

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 16 May 2023	Classification For General Release	
Report of Director of Town Planning & Building Control		Ward(s) involved St James's	
Subject of Report	The Nomad Hotel London, 28 Bow Street, London, WC2E 7AW		
Proposal	<p>Variation of condition 14 of planning permission dated 20 March 2019 (RN:18/05723/FULL) (which varied permissions dated 4 February 2014 RN:12/12735/FULL, 30 December 2014 RN:14/06785/FULL and 28 March 2018 RN:17/08881/FULL) for 'Refurbishment, extension and conversion of Bow Street Magistrates Court and Police Station including part three part six storey extension with plant enclosure over in rear courtyard, two-storey extension above Martlett Court Wing, mansard roof extension to Broad Court and part of Bow Street ranges, excavation to create new second basement level and internal alterations to provide a 91 bedroom hotel with restaurants, bar and associated facilities (class C1) and police museum (Class D1), to allow design changes to the proposed new build additions: the upper floors of the Marlett Court facade, rear Crown Court facade and facades surrounding the internal glazed atrium; creation of new basement area and reconfiguration at roof level to accommodate plant; relocation of photovoltaics; reconfiguration of museum layout; and removal of the requirement for a themed element to the hotel'.</p> <p>Namely, to amend condition 14 to allow the Atrium Restaurant at basement level 1 to be used by non-residents of the hotel until 2am on Fridays and Saturdays (one additional hour).</p>		
Agent	Gerald Eve		
On behalf of	Bow Street Hotel Limited		
Registered Number	22/06929/FULL	Date amended/ completed	13 October 2022
Date Application Received	13 October 2022		
Historic Building Grade	II		
Conservation Area	Covent Garden		
Neighbourhood Plan	N/A		

1. RECOMMENDATION

Grant conditional permission subject to a Deed of variation to the S.106 legal agreement dated 4 February 2014 (RN: 12/12735) which was subsequently varied on 30 December 2014 (14/06785/FULL), 28 March 2018 (RN: 17/08881/FULL) and 20 March 2019.

2. SUMMARY & KEY CONSIDERATIONS

The Nomad Hotel opened in May 2021, following extensive refurbishment and extensions to the former grade II listed Bow Street Police Station and Magistrates Court. The hotel has 91 bedrooms and ancillary restaurants, bar and lounge facilities at ground and basement level 1. Condition 14 of the March 2019 permission requires that the restaurants and bars shall not be used by non-residents of the hotel except between the hours of 0700 to 0100 the next day.

This application relates to the Atrium Restaurant (also known as NoMad Restaurant and Fireplace Room) located at basement level 1, which is set within the central area of the hotel in a triple height space beneath a feature glazed roof. Permission is sought to amend condition 14 to extend the opening times of the restaurant for use by non-residents of the hotel until 2am on Friday and Saturdays (one additional hour). This would accord with their Premises Licence, where an extension of opening hours to the Atrium Restaurant to non-residents of the hotel on Fridays and Saturdays was recently approved. The opening hours of all other restaurant, bar and lounge areas within the hotel would remain unchanged.

Objections have been received from residents in Martlet Court to the rear on the grounds that the proposal will increase the level of activity of the hotel during night time hours and further erode the quality of life for residents.

The hotel is located within the CAZ and West End Retail and Leisure Special Policy Area (WERLSPA). Policy 1 of Westminster's City Plan 2019 – 2040, 'Westminster's Spatial Strategy' seeks to ensure that Westminster will continue to grow, thrive and inspire at the heart of London as a World City. It acknowledges the need to balance the competing functions of the Central Activities Zone (CAZ) as a retail and leisure destination, visitor attraction, global office centre, and home to residential neighbourhoods. Policy 2 relates to the WERLSPA and seeks to provide an improved retail and leisure experience; a diverse evening and night-time economy and enhanced cultural offer. Policy 16 requires proposals for food, drink and entertainment uses to be of a type and size appropriate to their location. It acknowledges that Westminster has a vibrant entertainment sector, including a huge range of food and drink uses and that the impacts of food, drink and entertainment uses on the surrounding area need to be carefully managed as they can have a negative impact on the functioning and use of an area and can negatively impact residential amenity.

The Atrium Restaurant is accessed by non-hotel guests, through the main entrance to the hotel on Bow Street, with a staircase leading down into the restaurant. The main dining area is located beneath the glazed roof, with a small ancillary bar at the bottom of the stairs and a private dining area to the side known as The Fire Place room. The applicant has confirmed that the space is primarily used for dining and that there is no vertical drinking.

The restaurant forms an integral part of the hotel and is governed by the hotels operational standards which seek to protect the amenity of both its guests and nearby residents, particularly at night.

Planning conditions attached to the March 2019 permission, which require that no music is played in the bar, restaurants and public areas of the hotel such as to be audible outside the premises (condition 15); and that the glazed atrium roof is fixed permanently shut (condition 33), will remain applicable and will ensure that there is no noise outbreak from the restaurant.

In addition to the planning conditions, the recent Premises License attached conditions to the Atrium Restaurant to ensure that guests shall enter/exit the restaurant via the main reception from Bow Street; that except for private/pre-booked events there should be no new entry or re-entry after midnight on Fridays and Saturdays and apart from private/pre-booked events, the number of people within the restaurant (excluding staff) should not exceed 200 after midnight on Fridays and Saturdays.

Given the licensing conditions in place, the additional hour will allow for a more gradual dispersal of customers, as the standard capacity of the restaurant of 350 customers will be reduced to 200 after midnight. All non-hotel residents will leave the restaurant on to Bow Street, a busy thoroughfare, away from the quieter residential streets to the rear, with easy access to public transport routes. The applicant has also confirmed that there will be security staff and a doorperson at all hours that the restaurant is open.

Objections were received to additional extensions to the hotel and associated construction noise, however, this does not form part of the proposal.

It is considered that one additional hour on Fridays and Saturdays will not negatively impact on residential amenity or local environmental quality. As such the proposal is considered acceptable in land use and amenity terms, in accordance with the relevant policies in the City Plan.

3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

5.1 Application Consultations

COVENT GARDEN COMMUNITY ASSOCIATION

Any response to be reported verbally.

COVENT GARDEN AREA TRUST

Any response to be reported verbally.

CRIME PREVENTION DESIGN ADVISOR

Any response to be reported verbally.

ENVIRONMENTAL HEALTH

No objection.

HIGHWAYS PLANNING OFFICER

No objection.

WASTE PROJECT OFFICER

No objection.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 85

No. Replies: 8

No. Objections: 8

No. Support: 0

Land use/Amenity

- The extension of opening hours will increase the level of activity of the hotel during night time hours and further erode the quality of life for residents.
- City Plan and London Plan policies seek to balance the competing functions between retail, leisure and residential uses, and ensure that the negative effects on amenity are minimised. They acknowledge that there is already a huge range of food and drink establishments in the area.
- The original planning constraints on the hotel were in place to ensure a balance between the commercial and residential facilities in this area. The application does nothing to ensure nearby residents benefit from a quiet environment during night-time hours.
- No evidence has been provided, for example, a record of diners who felt inconvenienced or rushed by the present hours, to substantiate the need for an additional hour.
- Potentially 200 diners exiting at 2am and staff thereafter, is significantly more invasive at 2am.

Other

- The substantial works for the hotel redevelopment was very disruptive and resulted in a reduction in the quality of life to surrounding residents over a long period of time. Object to another round of lengthy building works.
- Building additional storeys to an already large hotel is unacceptable Any further

extensions to the building will further deprive the Fletcher buildings of light.

PRESS NOTICE/ SITE NOTICE:

Yes

6. WESTMINSTER'S DEVELOPMENT PLAN

6.1 City Plan 2019-2040 & London Plan

The City Plan 2019-2040 was adopted at Full Council on 21 April 2021. The policies in the City Plan 2019-2040 are consistent with national policy as set out in the National Planning Policy Framework (NPPF) (July 2021) and should be afforded full weight in accordance with paragraph 219 of the NPPF. Therefore, in accordance with Section 38 of the Planning and Compulsory Purchase Act 2004, it comprises the development plan for Westminster in combination with the London Plan, which was adopted by the Mayor of London in March 2021 and, where relevant, neighbourhood plans covering specific parts of the city (see further details in Section 6.2).

As set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 49 of the NPPF, the application must be determined in accordance with the development plan, unless material considerations indicate otherwise.

6.2 Neighbourhood Planning

The application site is not located within an area covered by a Neighbourhood Plan.

6.3 National Policy & Guidance

The City Plan 2019-2040 policies referred to in the consideration of this application have been examined and have been found to be sound in accordance with tests set out in Paragraph 35 of the NPPF. They are considered to remain consistent with the policies in the NPPF (July 2021) unless stated otherwise.

7. BACKGROUND INFORMATION

7.1 The Application Site

The Nomad Hotel opened in May 2021 following the refurbishment and extension of the former Bow Street Police Station and Magistrates Court, which are grade II listed and lie within the Covent Garden Conservation Area. The hotel forms a whole street block with frontages to Bow Street, Broad Court, Crown Court and Martlett Court, the latter three streets are pedestrianised.

The site lies within the Central Activities Zone, the West End Retail and Leisure Special Policy Area and the West End Strategic Cultural Area.

7.2 Recent Relevant History

Planning permission and listed building Consent were granted for the refurbishment, extension and conversion of Bow Street Magistrate's Court and Police Station including part three/part six storey extension with plant enclosure over in rear courtyard, two storey extension above Martlett Court Wing, mansard roof extension to Broad Court and part of Bow Street ranges, excavation to create new second basement level and internal alterations to provide a 99 bedroom hotel with two restaurants, bar and associated facilities (Class C1) and Police museum (Class D1) on 4 February 2014 (RN:12/12735/FULL)

Various permissions and listed building consents have subsequently been granted for the variation of conditions attached to the February 2014 permission and consent to make amendments including:

- Alterations to the treatment of the rear of the building (host building and extensions); canopy to museum entrance; and internal alterations including one additional hotel bedroom at lower ground level, alterations to the layout of the hotel restaurant at lower ground floor level, alterations to the courtroom ceiling and entrances and installation of raised floors on 30 December 2014 (RN: 14/06785/FULL and 14/06784/LBC).
- Internal reconfiguration and alterations to reduce the total number of bedrooms to 91; reconfiguration and increase of ancillary restaurant, bar and associated facilities; infilling of the courtyard to create a covered non-openable glazed atrium; creation of additional door to Broad Court elevation; other associated minor internal and external alterations on 28 March 2018 (RN:17/08881/FULL and 17/09008/LBC).
- Design changes to the proposed new build additions: the upper floors of the Martlett Court facade, rear Crown Court facade and facades surrounding the internal glazed atrium; creation of new basement area and reconfiguration at roof level to accommodate plant; relocation of photovoltaics; reconfiguration of museum layout; and removal of the requirement for a themed element to the hotel on 20 March 2019 (RN:18/05723/FULL and).

Planning permission and listed building consent were granted for the installation of external lighting to the Former Bow Street Magistrate's Court and Police Station facades and associated works on 29 July 2019.

Planning permission and listed building consent were granted for the relocation of three grade II listed telephone boxes and use of an area of public highway measuring 10.7m X 3.0m on the Broad Court frontage for the placing of 9 tables, 26 chairs, 8 barriers and 6 parasols in connection with the hotel use.

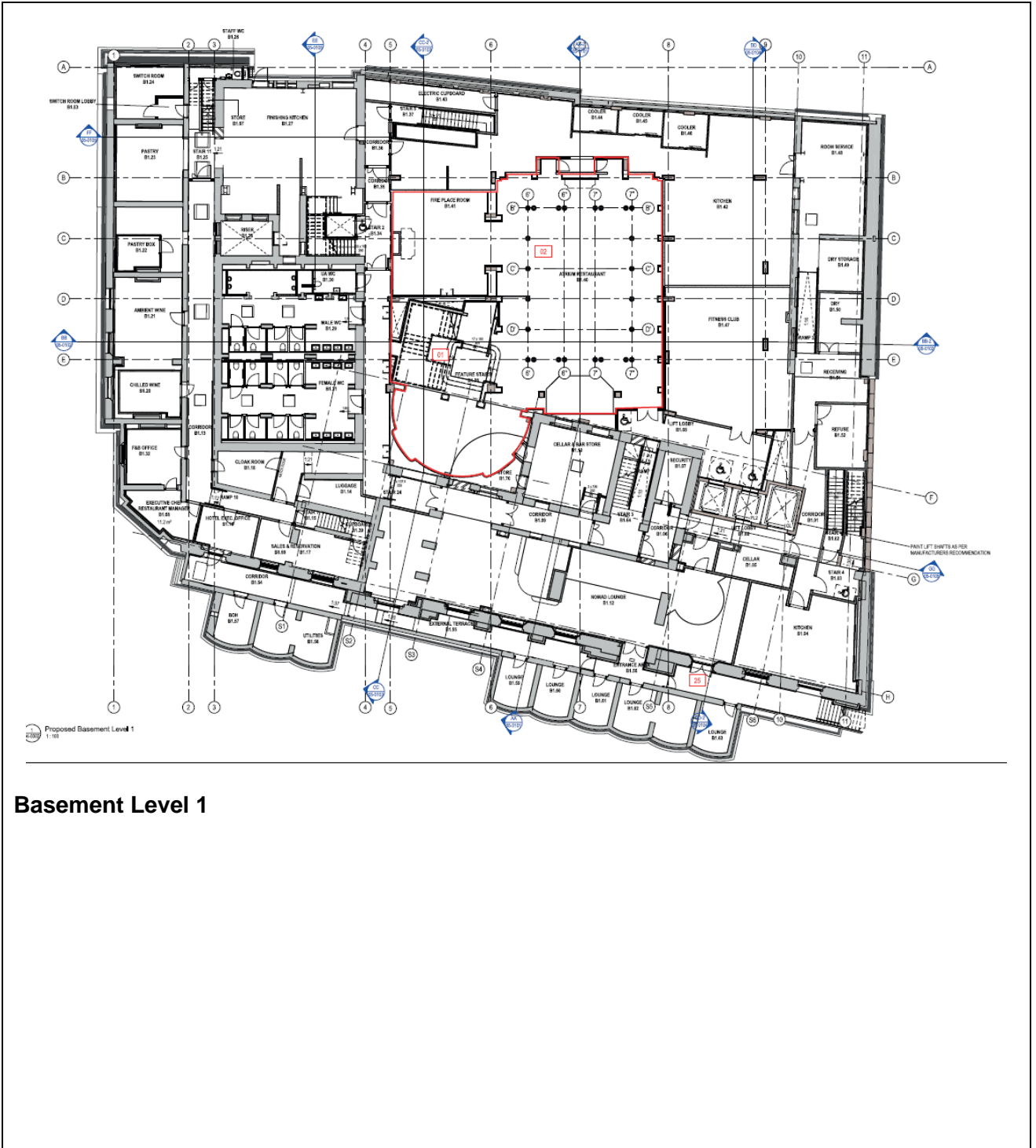
8. THE PROPOSAL

Permission is sought to amend condition 14 of planning permission dated 20 March 2019 to allow 'The Atrium Restaurant' at basement level 1 to be open to non-residents of the hotel until 2am on Fridays and Saturdays (one additional hour). The condition would read as follows:

"The two restaurants and bars shall not be used by non-residents of the hotel except between the hours of 0800 to 0100 the next day, with the exception of the Atrium Restaurant marked in red on drawing No:10605-EPR-00-B1-TP-A-02-1099/1 on Fridays and Saturdays which shall not be used by non-residents of the hotel except between the hours of 0800 to 0200 the next day".

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: **JULIA ASGHAR** BY EMAIL AT jasghar@westminster.gov.uk

9. KEY DRAWINGS



Basement Level 1

DRAFT DECISION LETTER

Address: The Nomad Hotel London, 28 Bow Street, London, WC2E 7AW

Proposal: Variation of condition 14 of planning permission dated 20 March 2019 (RN:18/05723/FULL) (which varied permissions dated 4 February 2014 RN:12/12735/FULL, 30 December 2014 RN:14/06785/FULL and 28 March 2018 RN:17/08881/FULL) for 'Refurbishment, extension and conversion of Bow Street Magistrates Court and Police Station including part three part six storey extension with plant enclosure over in rear courtyard, two-storey extension above Martlett Court Wing, mansard roof extension to Broad Court and part of Bow Street ranges, excavation to create new second basement level and internal alterations to provide a 91 bedroom hotel with restaurants, bar and associated facilities (class C1) and police museum (Class D1), to allow design changes to the proposed new build additions: the upper floors of the Marlett Court facade, rear Crown Court facade and facades surrounding the internal glazed atrium; creation of new basement area and reconfiguration at roof level to accommodate plant; relocation of photovoltaics; reconfiguration of museum layout; and removal of the requirement for a themed element to the hotel'. Namely, to amend condition 14 to allow the 'Atrium Restaurant' at basement level 1 to be used by non-residents of the hotel until 2am on Fridays and Saturdays (one additional hour).

Reference: 22/06929/FULL

Plan Nos: Documents approved under RN:18/05723/FULL dated 20 March 2019: 10605-EPR-00-B2-TP-A-02-1098 1; 10605-EPR-00-B1-TP-A-02-1099 1; 10605-EPR-00-GF-TP-A-02-1100 1; 10605-EPR-00-01-TP-A-02-1101 1; 10605-EPR-00-02-TP-A-02-1102 1; 10605-EPR-00-03-TP-A-02-1103 1; 10605-EPR-00-04-TP-A-02-1104 1; 10605-EPR-00-05-TP-A-02-1105 1; 10605-EPR-00-06-TP-A-02-1106 1; 10605-EPR-00-WE-TP-A-04-0101 1; 10605-EPR-00-SO-TP-A-04-0102 1; 10605-EPR-00-EA-TP-A-04-0103 1; 10605-EPR-00-NO-TP-A-04-0104 1; 10605-EPR-00-EL-TP-A-04-0105 1; 10605-EPR-00-EL-TP-A-04-0106 1; 10605-EPR-00-AA-TP-A-05-0101 1; 10605-EPR-00-BB-TP-A-05-0102 1; 10605-EPR-00-CC-TP-A-05-0103 1; 10605-EPR-00-DD-TP-A-05-0104 1; 10605-EPR-00-XX-TP-A-05-0105 1; and 10606-EPR-00-01-TP-A-14-1101 Rev 1., , 10605-EPR-00-B1-DR-A-32-0100rev. 4; 10605-EPR-00-GF-DR-A-32-0101 rev. 3; 10605-EPR-00-XX-DR-A-32-0102rev. 3; 10605-EPR-00-04-TP-A-27-0412rev.1; 10605-EPR-00-04-TP-A-27-0413rev. 1; 10605-EPR-00-XX-DR-A-41-0201rev. 6; 10605-EPR-00-XX-DR-A-41-0203rev. 3; 10605-EPR-00-XX-DR-A-41-0220rev. 2; 10605-EPR-00-XX-DR-A-41-0221rev. 3; 10605-EPR-00-01-DR-A-41-0222rev. 3; 10605-EPR-00-XX-DR-A-41-0300rev. 3; 10605-EPR-00-XX-DR-A-41-0305rev. 2; 10605-EPR-00-XX-DR-A-41-0306rev. 2; 10605-EPR-00-XX-DR-A-41-0307rev. 2; 10605-EPR-00-XX-DR-A-41-0308rev. 2; 10605-EPR-00-XX-DR-A-41-0309rev. 3; 10605-EPR-00-XX-DR-A-41-0310rev. 4; 10605-EPR-00-XX-DR-A-41-0311rev. 2; 10605-EPR-00-XX-DR-A-41-0312rev. 2; 10605-EPR-00-B1-DR-A-31-0110rev. 4; and 10605-EPR-00-01-DR-A-31-0400 rev. 3., , 10605-EPR-00-01- DR-A 42-00.23 1; 10605-EPR-00-01- DR-A 42-03.10 8;, 10605-EPR-00-01- DR-A 42-03.11 8 and 10605-EPR-00-01- DR-A 42-05.10 8., , Design and Access Statement dated July 2018; Roof Plant Design Statement; Archaeology Statement by Compass Archaeology dated 5 July 2018.

Condition Discharges:

RN:14/12033/ADFULL dated 24.03.2015 Condition 27
RN:19/00343/ADFULL dated 05.04.2019 Condition 28
RN:19/01266/ADFULL dated 26.03.2019 Condition 5
RN:19/01267/ADFULL dated 26.03.2019 Condition 17
RN:19/04014/ADFULL dated 25.02.2020 Condition 26,
RN:19/09619/ADFULL dated 19.12.2019 Condition 31
RN:20/02631/ADFULL dated 18.05.2020 Condition 11

As amended:

10605-EPR-00-B1-TP-A-02-1099/1 and letter from Gerald Eve
Ref:NJB/GBR/CMCM/J7991 dated 12 October 2022.

Case Officer: Julia Asghar

Direct Tel. No. 020 7641
07866037964

Recommended Condition(s) and Reason(s)

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

Reason:

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

- 2 You must carry out any building work which can be heard at the boundary of the site only: * between 08.00 and 18.00 Monday to Friday; * between 08.00 and 13.00 on Saturday; and,* not at all on Sundays, bank holidays and public holidays. Noisy work must not take place outside these hours. (C11AA)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R11AD)

- 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 protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Covent Garden Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26FE)

- 4 You must undertake works in accordance with the following detailed drawings: i) New external doors - 10605-EPR-00-B1-DR-A-32-0100 rev. 4; 10605-EPR-00-GF-DR-A-32-0101 rev. 3; 10605-EPR-00-XX-DR-A-32-0102 rev. 3, ii) New windows and dormers - 10605-EPR-00-01-DR-A-41-0222 rev. 3; 10605-EPR-00-04-TP-A-27-0412 rev.1; 10605-EPR-00-04-TP-A-27-0413 rev. 1; 10605-EPR-00-XX-DR-A-41-0201 rev. 6; 10605-EPR-00-XX-DR-A-41-0203 rev. 3; 10605-EPR-00-XX-DR-A-41-0220 rev. 2; 10605-EPR-00-XX-DR-A-41-0221 rev. 3., iii) Framework to glazed links and screens at rear - 10605-EPR-00-XX-DR-A-41-0300 rev. 3; 10605-EPR-00-XX-DR-A-41-0305 rev. 2; 10605-EPR-00-XX-DR-A-41-0306 rev. 2; 10605-EPR-00-XX-DR-A-41-0307 rev. 2; 10605-EPR-00-XX-DR-A-41-0308 rev. 2; 10605-EPR-00-XX-DR-A-41-0309 rev. 3; 10605-EPR-00-XX-DR-A-41-0310 rev. 4; 10605-EPR-00-XX-DR-A-41-0311 rev. 2; 10605-EPR-00-XX-DR-A-41-0312 rev. 2., iv) Glazed atrium - 10605-EPR-00-B1-DR-A-31-0110 rev. 4; 10605-EPR-00-01-DR-A-31-0400 rev. 3. You must carry out work according to these details unless otherwise agreed in writing.

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Covent Garden Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26FE)

- 5 You must carry out the development according to the samples of the facing materials, including glazing, approved under RN: RN:19/01266/ADFULL dated 26.03.2019; or in accordance with other details subsequently submitted to and approved by the City Council.

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Covent Garden Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26FE)

- 6 Where new brickwork is to match existing, it must match the existing original work in terms of colour, texture, face bond and pointing.

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Covent Garden Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26FE)

- 7 You must paint the new ducts at roof level in a colour to match the walls or roof surfaces next to them and keep them that colour.

Reason:

To protect the special architectural or historic interest of this listed building and to make

sure the development contributes to the character and appearance of the Covent Garden Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26FE)

- 8 The new mansard roof must be clad in natural slate on the lower slope and lead on the upper slope.

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Covent Garden Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26FE)

- 9 You must paint the new metal railings at the rear black and keep them that colour.

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Covent Garden Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26FE)

- 10 You must only use the part of the property we have approved for museum use as a police museum. You must not use it for any other purposes, including an alternative type of museum or any use within Class D1 of the Town and Country Planning (Use Classes) Order 1987 as amended April 2005 (or any equivalent class in any order that may replace it). (C05BB)

Reason:

We cannot grant planning permission for unrestricted museum use or unrestricted use within Class D1 because of the history of the building and because an unrestricted D1 use would not meet Policy 2 and 17 of the City Plan 2019-2040 (April 2021), and because of the special circumstances of this case. (R05BC)

- 11 You must operate the Museum in accordance with the details approved under RN:20/02631/ADFULL dated 18.05.2020; unless other details are subsequently submitted to and approved by the City Council. You must not change it without our permission.

Reason:

To ensure that the Museum is completed and used as agreed; and ensure that it contributes to the character and function of this part of Covent Garden and the Central Activities Zone. This is in line with Policy 2 and 17 of the City Plan 2019-2040 (April 2021).

- 12 The hotel use allowed by this permission shall not be occupied until the museum has been completed and made ready for occupation, unless otherwise agreed in writing by

us.

Reason:

Developing the site without the museum use would not meet Policy 2 and 17 of the City Plan 2019-2040 (April 2021).

- 13 No additional areas (other than those shown on the drawings hereby approved) shall be created for hotel restaurant and hotel bar, unless otherwise agreed in writing by us.

Reason:

To protect the environment of people in neighbouring properties as set out in Policies 7, 16 and 33 of the City Plan 2019 - 2040 (April 2021). (R12AD)

- 14 The two restaurants and bars shall not be used by non-residents of the hotel except between the hours of 0800 to 0100 the next day, with the exception of the Atrium Restaurant marked red on drawing No:10605-EPR-00-B1-TP-A-02-1099/1 on Fridays and Saturdays which shall not be used by non-residents of the hotel except between the hours of 0800 to 0200 the next day.

Reason:

To protect the environment of people in neighbouring properties as set out in Policies 7, 16 and 33 of the City Plan 2019 - 2040 (April 2021). (R12AD)

- 15 No music shall be played in the bar, restaurants or other public areas of the hotel such as to be audible outside the premises.

Reason:

To protect the environment of people in neighbouring properties, as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R13BD)

- 16 (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 hotel and museum 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 hotel and museum 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 Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and 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. (R47AC)

- 17 The design, construction and insulation of the whole ventilation system and any associated equipment shall be carried out in accordance with the details approved under RN:19/01267/ADFULL dated 26.03.2019; unless other details are subsequently submitted to and approved by the City Council. You must not change it without our permission.

Reason:

To protect neighbouring residents from noise and vibration nuisance, as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R13AD)

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

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

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and 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. (R46AC)

- 19 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:

To ensure that the development is designed to prevent structural transmission of noise or vibration and to prevent adverse effects as a result of vibration on the noise

environment in accordance with Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022). (R48AB)

- 20 You must put up the plant screen shown on the approved drawings before you use the machinery. You must then maintain it in the form shown for as long as the machinery remains in place. (C13DA)

Reason:

To protect neighbouring residents from noise and vibration nuisance, as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R13AD)

- 21 You must provide the waste store shown on drawing 10605-EPR-00-B1-TP-A-02 1099/1 and 10605-EPR-00-B2-TP-A-02 1098/1 before anyone moves into the property. 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. (C14DC)

Reason:

To protect the environment and provide suitable storage for waste and materials for recycling as set out in Policies 7 and 37 of the City Plan 2019 - 2040 (April 2021). (R14CD)

- 22 You must not use the roof of the extensions at first and fourth floor level for sitting out. You can however access the roofs for maintenance purposes, to escape in an emergency and the first floor flat roof 'herb garden' can be accessed by the hotel chef. (C21BA)

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in Policies 7, 33 and 38 of the City Plan 2019 - 2040 (April 2021). (R21BD)

- 23 (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:

Emergency energy generation plant is generally noisy, so in accordance with Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022), a maximum noise level is required to ensure that any disturbance caused by it is kept to a minimum and to ensure testing is carried out

for limited periods during defined daytime weekday hours only, to prevent disturbance to residents and those working nearby. (R50AC)

- 24 You must hang all doors or gates so that they do not open over or across the road or pavement except in an emergency.

Reason:

In the interests of public safety and to avoid blocking the road as set out in Policies 24 and 25 of the City Plan 2019 - 2040 (April 2021). (R24AD)

- 25 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 in accordance with Policy 25 of the City Plan 2019 - 2040 (April 2021). (R22FB)

- 26 Copies of the written report of the investigation and findings, showing that you have carried out the archaeological work and development according to the approved scheme approved under RN:19/04014/ADFULL dated 25.02.2020 must be sent to Historic England and to the Greater London Sites and Monuments Record, 1 Waterhouse Square, 138-142 Holborn, London EC1N 2ST.

Reason:

To avoid damage to any archaeological remains on site as set out Policy 39 of the City Plan 2019 - 2040 (April 2021). (R32AD)

- 27 You must carry out the development in accordance with the submitted Construction Management Plan by Rise dated 16.02.2015 (revision 2) approved under RN: 14/12033/ADFULL dated 24 March 2015, unless you apply to us and we approve an alternative construction management plan prior to commencement of development. If we approve an alternative construction management plan you must then carry out the development in accordance with the alternative construction management plan we approve.

Reason:

To protect the environment of neighbouring occupiers. This is as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R11AD)

- 28 You must carry out the development in accordance with the Servicing and Waste Management Plan approved under RN:19/00343/ADFULL dated 05.04.2019, unless other details are subsequently submitted to and approved by the City Council. You must not change it without our permission.,

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in Policy 29 of the City Plan 2019 - 2040 (April 2021). (R23AD)

- 29 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: * Development wide community heating system; * Combined heat and power units * Solar PV modules. 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 Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021). (R44AD)

- 30 The development shall achieve a BREEAM New Construction (hotel) (2014 ed.) very good rating. A post construction certificate shall be issued by the Building Research Establishment or other independent certification body confirming this standard has been achieved and submitted for approval by the Local Planning Authority within 3 months of completion on site.

Reason:

To make sure that the development affects the environment as little as possible, as set out in Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021). (R44BD)

- 31 The traditional light at the entrance to the museum approved under RN:19/09619/ADFULL dated 19.12.2019 shall be permanently retained and maintained in good working order.

Reason:

To ensure that the Museum entrance is appropriately illuminated given the history of the building and to ensure that it contributes to the character and function of this part of Covent Garden and the Central Activities Zone.

- 32 You must only use the door on Crown Court to escape in an emergency.

Reason:

To protect neighbouring residents from noise nuisance, as set out in Policies 7, 16 and 33 of the City Plan 2019 - 2040 (April 2021). (R13ED)

- 33 The glazed atrium roof shall be fixed permanently shut.

Reason:

To protect neighbouring residents from noise nuisance, as set out in Policies 7, 16 and 33 of the City Plan 2019 - 2040 (April 2021). (R13ED)

- 34 The new door to the north elevation shall match the existing adjacent door in all respects.

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Covent Garden Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26FE)

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 the City Plan 2019 - 2040 (April 2021), neighbourhood plan (where relevant), supplementary planning documents, the London Plan (March 2021), 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 This permission is governed by a Deed of Variation to the original legal agreement between the applicant and us under Section 106 of the Town and Country Planning Act 1990. The agreement relates to: (i) Financial contribution of £696,129 towards the Council's Affordable Housing fund; (ii) Financial contribution of £603,871 towards public realm works in the vicinity; (iii) The police museum to be fully fitted out and ready for occupation prior to the occupation of the hotel, the setting up of a trust to run and manage the museum and provided at a peppercorn rent; (iv) Highway works to Bow Street, including changes to on-street traffic orders, to secure the servicing, and (v) Financial contribution of £446,100 towards Crossrail.

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.