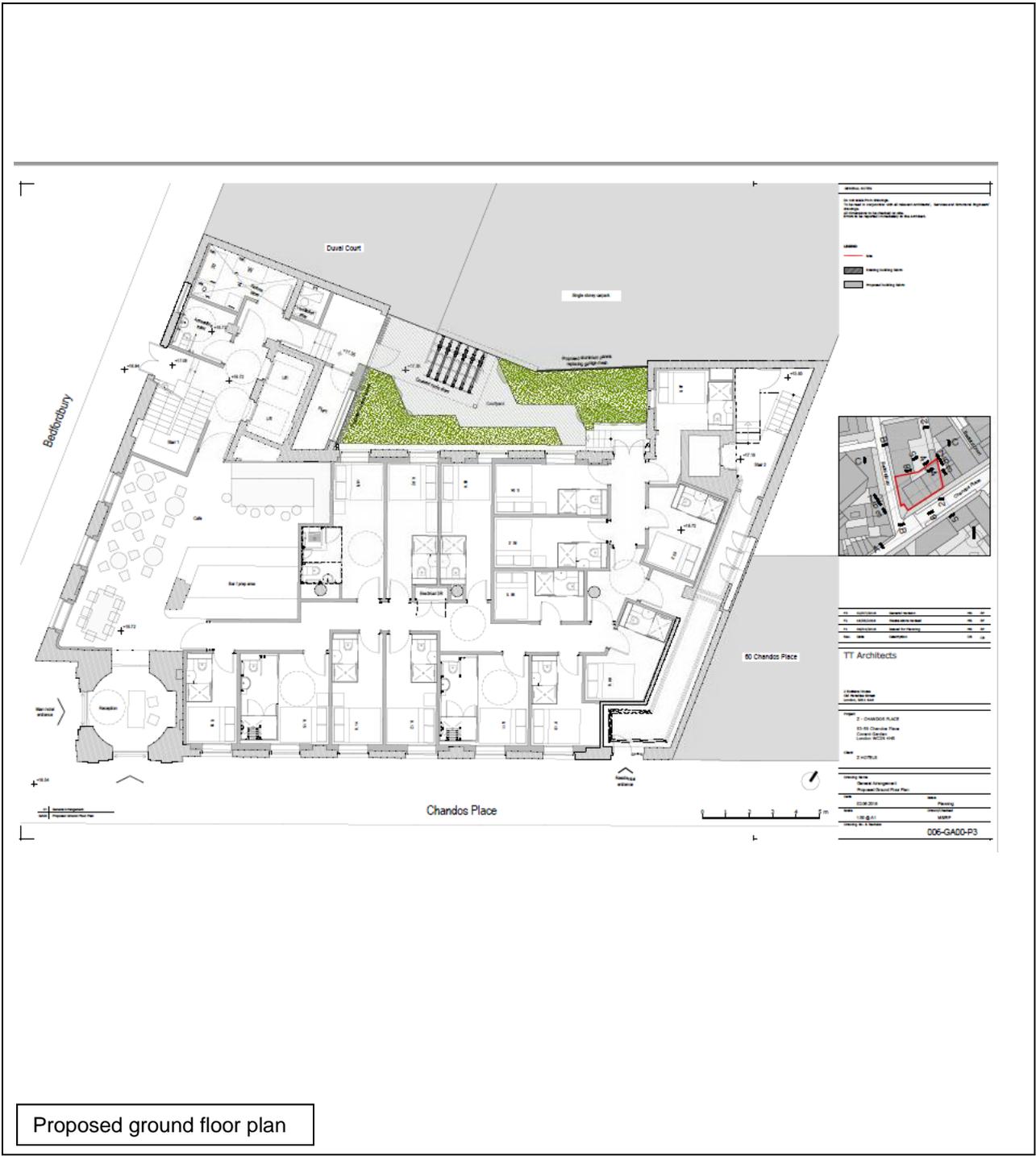
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: DAVID DORWARD BY EMAIL AT DDORWARD@WESTMINSTER.GOV.UK

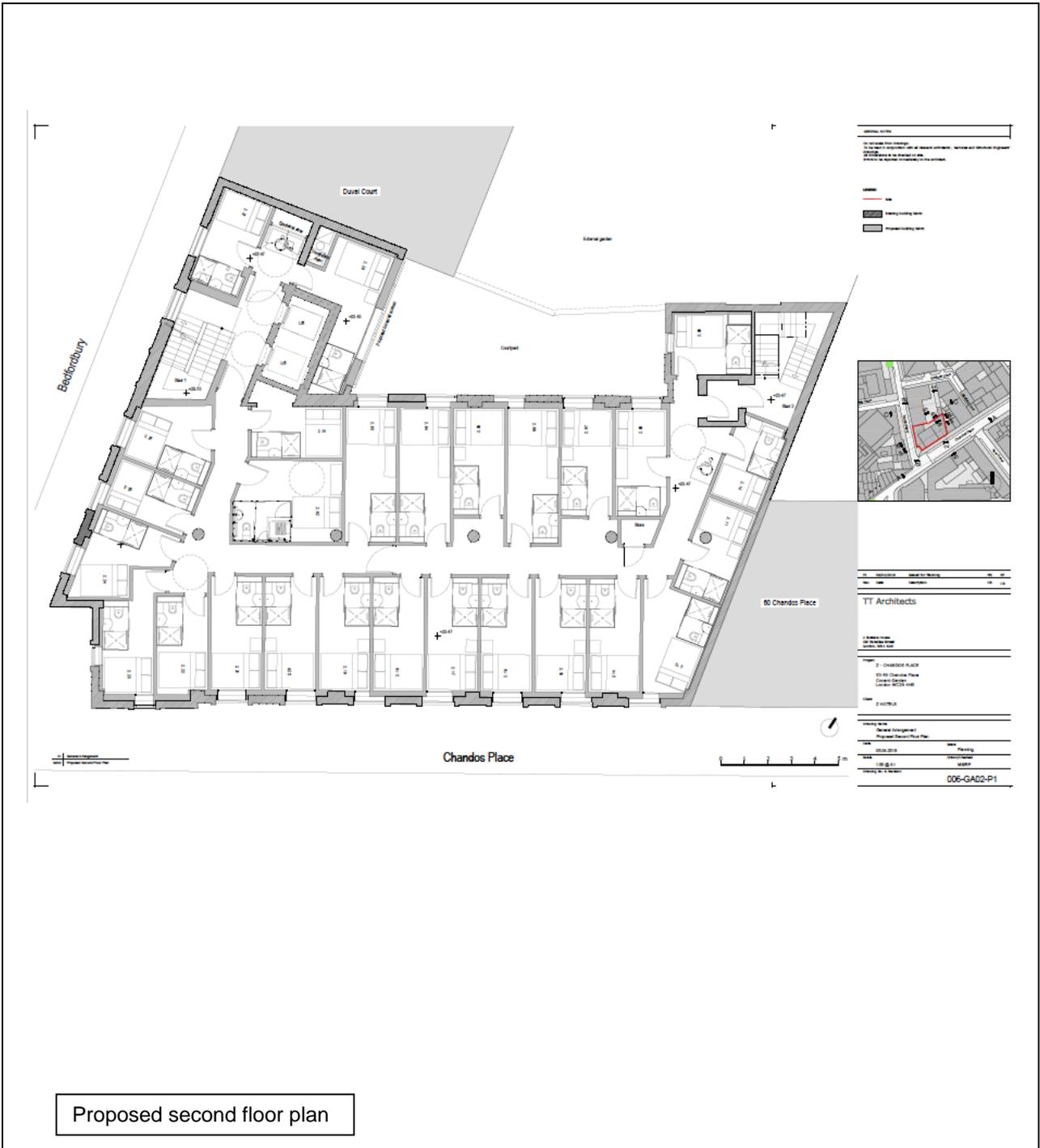
9. KEY DRAWINGS



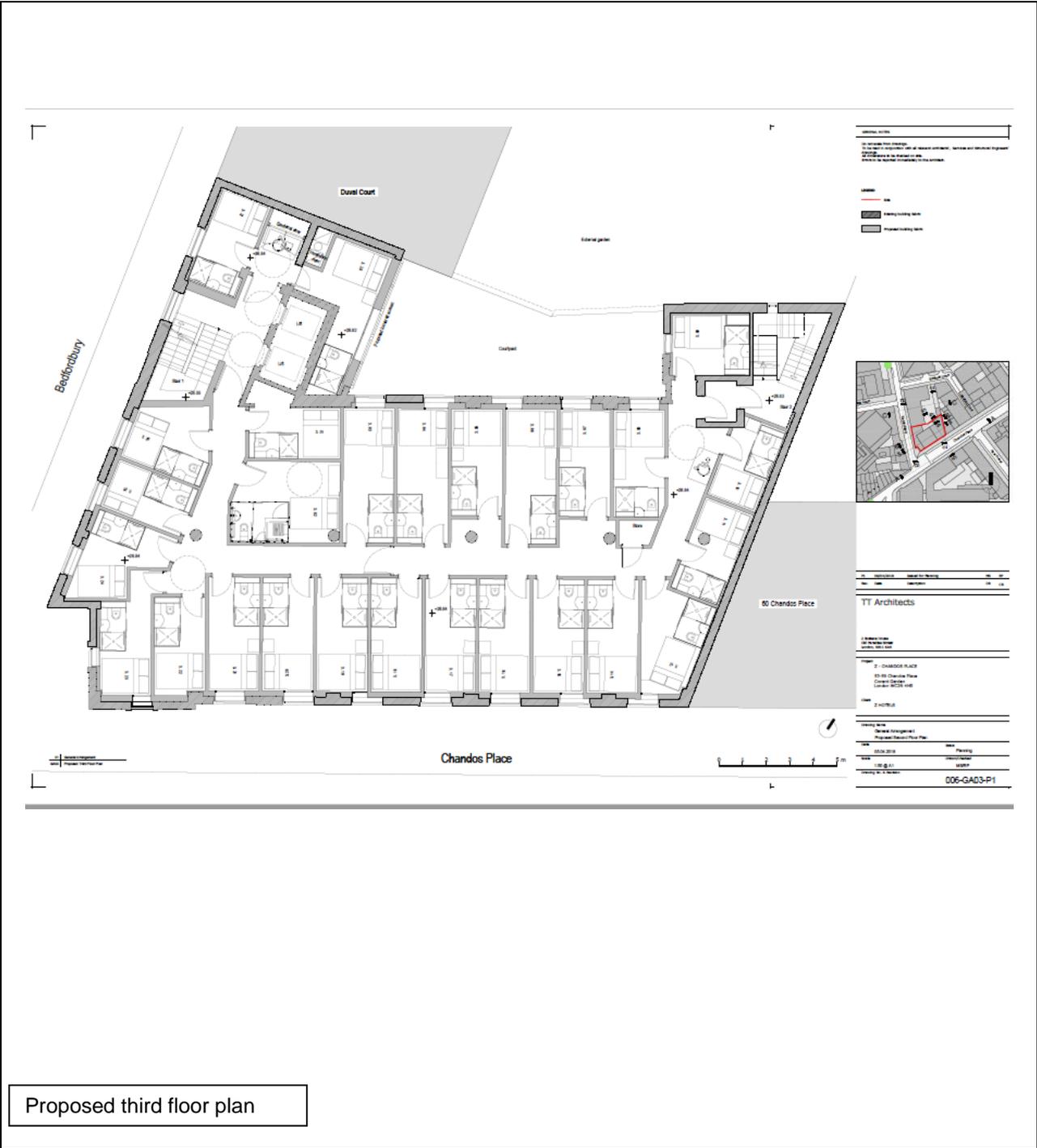
Existing ground floor plan



Proposed ground floor plan



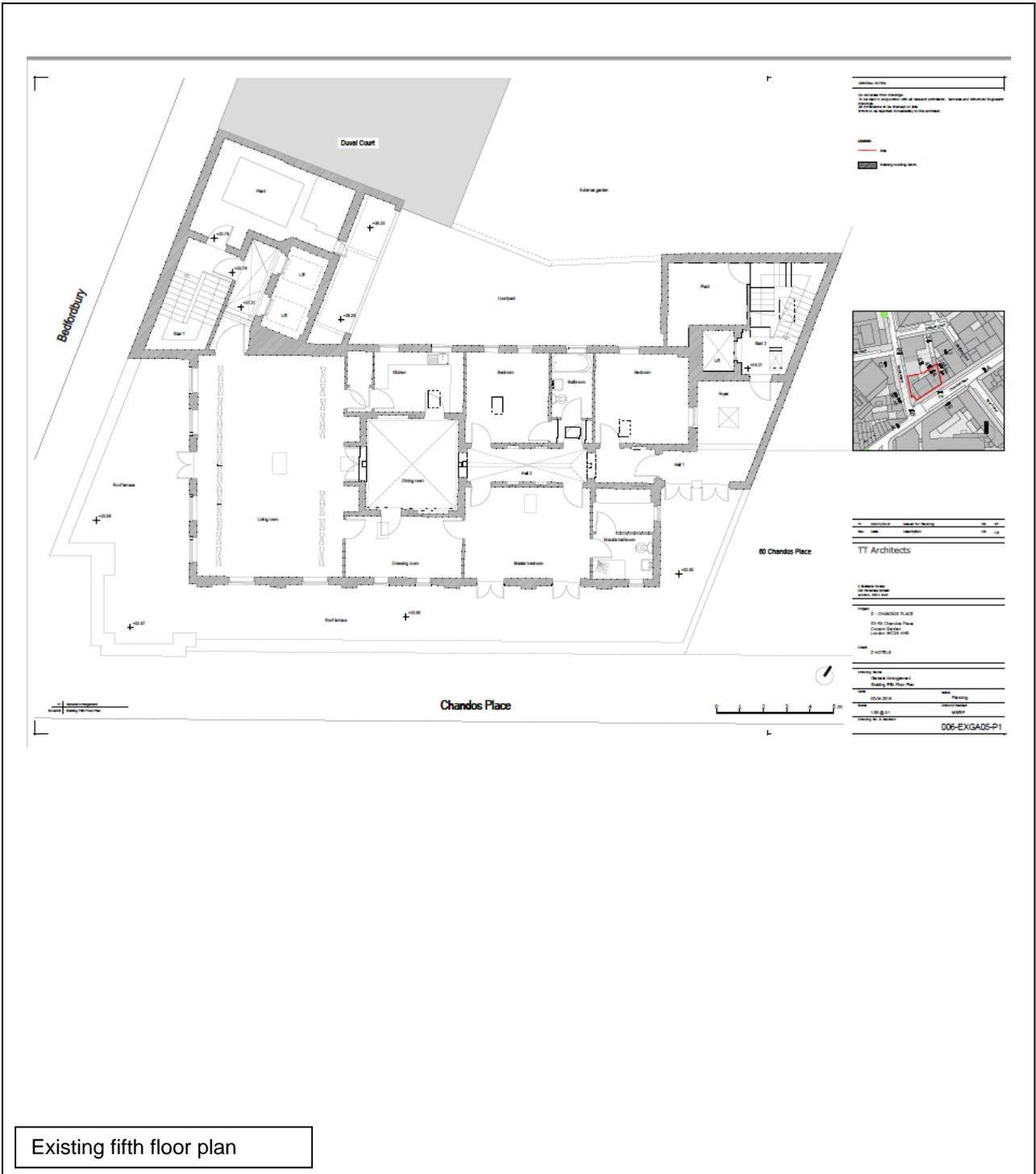
Proposed second floor plan



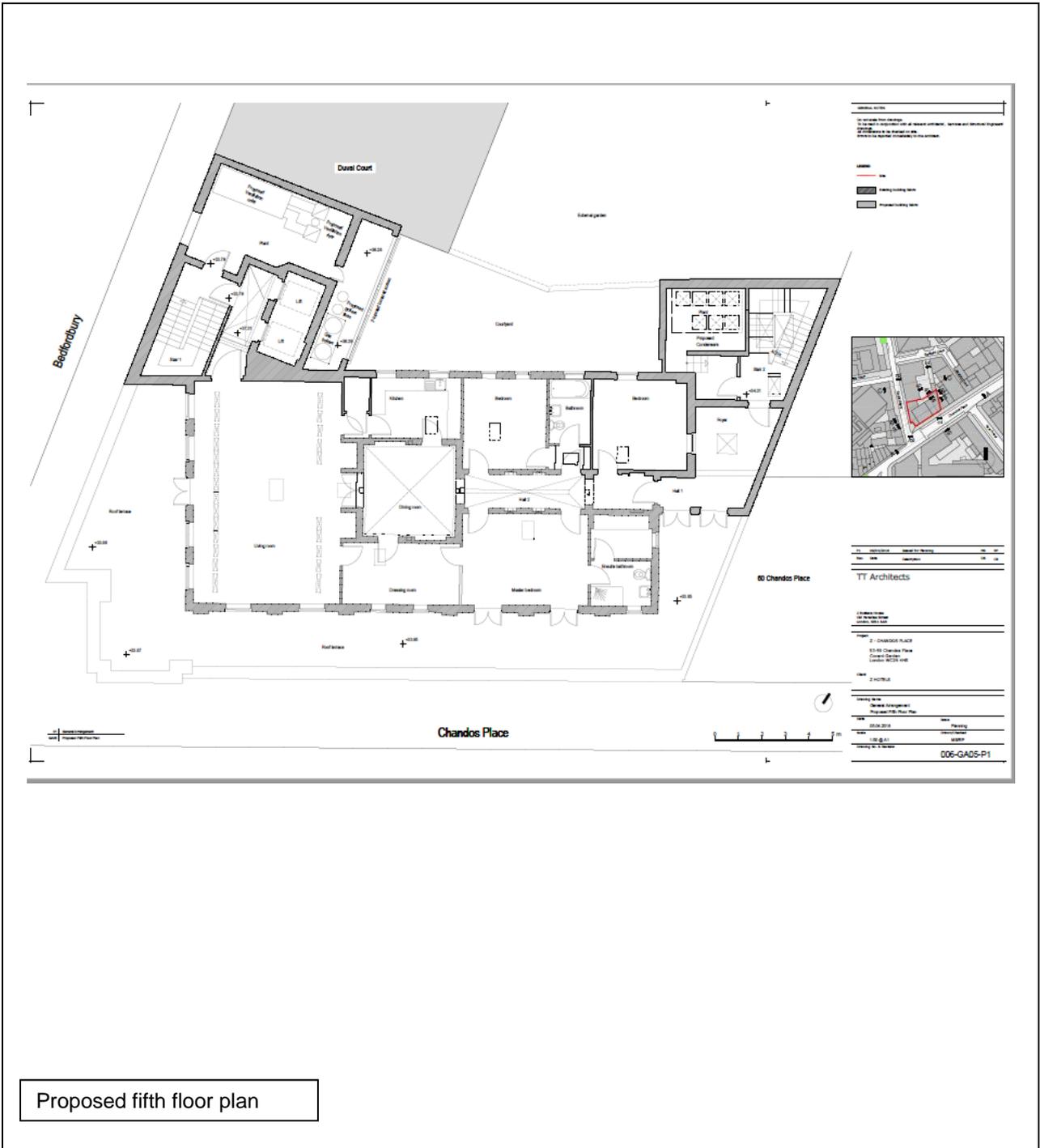
Proposed third floor plan



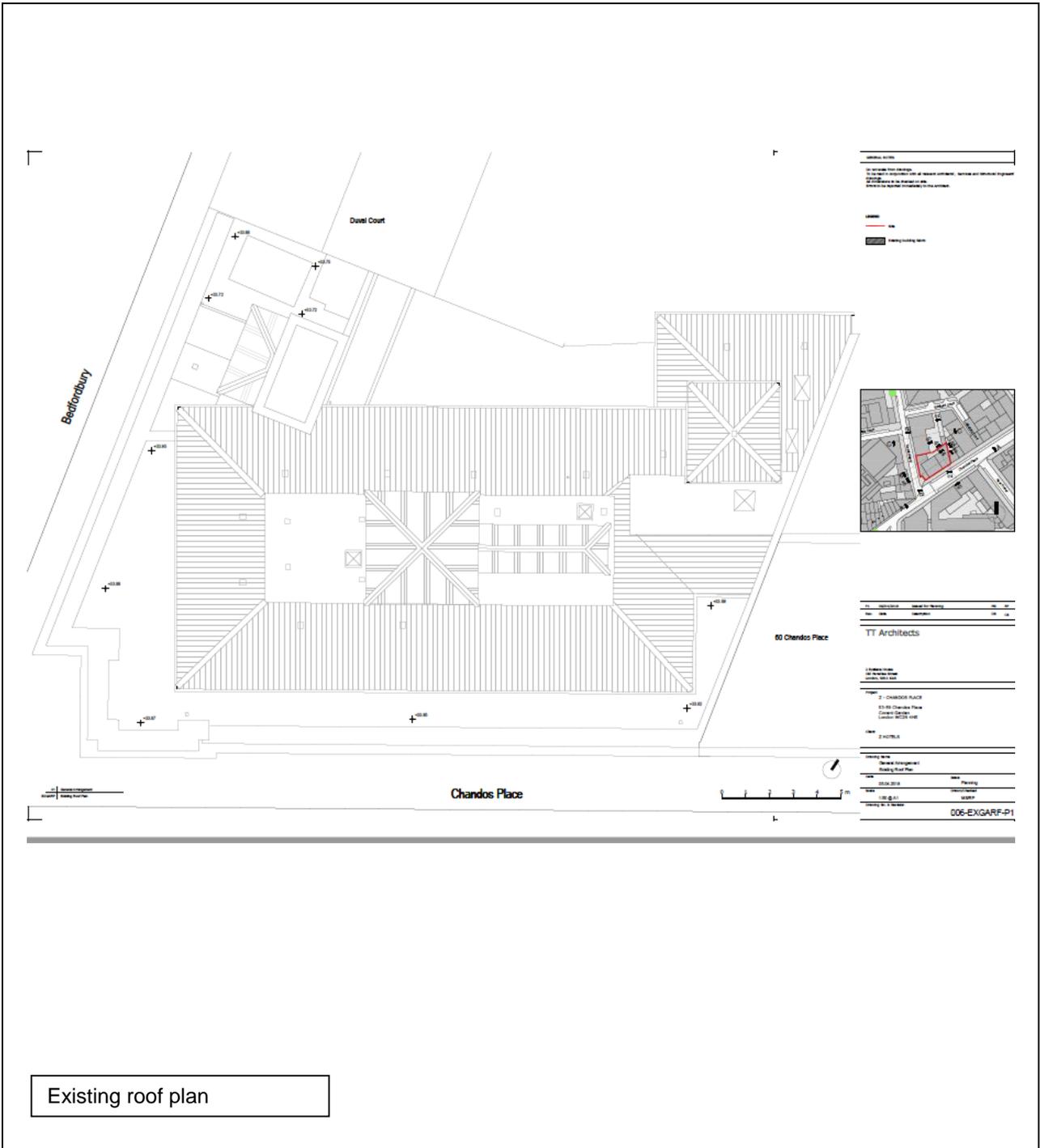
Proposed fourth floor plan



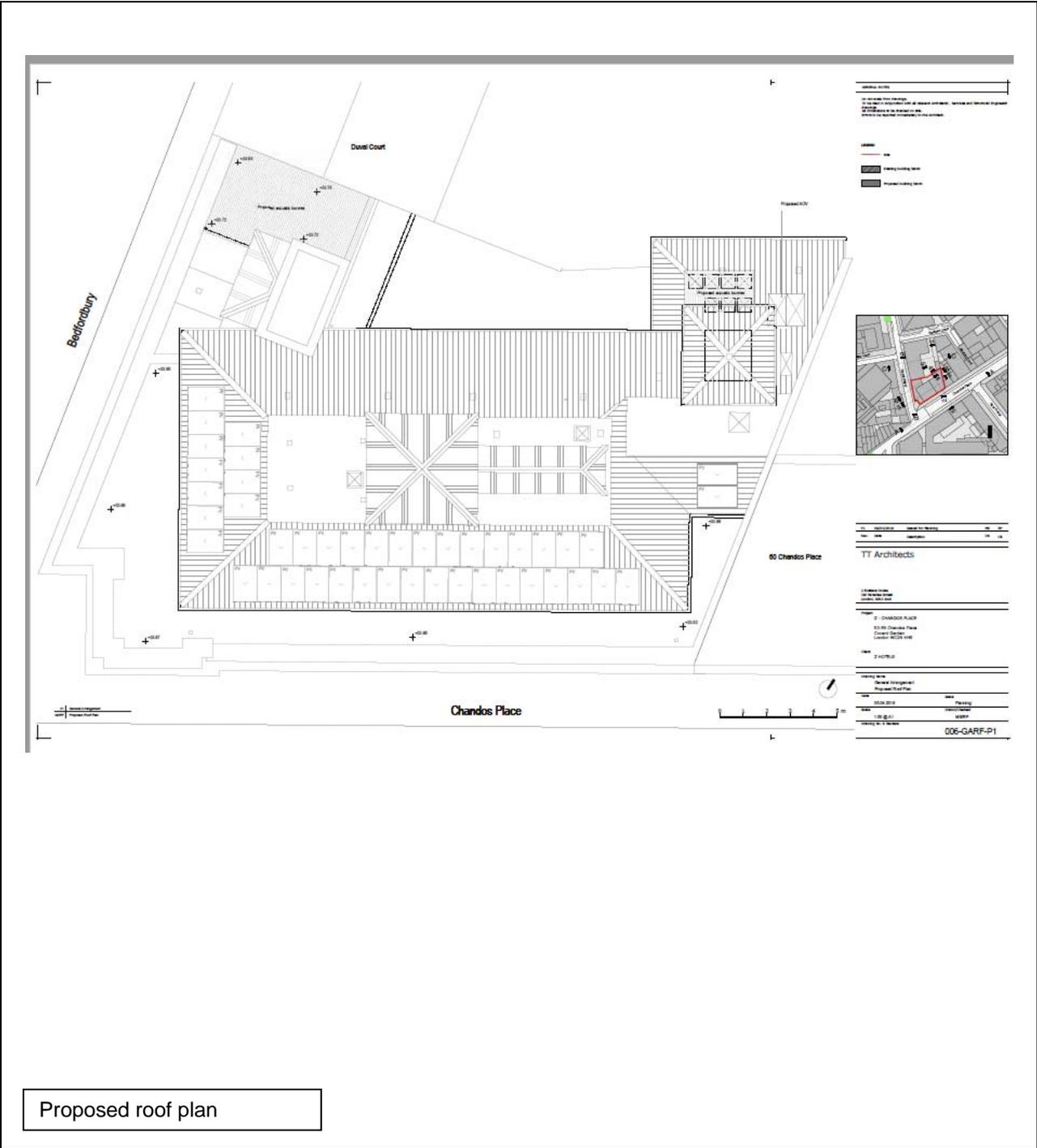
Existing fifth floor plan



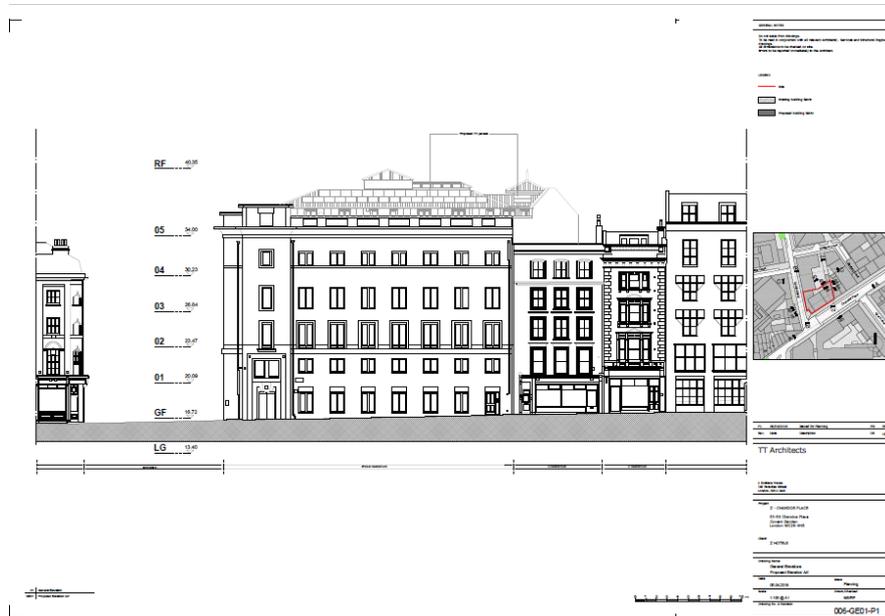
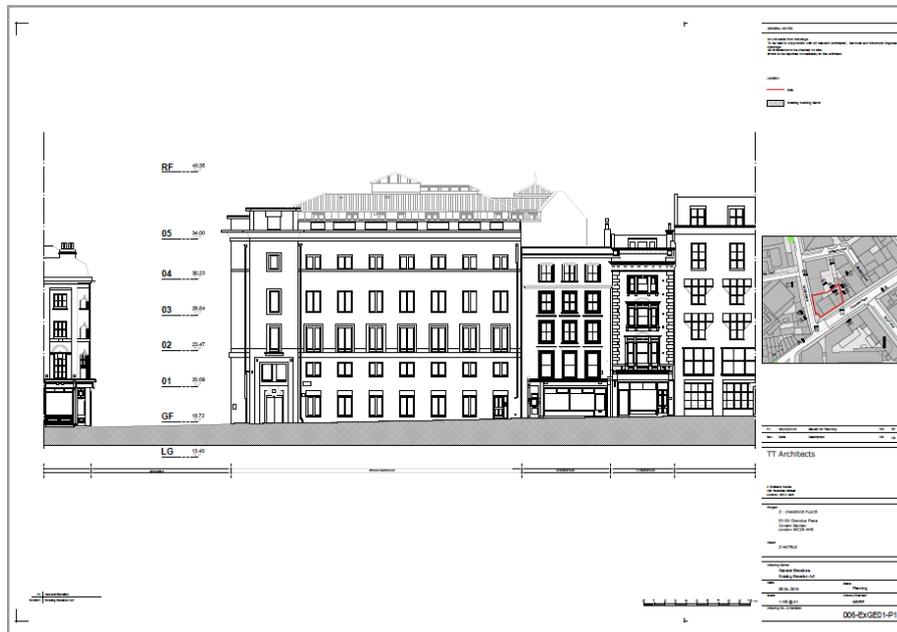
Proposed fifth floor plan



Existing roof plan



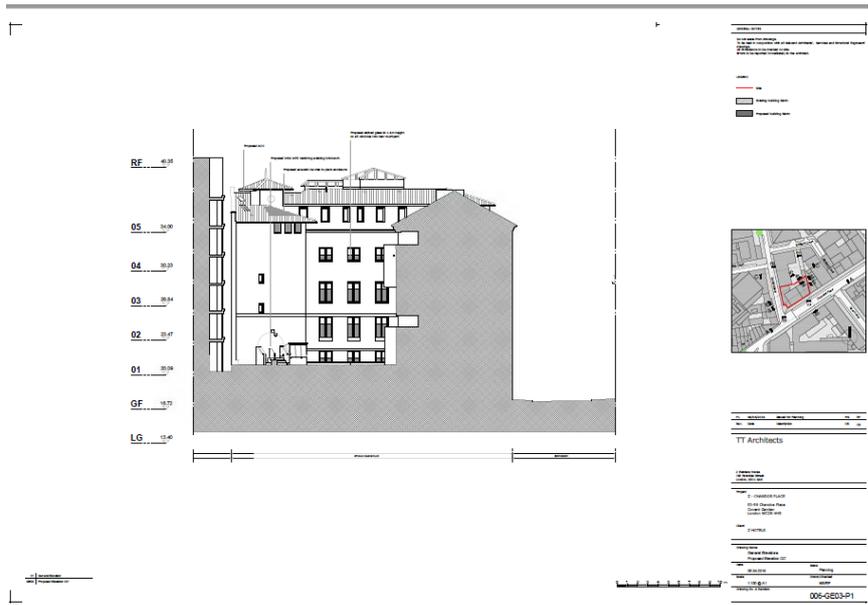
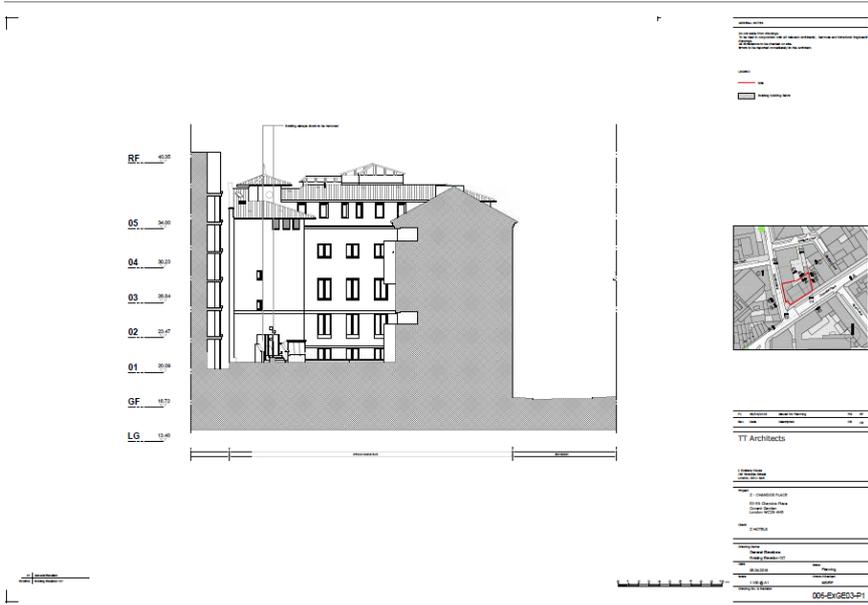
Proposed roof plan



Existing and proposed elevation – Chandos Place



Existing and proposed elevation – Bedfordbury



Existing and proposed rear elevation

DRAFT DECISION LETTER

Address: 53 Chandos Place, London, WC2N 4HS

Proposal: Use of the basement, ground to fourth floor of the building as a hotel (Class C1) with ancillary cafe at ground floor level. External alterations to include 5 no. new windows on the west elevation and installation of acoustic louvres and photovoltaics at roof level. Alterations to windows on the rear elevation and provision of a louvred screen (ground to fifth floor level) fronting rear courtyard area and alterations to rear courtyard area.

Reference: 18/02861/FULL

Plan Nos: 006-SI01-P1, 006-ExGS01-P1, 006-ExGS02-P1, 006-ExGS03-P1, 006-EXGAB1-P1, 006-ExGE01-P1, 006-ExGE02-P1, 006-ExGE03-P1, 006-EXGA00-P1, 006-EXGA01-P1, 006-EXGA02-P1, 006-EXGA03-P1, 006-EXGA04-P1, 006-EXGA05-P1, 006-EXGARF-P1, 006-GAB1-P1, 006-GA00-P3, 006-GA01-P1, 006-GA02-P1, 006-GA03-P1, 006-GA04-P1, 006-GA05-P1, 006-GARF-P1, 006-GE01-P1, 006-GE02-P1, 006-GE03-P1, 006-GS01-P1, 006-GS02-P1, 006-GS03-P1, 006-ExGS04-P1, 006-ExGS05-P1, 006-GS04-P1, 006-GS05-P1, Acoustics and Vibration Survey Revision 03- 22 May 2018 prepared by Hoare Lea, Operational Management Strategy, Servicing Management Plan prepared by Caneparo Associates dated April 2018, Sustainable Design and Construction Statement Version 02 dated 28-03-2018 prepared by Semple McKillop Consulting Engineers, Waste Management Plan, Transport Statement prepared by Caneparo Associates dated April 2018, Energy and Renewables Statement Version P02 dated 28-03-2018 including BREEAM RFO 2014 Pre-Assessment Report prepared by Semple McKillop Consulting Engineers and Planning Statement prepared by Planning Resolution.

For information only: Accurate Visual Representations: Views & Methodology by Visualhorizon3D by TT Architects and Design and Access Statement dated April 2018.

Case Officer: Zulekha Hosenally

Direct Tel. No. 020 7641 2511

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.

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- 2 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only:

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

You must carry out piling, excavation and demolition work only:

- o between 08.00 and 18.00 Monday to Friday; and
- o not at all on Saturdays, Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 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 Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 4 Notwithstanding the details shown on drawing 006-GE03-P1 the glass that you put in the lower pane of the windows in the rear elevation at first to fourth level must not be clear glass, and you must fix it permanently shut. You must apply to us for approval of a sample of the glass (at least 300mm square). You must not start work on the relevant part of the development until we have approved the sample. You must then fit the type of glass we have approved and must not change it without our permission. (C21DB)

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

- 5 You must apply to us for approval of detailed drawings (scale of 1:10 and 1:20 sections and elevations) of the following parts of the development:

- new column of windows as shown on drawing 006-GE02-P1.

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 approved drawings. (C26DB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 6 You must provide the following environmental sustainability features (environmentally friendly features) before you start to use any part of the development, as set out in your application.

-Photovoltaic panels at roof level.

You must not remove any of these features. (C44AA)

Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in S28 or S40, or both, of Westminster's City Plan (November 2016). (R44AC)

- 7 (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 (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.

- 8 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.

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

Reason:

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

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

Reason:

As set out in ENV6 of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at section 9.76, in order to ensure that design, structure and acoustic insulation of the

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development will provide sufficient protection for residents of the same or adjoining buildings from noise and vibration from elsewhere in the development.

- 11 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 7 and 8 of this permission. You must not start work on this part of the development until we have approved what you have sent us.

Reason:

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

- 12 Customers shall not be permitted within the ancillary cafe before 0800 or after 2100 on Monday to Saturday and before 1000 or after 1800 on Sundays.

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 TACE 2 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 13 There shall be no primary cooking on site such that you must not cook raw or fresh food on the premises. The reheating of food, the cooking equipment used and hot food products served shall be limited only to those described in the planning statement prepared by Planning Resolutions.

Reason:

The plans do not include any kitchen extractor equipment. For this reason we cannot agree to unrestricted use as people using neighbouring properties would suffer from cooking smells. This is as set out in S24 and S29 of Westminster's City Plan (November 2016) and ENV 5 of our Unitary Development Plan that we adopted in January 2007. (R05EC)

- 14 The cafe hereby approved will provide a maximum of 35 covers in the area shown on drawing 006-GA00-P3.

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 2 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05GB)

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- 15 The hotel shall not knowingly accept bookings from parties using a vehicle with a capacity of 14 or more persons to travel to and from the premises.

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)

- 16 You must apply to us for approval of a servicing management plan for the hotel use and ancillary cafe. You must not start the use until we have approved what you have sent us. Thereafter you must carry out the work according to the approved plan (see informative 2).

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)

- 17 You must carry out the measures included in your Operating Management Plan at all times that the hotel is in use. (C05KA)

Reason:

To protect neighbouring residents from noise and vibration nuisance, as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13AC)

- 18 No music shall be played in the hotel such as to be audible outside the premises.

Reason:

To protect neighbouring residents from noise and vibration nuisance, as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13AC)

- 19 Before anyone moves into the property, you must provide the separate stores for waste and materials for recycling shown on drawing number 006-GA00-P3 and as specified in the 'Waste Management Strategy'. You must clearly mark them and make them available at all times to everyone using the hotel. (C14FB)

Reason:

To protect the environment and provide suitable storage for waste and materials for recycling as set out in S44 of Westminster's City Plan (November 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14CC)

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

Reason:

To provide cycle parking spaces for people using the development as set out in Policy 6.9 (Table 6.3) of the London Plan 2015.

- 21 You must not use any part of the development until we have approved appropriate arrangements to secure the following:

i) An employment and training opportunities strategy during construction and for the hotel use.

In the case of each of the above benefits, you must include in the arrangements details of when you will provide the benefits, and how you will guarantee this timing. You must only carry out the development according to the approved arrangements. (C19BA)

Reason:

To make sure that the development provides the planning benefits that have been agreed, as set out in S33 of Westminster's City Plan (November 2016) and in STRA 7 of our Unitary Development Plan that we adopted in January 2007. (R19AC)

- 22 Notwithstanding what is shown on the approved plans, a minimum of twelve hotel bedrooms (10%) shall be fully wheelchair accessible.

Reason:

To make sure that there is sufficient choice for people who require an accessible bedroom as set out in policy E10 of the draft New London Plan 2017.

- 23 The existing three bedroom residential unit at fifth floor level as shown on drawings 006-EXGA05-P1 and 006-GA05-P1 must be retained as accommodation which (in addition to the living space) provides three separate rooms capable of being occupied as bedrooms.

Reason:

To protect family accommodation as set out in S15 of Westminster's City Plan (November 2016) and H 5 of our Unitary Development Plan that we adopted in January 2007. (R07DC)

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 You must include the following information in the Servicing Management Plan:
 - the full delivery process;
 - internal storage locations;
 - scheduling of deliveries;
 - staffing arrangements for deliveries;
 - taxi management and private vehicle hire process for arrivals and departures and;
 - measures to deter coaches.
- 3 Under condition 21 we are likely to accept a legal agreement under section 106 of the Town and County Planning Act to secure an employment and training opportunities strategy. Please look at the template wordings for planning obligations (listed under 'Supplementary planning guidance') on our website at www.westminster.gov.uk. Once the wording of the agreement has been finalised with our Legal and Administrative Services, you should write to us for approval of this way forward under this planning condition. (I77AA)
- 4 Please make sure that the lighting is designed so that it does not cause any nuisance for neighbours at night. If a neighbour considers that the lighting is causing them a nuisance, they can ask us to take action to stop the nuisance (under section 102 of the Clean Neighbourhoods and Environment Act 2005). (I39AA)
- 5 Please contact our District Surveyors' Services to discuss how you can design for the inclusion of disabled people. Email: districtsurveyors@westminster.gov.uk. Phone 020 7641 7240 or 020 7641 7230. If you make a further planning application or a building regulations application which relates solely to providing access or facilities for people with disabilities, our normal planning and building control fees do not apply.

The Equality and Human Rights Commission has a range of publications to assist you, see www.equalityhumanrights.com. The Centre for Accessible Environment's 'Designing for Accessibility', 2004, price £22.50 is a useful guide, visit www.cae.org.uk. If you are building new homes you must provide features which make them suitable for people with disabilities. For advice see www.habinteg.org.uk

It is your responsibility under the law to provide good access to your buildings. An appropriate and complete Access Statement as one of the documents on hand-over, will provide you and the end user with the basis of a defence should an access issue be raised under the Disability Discrimination Acts.

- 6 You may need to get separate permission under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 if you want to put up an advertisement at the property. (I03AA)
- 7 You must make sure that any other activities taking place in the class A3 (restaurant or café) premises, such as small amounts of takeaway sales or small bar areas, are so minor that they do not alter the main use as a restaurant or café. If the scale of one or more of these extra activities is more substantial than this, it is likely that a material (significant) change of use (from class A3 to a mix of uses) will have taken place, which will need a new planning permission. (I61BA)
- 8 Conditions 7 and 8 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)
- 9 You are advised to permanently mark the plant/ machinery hereby approved with the details of this permission (date of grant, registered number). This will assist in future monitoring of the equipment by the City Council if and when complaints are received.
- 10 We recommend all hoteliers to join the Westminster Considerate Hoteliers scheme and to support the Considerate Hoteliers Environmental Charter. This aims to promote good environmental practice in developing and managing hotels. For more information, please contact:
John Firrell MHCIMA
Secretary - Considerate Hoteliers Association
C/o Wheelwright's Cottage
Litton Cheney
Dorset
DT2 9AR

E-mail: info@consideratehoteliers.com,
Phone: 01308 482313, , (I76AA)
- 11 You will need to re-apply for planning permission if another authority or council department asks you to make changes that will affect the outside appearance of the building or the purpose it is used for. (I23AA)
- 12 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

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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.**

- 13 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. (I54AA)

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.