

CITY OF WESTMINSTER		
PLANNING APPLICATIONS SUB COMMITTEE	Date 9 August 2022	Classification For General Release
Report of Director of Place Shaping and Town Planning		Ward(s) involved St James's
Subject of Report	Old Brewer's Yard, 28-32 Shelton Street, 15A Neal Street, 5 and 7 Langley Street, 1 and 3 Mercers Walk and 107-115 Long Acre	
Proposal	<p>Application 1: Mixed-use development at Old Brewer's Yard including: at 28-32 Shelton Street, the erection of two-storey roof extension and other external alterations (including shopfront alterations, new rear access to the Yard, and plant) in connection with the use of the building as a restaurant (Class E(b)); at 1 Mercer Walk, the installation of ancillary plant & servicing equipment, external alterations including opening up of blind windows on east elevation, installation of PV panels at main roof level and the placement of external tables and chairs on Mercer Walk, all in connection with the use of the building as a microbrewery and visitor attraction with ancillary retail, bar and training space (Sui Generis); at 15A Neal Street (ground floor only), external alterations including installation of full-height glazed rear wall and installation of a new shopfront; at 5 Langley Street (basement, part-ground floor and part-roof only) alterations to north and west facade and installation of new plant, all in connection with the flexible mixed-use of the basement and part-ground floor as entertainment/events/community space with ancillary storage areas (Sui Generis); at the rear of 7 Langley Street, installation of plant at roof level and the use of the former bin store as a bar area servicing the Yard (Sui Generis); at Old Brewer's Yard, the erection of a new high-level glazed canopy structure and semi-permanent external seating, installation of new entrance gates fronting Shelton Street, placement of planters and associated street furniture, for use of the Yard as a flexible entertainment/dining/events/ community outdoor space (Sui Generis).</p> <p>Application 2: Works to rear-part of 7 Langley Street comprising the part-demolition of external walls and construction of new walls, openings, and associated fixtures including canopy fixtures pertaining to the Yard, the complete demolition of internal structures and installation of new internal structures including replacement staircase and new mezzanine level for use as a bar and ancillary storage, and installation of plant at roof level; together with works at 28-32 Shelton Street comprising the installation of entrance gates fronting the undercroft shared with listed building 34 Shelton Street. [Addresses include 7-8</p>	

	Langley Street and 34 Shelton Street].		
Agent	JLL		
On behalf of	Diageo Great Britain Limited		
Registered Number	22/02009/FULL 22/02163/LBC	Date amended/ completed	21 March 2022
Date Application Received	21 March 2022		
Historic Building Grade	Grade II (7 Langley Street)		
Conservation Area	Covent Garden		
Neighbourhood Plan	Not applicable		

1. RECOMMENDATION

Application 1

Grant conditional permission subject to a S106 legal agreement to secure the following:

- i. The residential use at second and third floor level at 23 Neal Street and third floor level at 17-19 Neal Street to have been relocated as part of a land use swap with the City Council. The applicant not to commence development until planning applications have been submitted for the land use swap and not to occupy the development until the land use swap has been physically completed in all material respects to a standard ready for residential occupation and evidence has been submitted to the City Council to confirm completion of such works.
- ii. Details of a community strategy.
- iii. Walkways Agreement to secure access to Langley Passage and Old Brewer's Yard.
- iv. Monitoring costs.

If the S106 legal agreement has not been completed within six weeks of the Committee resolution then:

- a) The Director of Town Planning shall consider whether the permission can be issued with additional condition to secure the benefits listed above. If this is possible and appropriate, the Executive Director for Growth, Planning and Housing is authorised to determine and issue such a decision under Delegated Powers, however, if not
- b) The Director of Town Planning shall consider whether permission be refused on the grounds that it has not proved possible to complete an agreement within an appropriate timescale, and the proposal is unacceptable in the absence of the benefits that would have been secured; if so, the Executive Director for Growth, Planning and Housing is authorised to determine the application and agree appropriate reason for refusal under Delegated Powers.

Application 2

1. Grant listed building consent.
2. Agree the reasons for granting listed building consent as set out in Informative 1.

2. SUMMARY & KEY CONSIDERATIONS

The application site comprises 28-32 Shelton Street, 1 Mercer Walk, 15A Neal Street (ground floor only), 5 Langley Street (basement only) and rear of 7 Langley Street / Old Brewer's Yard (an open cobbled yard) in Covent Garden. The site is located within the Covent Garden Conservation Area. All the buildings on the site are unlisted except 7 Langley Street which is listed grade II. The site is within the Central Activities Zone, the West End Retail and Leisure Special Policy Area (WERLSPA) and partly within the Covent Garden CAZ retail cluster. The borough boundary with the London Borough of Camden runs along the middle of Shelton Street. The buildings are mostly vacant and were previously in commercial (Class E) or night club (sui generis) use.

The proposal seeks to create a new leisure and entertainment destination centred around the Guinness brand for the buildings positioned around Old Brewer's Yard, with the Yard at the centre of the scheme providing an outdoor food and drink area. A microbrewery and visitor experience is proposed at 1 Mercer Walk and connected to the wider development by a new passageway. The development comprises the following elements:

- 28-32 Shelton Street: the erection of a new two-storey extension with external terrace at sixth floor level for use of the building as a restaurant within Use Class E(b)) with external terrace at sixth floor.
- 1 Mercer Walk: use of building as a microbrewery with ancillary retail space and bar. (sui generis).
- 15A Neal Street: the demolition of the rear wall and replacement with an entirely glazed shopfront and a new shopfront to Neal Street.
- 5 Langley Street (basement only): use for events and cultural uses together with community activities (sui generis).
- Rear of 7 Langley Street and Old Brewer's Yard: use of the former bin store area of 7 Langley as a bar and servery to service outdoor seating / standing area in the Yard (sui generis) with capacity for 100 seating and 100 standing (max) under a new canopy. Access to the Yard will be from Shelton Street, via a new pedestrian passageway from Langley Street or via the shop unit at 15a Neal Street.

The key considerations in this case are:

- The acceptability of the proposed entertainment uses and new visitor in land use terms.
- The opening hours, capacity and dispersal strategy for the various entertainment uses proposed.
- The impact on the amenity of neighbouring residential properties.
- The impact of the proposed extension at 28-32 Shelton Street on the character and appearance of the Covent Garden Conservation Area and the setting of other nearby designated heritage assets, such as the grade II listed buildings adjoining the site.
- The servicing requirements of the development.

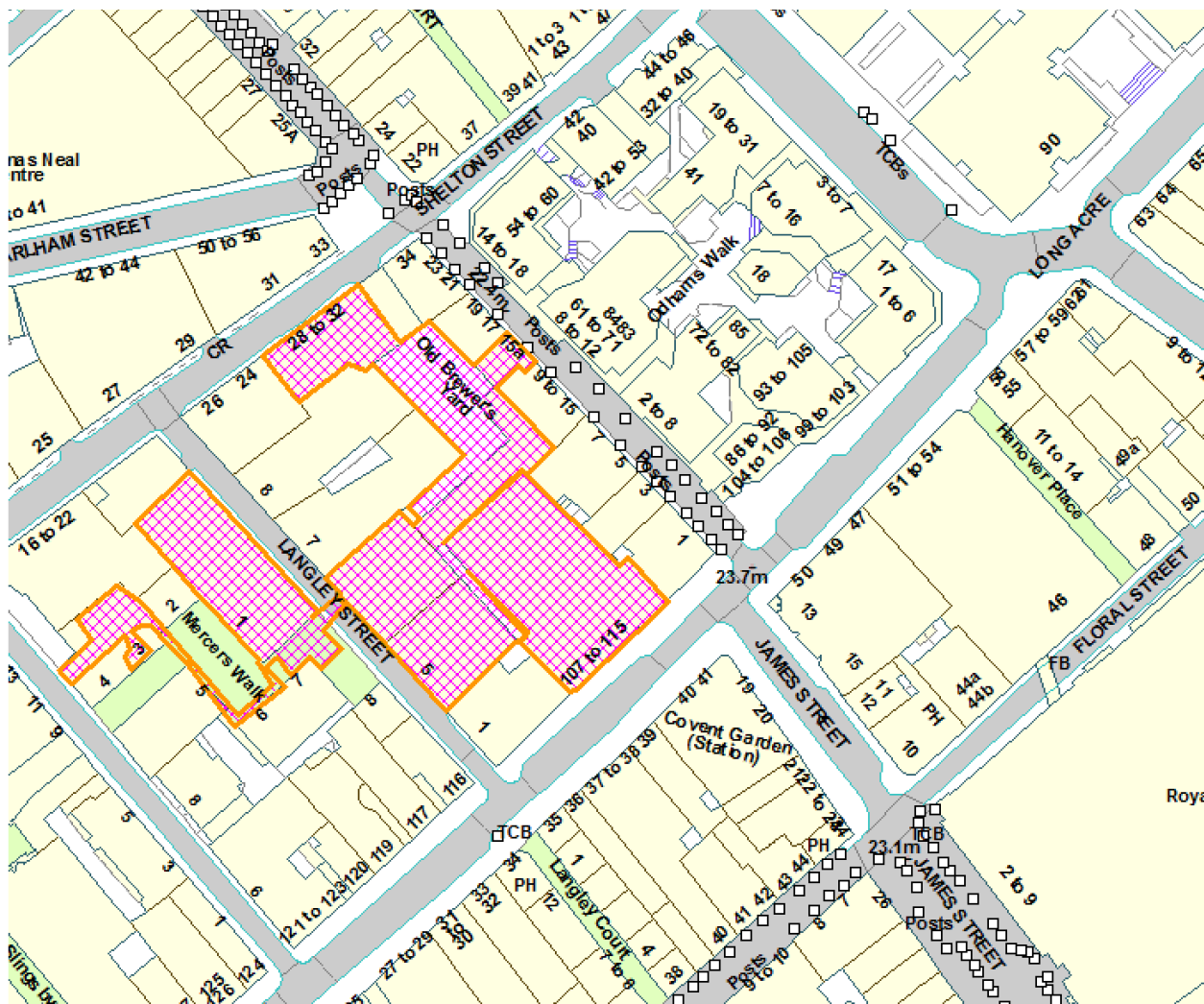
The Covent Garden Community Association and the Covent Garden Area Trust have raised concerns and objections to the scheme on land use, amenity and design. Furthermore 32 letters of objection to the proposal have also been received from local residents who raise similar concerns and objections. The London Borough of Camden has also raised concerns.

The increase in food, entertainment and leisure floorspace in this location is supported by Westminster's spatial strategy (Policy 1), spatial development priorities for the West End Retail and Leisure Special Policy Area (Policy 2) and by policies 14 (Town centres, high streets and the CAZ) and policy 15 (Visitor Economy) of the City Plan. It is considered the application proposal would promote good growth by diversifying entertainment and food and beverage offer for residents, workers and visitors and by supporting the visitor and night-time economy.

The roof extension to the Shelton Street building is considered to cause less than substantial harm to the character and appearance of the Covent Garden Conservation Area and the setting of neighbouring listed buildings, principally due to its height and bulk and resulting visual prominence. However, the wider scheme provides a number of public benefits which are set out in the report and which are considered to outweigh that harm.

The proposal is considered acceptable in land use, amenity, design and conservation grounds and are broadly in line with the policies set out in the London Plan and Westminster's City Plan.

3. LOCATION PLAN



4. PHOTOGRAPHS



Proposed entrance to Old Brewer's Yard and 28-32 Shelton Street (to the right)



Old Brewer's Yard and entrance (looking towards Shelton Street)



Rear of 7 Langley Street showing location of proposed bar facing the Yard



1 Mercer Walk, Langley Street



New passageway 7 Langley Street



15a Neal Street (the 'Tea House')

5. CONSULTATIONS

5.1 Application Consultations

London Borough Of Camden

Camden has the following concerns in relation to the impact on the borough and its occupiers:

- Loss of outlook for occupiers (particularly to 31 - 33 Shelton Street)
- Loss of light to 31 - 33 Shelton Street
- Noise and disturbance from proposed uses and associated activities
- Noise and disturbance during construction
- Risks to security of people and property
- Harm to setting of neighbouring Listed Buildings and character and appearance of Conservation Area
- Control of hours of use of Old Brewers' Yard by vehicles, as stated in the Transport Statement, by the Operations Management Plan (OMP) / Delivery and Servicing Plan (DSP).
- A Construction Traffic Management Plan.
- A commitment to remedy any construction damage to Shelton Street, with a highways contribution to LB Camden secured by way of a S.106 agreement

Designing Out Crime

No objection to the overall application but serious concerns raised about dispersal which must be limited to the main entry point on Shelton Street. Langley Street is a narrow lane which, out of office hours, has little to no natural surveillance. The gates linking the Yard to Langley Street, via a covered passage way, need to remain closed at all times. The Yard itself has a dogleg which is concealed and may cause issues. .

Covent Garden Area Trust

The Trust is not opposed to the broad principle of the development but there are elements of the proposals which will be clearly and strikingly detrimental to the character and appearance of the Covent Garden Conservation Area and adjacent and nearby listed buildings, namely the roof extension at 28-32 Shelton Street, glazing over courtyard, branding and commercial dominance and effects on residential amenity (on this issue the Trust supports the comments of the CGCA). The Trust considers any roof extension should have a more moderate scale, the canopy should be a simple, lightweight and transparent structure and questions the suitability of a single brand commercial development of this size.

Covent Garden Community Association

- The proposal is not in accordance with City Plan policies 7 [Managing development for Westminster's people] and 16. [Food, drink and entertainment]
- 1 Mercer Walk opening hours should be reduced (maximum suggested opening hours 8am to 9pm Monday to Thursday; 8am to 10pm on Fridays; 9am to 10pm on Saturdays, and 10am to 9pm on Sundays.) and other conditions attached. Some other elements of this part of the development are positive.
- 5 Langley Street could be reasonably consented with some changes/planning conditions (maximum suggested opening hours 10am to 11.30pm Monday to Thursday; 10am to Midnight on Fridays & Saturdays and 10am to 10.30pm on

Sundays)

- Old Brewer's Yard and rear of 7 Langley Street is the most concerning from an amenity perspective, namely noise impact from 200 customers in the Yard. It should be refused outright. If allowed conditions should include maximum suggested hours of 10am to 11pm on any day, max 50 capacity and dispersal via Langley Street after 10pm.
- 15a Neal Street exit from Old Brewer's Yard should be closed at 8pm
- Extension at 28-32 Shelton Street fails to enhance either Covent Garden Conservation Area or setting of the Seven Dials Conservation Area.
- Roof terrace at 28-32 Shelton Street should be refused or heavily conditioned in terms of hours. (max hours 10am to 7pm) The Class E restaurant use should be conditioned including maximum hours of 10am to 11.30pm Monday to Thursday, 10am to Midnight on Fridays & Saturdays and 10am to 10.30pm on Sundays. Other conditions suggested.
- Tables and chairs on Mercer Walk not supported.
- Conditions should be imposed to limit noise outbreak from uses within the buildings and from mechanical plant.
- Delivery hours for the entire development should be restricted.
- Branding and signage should be considered at an early stage.
- The community benefit offered by the applicant should be more specific. The CGCA give examples of community benefits in their letter.
- There is a need for a clear and enforceable dispersal policy as part of the Management Plan. This should be secured by condition and should include points 1 to 7 in the CGCA's letter dated 6 July 2022.

Highways Planning Team

Welcomes the opening up of the pedestrian link into the Yard. Cycle storage provision is acceptable. Ideally the whole development should be serviced from the Yard. No objection to the capacities requested but queuing on the highway should be avoided. This can be controlled through a management plan. Concern raised about flexibility of Class E and implications for servicing.

Environmental Health

No objection to the application on environmental noise or nuisance grounds provided the recommended conditions and informatives are included on the planning permission.

Waste Project Officer

No objection subject to a condition.

Thames Water

No objection subject to conditions and informatives.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 360

Total No. of replies: 36

No. of objections: 32 (from 27 addresses)

No. in support: 4

32 letters of objection from local residents including from South Bloomsbury TRA, Seven Dials Trust, Bloomsbury Residents Action Group, Bloomsbury Association and Soho Housing Association on some of all of the following grounds:

LAND USE

- Over-intensification / too large. Bringing large numbers of people each week into a small residential enclave for drink led-activities.
- Concerned about the number of drinking venues in Covent Garden
- It is not appropriate to have an outdoor space with events with occasional live music in the middle of a residential area.
- Any hospitality element should be significantly smaller than what is currently proposed.
- The proposal would fundamentally alter the character of the area- bustling during the day when the shops are open but quieter at night once they close.
- There are already more pubs, restaurants, bars and people than this area can accommodate.

AMENITY

- The proposal will bring more people into the area with a resulting Increase in noise and disruption to local residents.
- Noise breakout from Old Brewer's Yard and from use of Neal Street as an exit.
- Increase in number of late night revellers and in anti-social behaviour will impact on residents in Shelton Street (a narrow canyon) and Earlham Street (a quiet residential street).
- Roof terrace on Shelton Street building will cause noise over a wide area as well as loss of privacy and overlooking. The roof terrace should be only for daytime hours only.
- The ambient noise in the local area is already above WHO guidelines.
- More thought needs to be given to the opening/closing hours of the eating and drinking establishments. The CGCA's comments on this are endorsed. Old Brewer's Yard should be seated only.
- Consideration needs to be given to the dispersal of the customers. The CGCA's comments on this are endorsed.
- The proposed opening hours and 200 persons capacity of the Yard need to be reduced. The CGCA's comments on this are endorsed.
- The small numbers of people who gather outside the local pubs and bars already cause a lot of disturbance into the night.
- Noise from servicing in the Yard.
- Potential for fumes from the brewery.

CONSERVATION AND DESIGN

- Unsympathetic 2 storey extension to 28-32 Shelton Street.
- The roof extension is unacceptable because of its height and bulk, its design and use of materials. (e.g. highly glazed facades). It is contrary to policies 39 and 40 within the City Plan.
- The roof extension will impact negatively on the surrounding street and roof-scape.
- The metal and glass design is unsympathetic to the host building.
- Roof extension would cause harm to setting of nearby listed buildings.

- The height of the roof extension should be reduced by one storey. The restaurant plant and terrace should be incorporated into the existing building.

HIGHWAYS

- Impact on traffic congestion.
- The Shelton Street pavement is too narrow to accommodate a restaurant of this size.

OTHER

- Impact of roof extension on sunlight to the open area the junction of Neal Street and Earlham Street.
- There is a large residential population in Covent Garden. Residents and their local communities matter.
- The comments made by the Covent Garden Community Association are endorsed.
- Both the fire strategy and noise assessment need to be looked at again.

4 letters of support have been received:

- Improvements to footfall and street activation which will help businesses in the area.
- Welcome the 'Learning for Life' and 'Raising the Bar' programmes and the community collaboration space at 5 Langley Street.
- Welcome return of brewing to Covent Garden.
- Improved retail mix, buildings and local streetscape.
- There will be improved servicing and management arrangements in Old Brewer's Yard.
- Through this development, the community will benefit from improved investment in the public realm, as well as providing community benefits and employment opportunities for residents.
- The proposal will assist in driving footfall to the area and encourage dwell times into the evening supported through the additional security which is applied in the planning application.
- The planning application identifies the ability to link with Guinness to promote community activities and cohesion whilst improving the livelihoods through the increase in employment opportunities.
- Capco is supportive of improving the skills of locals and is in partnership with Westminster to improve the employment levels within the area.

RE-CONSULTATION

Re-consultation letters were sent to all those who had previously responded on 6 July 2022 setting out the following amendments:

- The public art at 1 Mercer Walk to be retained instead of being replaced by living wall.
- Relocation of main entrance of proposed restaurant 28-32 Shelton Street from Shelton Street to Old Brewer's Yard (the courtyard).
- Opening hours of 15A Neal Street to be reduced to 10:00 to 22:30. (every day)
- Use of previously identified back of house space at 5 Langley Street as events space with a capacity of 350 persons.

- Table plan provided for Old Brewer's Yard (the courtyard).

Additional response from Covent Garden Area Trust

- The Trust wishes to reinforce our earlier objection. Concerns regarding the noise and management of the site as a whole have still not been adequately addressed, and the Trust is in agreement with the additional detailed comment submitted by CGCA on 12th July. A thorough dispersal plan detailing how the responsibility for the dispersal of customers will be fulfilled has not been provided so far, and the Trust asks that a condition be imposed as part of any Planning Permission for the requirement of an amended Operational Management Plan.
- The Trust also wishes to affirm its earlier objection to the bulk and height of the proposed roof extension to 28-32 Shelton Street. The amendments made to this element of the proposals do not address the Trust's primary concerns.
- The proposed renders submitted with the revised scheme make the heavy visual impact of this overly dominant feature clear. There are no roof additions of a comparable scale anywhere else in the area.
- The sheer, cliff-face effect created by the proposed excessively tall roof extension will be visible in views into and around this important pedestrian crossroads, and will adversely impact the setting of listed buildings and the character and appearance of the conservation area.
- Please refer back to our earlier objection for our detailed analysis, which still stands.

ADJOINING OWNERS/OCCUPIERS

Two additional letters were received objecting on the following grounds:

- With the exception of the slight reduction in hours of access from Neal St., these modifications do nothing to alleviate the very real issues with this application as set out in the consultations section above.
- The very limited road space for access and egress will cause problems both for deliveries (bar deliveries are not quiet) and for people being collected by cars/taxis and vastly increased presence of pedicabs in the surrounding streets
- The potential for noise nuisance with late opening for events must be more carefully balanced with the residents rights to peacefully occupy their homes.
- The developers also need to propose how they will work to deliver
- community benefit to the residents in the surrounding areas rather than expecting residents to accept any proposals in the name of business growth
- The planning application should only be permitted once amended in line with Soho Housing Association and Covent Garden Community Association

SITE NOTICE:

Yes

5.2 Applicant's Pre-Application Community Engagement

Engagement was carried out by the applicant with the local community and key stakeholders in the area prior to the submission of the planning application between 4

February 2022 and 8 March. The applicant's community engagement was planned ahead of the Council's published Early Community Engagement strategy (February 22).. The engagement activities undertaken by the applicant (as listed in the submitted Statement of Community Involvement) are summarised in the table below:

Engagement Method/Event/Activity	Date	Attendance	Summary of Discussions
Consultation letter sent to 940 residents and businesses.	4/2/22	N/A	Directed consultees to consultation website and invited them to two public consultation events.
Public consultation event including with amenity societies.	7/2/22 (in-person) and 14/2/22 (zoom)	26 and 25 persons.	Sentiment was both positive as well as negative with the concerns reiterated around deliveries, people management, noise, security, waste management and a need to understand how the project will collaborate with the community. As well as answering the questions in person and via an e-mail documentation, a commitment was made to share updates on the consultation website as well as to have additional in-person meetings
Briefing with WCC councillors	15/2/22		Welcoming and positive towards the project but highlighted overspill and management of the site.
Odhams Walk meeting	16/2/22	Not known	Deliveries, noise, footfall (particularly on Neal Street and overlooking.
Universal Consolidated Group meeting	22/2/22	Not known	Footfall, noise, cumulative effect of noise from courtyard, deliveries and management of people.
Pineapple Dance Studios	24/2/22		Noise pollution from courtyard and bar at rear of 7 Langley Street on the upper dance studios and construction work. Diageo committed to putting in sound attenuation into the ceiling of the bar at 7 Langley Street and offered secondary glazing to rooms above courtyard if noise was not solved by infrastructure built into the scheme.

The applicant's Statement of Community Involvement advises that 'there were several

positive comments about the prospect of a scheme like this which will reinvigorate the space, bringing back the brewing heritage of the area while providing great opportunities to collaborate with other local business and community groups within the area and support community initiatives'. Several respondents highlighted 'traffic, egress of people from the site and servicing as a concern.'

The applicant's Statement of Community Involvement and other application documents identify that the scheme has been revised in the following ways in response to views and representations expressed during pre-application community engagement:

- Removal of a substantial outside terrace at 7th floor level on the Shelton Street building and its replacement with a small outside terrace at the rear;
- Screening introduced to the terrace to protect privacy of Odhams Walk residents;
- Changes to design of Shelton Street extension[reduction in size of outside terrace; and
- A detailed draft operation management plan has been created which considers all comments raised in the consultation process and which the applicant advises will ensure proper management and mitigation measures for the site.

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 application site comprises a number of properties that back onto Old Brewer's Yard in Covent Garden, namely 28-32 Shelton Street, 15a Neal Street, 5 Langley Street, rear 7 Langley Street and Old Brewer's Yard. The site also includes 1 Mercer Walk which sits to the west on Langley Street. The site is located within the Covent Garden Conservation Area and forms part of the complex of former brewery buildings and warehouses which were established in the area from the mid-eighteenth century.

The site is within the Central Activities Zone, the West End Retail and Leisure Special Policy Area (WERLSPA) and partly within the Covent Garden CAZ retail cluster. The borough boundary with the London Borough of Camden runs along the middle of Shelton Street.

All the buildings on the site are unlisted except 7 Langley Street which is listed grade II. The site is surrounded by a number of grade II listed buildings including 26-42 Shelton Street, 8 Langley Street and 34 Shelton Street (21-23 Neal Street). The site also borders the Seven Dials Conservation Area, which lies to the north, which lies within the London Borough of Camden.

The individual buildings on the site comprise:

28-32 Shelton Street: A five storey building plus basement on the south side of Shelton Street comprising two retail units at ground floor level with offices on the upper floors. The building backs onto Old Brewer's Yard at the rear.

1 Mercer Walk: A four-storey plus basement building on the west side of Langley Street. The building forms part of a wider mixed-use redevelopment scheme that was granted planning permission in March 2014 and included the provision of a new pedestrian and servicing piazza 'Mercer Walk' connecting Langley Street to Mercer Street. The building is vacant having previously been occupied for retail purposes as an H&M store. Langley Street is a pedestrianised street but which is open to deliveries Monday to Saturday from 07.00 to 11.00 hours.

15A Neal Street: (ground floor only) A four-storey building located on the west side of Neal Street. The rear of the building faces onto Old Brewer's Yard. The building comprises a retail unit at ground floor level ('The Tea House') with offices on the upper floor levels.

5 Langley Street (basement only): A four-storey building plus basement located on the east side of Langley Street. The basement entrance is on Langley Street. It is in use as a restaurant at ground floor level (currently occupied by 'Café Pacifico'), with a vacant nightclub in the basement (formerly known as 'Bar Langley') and offices on the upper levels). The rear of the building backs onto Old Brewer's Yard.

Rear of 7 Langley Street: A five-storey building plus basement occupied by Pineapple Dance Studios and offices (at 7A Langley Street). The site relates to a single-storey bin store at the rear of this building, fronting Old Brewer's Yard at ground floor level which is

semi-enclosed.

Old Brewer's Yard: The Yard is approximately 500sqm in size and is bordered at all sides by Neal Street to the east, Langley Street to the west, Long Acre to the south and Shelton Street to the north. The Yard is accessible on-foot and by vehicle from Shelton Street, although is not accessible to the public. The Yard is used as a servicing space for buildings surrounding the Yard, including commercial properties on Neal Street and Long Acre.

7.2 Recent Relevant History

7 Langley Street (part of Mercer's Covent Garden Estate)

Retention and refurbishment of 13-14 Langley Street for retail (Class A1) use.

Demolition of 6, 10-14 Mercer Street, the one/two storey warehouse-type buildings and the later rear addition of 116 Long Acre and redevelopment to provide 24 residential flats (Class C3), retail (Class A1) and restaurant (Class A3) units with associated plant and ancillary space. Creation of new pedestrian and servicing piazza and street, works of hard landscaping, alterations to existing vehicular and pedestrian access together with associated enabling works.

There is no other significant planning history for the buildings that make up the site.

8. THE PROPOSAL

The proposal seeks to create a new leisure and entertainment destination centred around the Guinness brand for the buildings positioned around Old Brewer's Yard, with the Yard at the centre of the scheme providing an outdoor food and drink area. The applicant advises that the repurposing of the Yard is to contribute to the Mercers' Company's overarching strategy to improve the permeability of Covent Garden by creating new pedestrian links and open spaces forming part of the public realm. The scheme also includes a micro-brewery at 1 Mercer Walk connected to the wider scheme by the proposed Langley Street passage. A breakdown of the proposals is as follows:

28-32 Shelton Street: erection of a new two-storey extension with external terrace at sixth floor level for use of the building as a restaurant within Class E(b)). The terrace at sixth floor level to have 24 covers. The entrance to the restaurant to be within the Yard. The proposals will result in a seven-storey building (plus basement). A new shopfront to Shelton Street and new rear opening to the Yard are proposed. PVs and mechanical plant are proposed at main roof level.

1 Mercer Walk: use of the building as a microbrewery with ancillary retail space and bar. (sui generis) with guided tours. At second floor level, there will be a teaching and learning space to facilitate the applicant's outreach programme 'Learning for Life'. External alterations largely restricted to the opening up of some blind windows facing Langley Street, alterations to roof plant vents and the installation of roof top photovoltaics. As originally submitted, the application included a proposal for 6 tables and 24 chairs outside the premises at 7 Mercers Walk (Stamfords) to be used by visitors of the microbrewery. However these tables and chairs have been removed from the proposal by the applicant.

15A Neal Street: continued use of premises as retail within Class E(a), new shopfront and demolition of the rear wall and replacement with an entirely glazed openable shopfront (to allow access from Neal Street).

5 Langley Street: (basement and part ground floor): use of the basement for events and cultural uses together with community activities (sui generis). Alterations include provision of a new entrance within the Yard, with access to the basement achieved via a new lift and staircase. This access will be the main access into the basement and will be used to access storage space to store courtyard furniture and the toilet facilities for the outdoor bar in the Yard.

Rear of 7 Langley Street and Old Brewer's Yard: alterations and conversion of former bin store at rear of 7 Langley Street to a bar and servery and use of the Yard to provide an area of semi-permanent tables and chairs and other furniture to serve both the bar and restaurant within 28-32 Shelton Street (sui generis). The capacity of the Yard is to be 200 with a maximum of 100 standing customers. The furniture will be removed after operating hours and taken down to the designated storage space in the basement of 5 Langley overnight and whilst delivery and servicing takes place in the morning. The proposal includes a high-level glazed canopy (covering approximately 60% of the Yard and rising approximately 7m in height) and new gates facing Shelton Street (these are to be a set of black vertically-sheeted timber gates that correspond to the historic black 'Guinness Gates' synonymous with the origins of the Guinness brewery at St James's Gate in Dublin.). Access to the Yard will be from the Shelton Street, via the pedestrian passageway from Langley Street or via the shop unit at 15a Neal Street.

Table 1: Existing and proposed land uses.(Information provided by applicant.)

Site Address	Existing use	Proposed use	Existing GIA (sqm)	Proposed GIA (sqm)	+/- GIA (sqm)
28-32 Shelton Street	Class E	Class E(b)	1525	1938	+413
1 Mercer Walk	Class E	Sui Generis	2318	2318	0
15A Neal Street	Class E	Class E(a)	50	50	0
5 Langley Street	Sui Generis	Sui Generis	907	907	0
Rear of 7 Langley Street & Old Brewers' Yard	Servicing/ BOH	Sui Generis	100	100	0
TOTAL			4900	5313	+413

9. DETAILED CONSIDERATIONS

9.1 Land Use

Land Use Overview

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

City Plan policy 1.A (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'. Policy 1 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; and seeks to support the evolution of town centres, including the WERLSPA, as multifunctional commercial areas to shop, work, and socialise.

City Plan policy 2 states that the intensification of the WERLSPA (the West End location providing a range of commercial activity including internationally renowned shopping destinations and retail and leisure destinations, including Covent Garden, and numerous tourist attractions), will deliver an improved retail and leisure experience and a diverse evening and night-time economy and enhanced cultural offer while protecting the unique character of central London's distinct and iconic places and heritage assets, including the protecting the character and function of areas with clusters of specific uses and the wider quality of the built environment. Paragraph 2.3).

The supporting text, paragraph 2.7, anticipates that the WERLPA will absorb much of Westminster's future commercial growth through investment in a range of commercial development including retail, food and drink uses and entertainment uses will protect and support the arts, culture and entertainment offer for residents, workers, and visitors and diversify the food and beverage offer, to complement the retail environment whilst, at the same time, minimising negative impacts on residential neighbourhoods.

The designation of Covent Garden within the West End Retail and Leisure Special Policy Area reflects the highly diverse land uses within the area in what is predominantly a commercial neighbourhood. Covent Garden provides a wealth of attractions that draw in visitors and make a major contribution to London's world city status. The application proposal would promote good growth by diversifying entertainment and food and beverage offer for residents, workers and visitors and by supporting the visitor and night-time economy. The use of the application site to provide entertainment, retail and visitor attraction uses is considered acceptable in principle as it would meet the aims of the policies set out above but in particular policy 1 and policy 2 which are spatial strategy policies in the City Plan.

Four letters of support have been received to the proposal from local businesses Stamfords and Hawksmoor and from the Long Acre Business alliance and from CAPCO.

Restaurant, Bar, Microbrewery and Event Space

Policy 14 (Town centres, high streets and the CAZ) supports the intensification of town centres, high streets and the CAZ to provide additional floorspace for main town centre

uses in principle, subject to impact on townscape and heritage. Proposals in existing town centres and high streets are required to enhance and diversify their offer as places to shop, work and spend leisure time. The supporting text, paragraph 14.5, recognises that, to ensure their 'long-term sustainability, it is important that town centres and high streets can adapt to changing consumer demands and behaviours..... The focus across town centres will therefore be on providing a mix of commercial uses that provide activity at street level, and create an environment which encourages customers to shop, access services, and spend leisure time, whilst also supporting their role as major employment hubs and visitor destinations....other town centre uses such as pubs and drinking establishments, exhibition spaces, cultural and leisure uses, can all help support the future success of these key clusters of commercial activity..."

Paragraphs 14.16 and 14.17, recognise that within the WERLSPA, away from the main shopping streets, " the land use is highly diverse, containing a mix of commercial activity, including retail, pubs, bars, restaurants, theatres, cinemas and other entertainment venues. Together, these provide a wealth of attractions that draw in visitors and make a major contribution to London's world city status..... Alongside retail growth, a balanced mix of complementary leisure, entertainment, food and drink and cultural and employment offers are welcomed to help the West End to grow, not only as a global shopping destination, but also as an enhanced leisure and employment destination".

Policy 15 (Visitor Economy) states that the Council will maintain and enhance the attractiveness of Westminster as a visitor destination, balancing the needs of visitors, businesses and local communities

Policy 16 (Food and Drink) requires proposals for food and drink and entertainment uses to be of a type and size appropriate to their location. The over-concentration of those uses will be further prevented where this could harm residential amenity, the vitality and character of the local area or the diversity that defines the role and function of the town centre. Applications for entertainment uses will need to demonstrate wider benefits for the local community, where appropriate.

The increase in food, entertainment and leisure floorspace in this location is supported in principle by policies 14 and 15 of the City Plan provided it does not lead to over-concentration owing to the impacts on servicing and amenity. Given the pre-dominantly retail led character of existing ground floor uses in this part of Covent Garden, it is not considered that the proposal would lead to an overconcentration of food and drink uses in the vicinity of the site. In addition there was a previous nightclub use in the basement of at 5 Langley Street that will be lost as part of the proposal. Concerns have been expressed from residents in Neal Street about noise from the servicing of the proposal. There will be no servicing in Neal Street and as set out in paragraph 9.5 the majority of servicing will be off street within Old Brewer's Yard which is considered satisfactory as it will minimise any amenity impact.

The key issue with the proposal is the management of the various entertainment uses proposed and whether it balances the needs of visitors, businesses and the local community and whether wider benefits for the local community have been demonstrated. The Covent Garden Community Association has raised concerns to certain elements of the scheme and largely objects to the proposed outdoor food and drink element within the Yard. The concerns principally relate to the size of the seating and standing bar area

and the impact on amenity from late night noise and disturbance from both the Yard and from the roof terrace on Shelton Street. Detailed comments have been made from the CGCA about opening hours of the Yard, its capacity, the dispersal strategy and appropriate controls that should form part of a detailed operational management plan. Local residents have also raised similar objections and concerns and consider that the scheme would be harmful to residential amenity. Similar concerns have also been raised by the London Borough of Camden.

The distribution of residential units within close proximity to the site is shown on the plan below and marked as letters A to S. (information provided by the applicant)



The residential properties that are closest to the application site can be summarised as:

- A: 25 Shelton Street (13 flats)
- B: 23 Neal Street (6 flats)
- C: 17-19 Neal Street (1 flat)
- E: 22 Neal Street (maisonette above Crown and Anchor PH)
- F: 24 Neal Street (1 flat)

H: Residential blocks of flats that form part of the Mercers development.

As the CGCA has stated a key aspect of the scheme in terms of its acceptability are the hours of use, the capacity for the various uses proposed uses and the proposed management controls.

The hours of use and capacity sought by the applicant are shown in Table 2 below.

Table 2: Occupancy Schedule and Hours of Use

Site Address	Proposed Customer Capacity	Proposed Staff Occupancy	Opening Hours
28-32 Shelton Street	337	81	Core Opening Hours Monday to Thursday: 10:00 to 23:30 Friday and Saturday: 10:00 to 00:00 Sunday: 10:00 to 22:30 Terrace Monday to Sunday: 10:00 to 22:00
1 Mercer Walk	220	50	Core Opening Hours Monday to Thursday: 10:00 to 23:30 Friday and Saturday: 10:00 to 00:00 Sunday: 10:00 to 22:30
15A Neal Street	15	2	Monday to Sunday: 10:00 to 22:30
5 Langley Street	350	1*	Monday to Thursday: 10:00 to 23:30 Friday and Saturday: 10:00 to 00:00 Sunday: 10:00 to 22:30
Rear of 7 Langley Street & Old Brewer's Yard	200	0*	Monday to Thursday: 10:00 to 23:30 Friday and Saturday: 10:00 to 00:00 Sunday: 10:00 to 22:30
Total	1122	1 34	Core Opening Hours Monday to Thursday: 10:00 to 23:30 Friday and Saturday: 10:00 to 00:00 Sunday: 10:00 to 22:30

* There is capacity calculated in 28-32 Shelton Street to deal with the other spaces as necessary, so this is the utmost capacity required. A proportion of this staff count would be used for serving OBY/7 Langley and 5 Langley Street.

It is the outdoor spaces which have the greatest potential to cause loss of amenity to neighbouring residential occupiers. The scheme features two outdoor spaces, namely the outdoor terrace at 28-32 Shelton Street and Old Brewer's Yard. The applicant has provided a Noise Impact Assessment as part of the application for the outdoor areas.

Environmental Health advise that although this type of assessment will provide an indication of the noise experienced by nearby sensitive receptors, it can only be used as guidance. Actual impacts may be greater or less than what is predicted depending on many factors. In this instance the assessment confirms that predicted noise levels from the outdoor activities proposed exceed the council's noise criteria for night time activity but that any impacts can be mitigated and reduced, using control measures such as limiting the numbers of patrons and conditioning the operational hours.

Assessment of opening hours

Licensing position

The licensing sub-committee determined applications for a New Premises Licence under the Licensing Act 2003 for the various sites that form part of this application on 30 June 2022. A Confirmation of Verbal Decision has been issued for each site. A summary of the licensing position for each property and any key licensing conditions is included in the assessment of opening hours for each part of the site.

28-32 Shelton Street

The opening hours sought for this property are considered acceptable within the CAZ, and align with those agreed by licensing namely Monday to Thursday 10:00 to 23:30 hours, Friday to Saturday 10:00 to 00:00 hours, Sunday 10:00 to 22:30 hours. As existing the property already has lawful Class E use and could legitimately be used for restaurant purposes without any planning controls. It is accepted that the current scheme proposes an additional 413sqm of Class E floorspace, however, the additional floorspace proposed is not considered so significant as to warrant a reduction in opening hours sought. The CGCA recommends the same opening hours as those sought by the applicant.

Key conditions imposed by licensing include that the sixth floor terrace should be vacated by 22.00 hours and after 21.00 hours all patrons shall leave the premises by Langley Street.

The applicant is seeking a terminal hour for the 6th floor terrace of 22.00 hours every day which has been permitted by licensing. The terrace has a capacity of 24 covers. The CGCA consider the hours should be reduced to 19.00 hours and have provided officers with examples of nearby terraces linked to office uses where the hours of use are controlled by condition restricting use until 19.00 hours. The terrace is partially enclosed but because it is at high level it has the potential to cause noise and disturbance. The submitted Noise Impact Assessment identifies the residential property above the Crown and Anchor PH (approx. 36m away from the centre of the roof terrace) as being the most affected noise sensitive property. The report predicts that noise from the terrace will exceed the noise limits applied by the City Council at night (23.00 -07.00 hours) but is within the limits during the day.

Given that the terrace would be used in connection with a restaurant, it is not considered reasonable to restrict its use until 19.00 hours as requested by the CGCA. Officers consider that it would be appropriate to restrict the terrace until 22.00 hours on any day which would match the approach taken by licensing and also match the hours approved for a recently approved roof top restaurant terrace at 7 Langley Street nearby. This would also ensure that the noise limits applied by the City Council at night would not be

exceeded.

1 Mercer Walk

In addition to the microbrewery, this building will have a retail area and bar with a total capacity of 220 persons. There are residential flats in close proximity at 7 Mercer Walk fronting onto Langley Street. The opening hours sought for this property are considered acceptable within the CAZ and would align with those agreed by licensing, namely Monday to Thursday 10:00 to 23:30 hours, Friday to Saturday 10:00 to 00:00 hours. Sunday 10:00 to 22:30 hours. The CGCA are seeking a terminal hour of 21.00 hours Monday to Thursday and Sundays and 22.00 hours on Fridays and Saturdays.

Key conditions imposed by licensing include that there shall be no sales of alcohol for consumption 'Off' the premises after 23.00 hours and from 22:30 hours Monday to Saturday and 22:00 hours on Sunday no patrons shall use the West door onto Mercer's Walk except in case of an emergency. The applicant has advised that refrigeration is to be taken out of the micro-brewery retail shop for the purposes of alcohol sales to discourage drinking in the immediate vicinity.

15A Neal Street

It is not considered appropriate to restrict the opening hours of the proposed retail use as it already has lawful Class E use. However a condition is recommended to prevent the retail use changing to other uses within Class E. It is also considered appropriate to ensure the use of the retail shop as a through route between Neal Street and Brewers Yard ends at 21:00 hours (and not the 22.00 hours sought by the applicant or 20.00 hours sought by the CGCA). This will match one of the conditions of the licence for this property. The reason is to reduce noise and disturbance to residents in Neal Street. As with the micro-brewery, the applicant has advised that refrigeration is to be taken out of the retail shop for the purposes of alcohol sales to discourage drinking in the immediate vicinity.

The licensing position with regards to opening hours and sale of alcohol for this property is Monday to Sunday 09:00 to 21:00 hours.

5 Langley Street

This premises was previously used as a nightclub (the Langley). The hours of use sought by the applicant for this property, which includes some event space, are considered acceptable and align with those agreed by licensing, namely Monday to Thursday 10:00 to 23:30 hours, Friday to Saturday 10:00 to 00:00 hours. Sunday 10:00 to 22:30 hours. The CGCA recommends the same opening hours as those sought by the applicant.

Rear of 7 Langley Street and Old Brewer's Yard

The applicant is seeking core opening hours for this space, namely Monday to Thursday 10:00 to 23:30 hours, Friday to Saturday 10:00 to 00:00 hours. Sunday 10:00 to 22:30 hours. The CGCA consider this aspect of the development should be refused outright but if allowed then conditions should limit capacity to 50 with opening hours restricted to 11pm on any day.

The licensing position with regards to the Yard is as follows: opening hours for the Yard is Monday to Thursday 10:00 to 23:30 hours Friday to Saturday 10:00 to 00:00 hours

Sunday 12:00 to 22:30 hours. However, the licensing position with regards to the sale of alcohol for the Yard is Monday to Saturday 10:00 to 21:00 hours and Sunday 12:00 to 21:00 hours. The request for Late Night Refreshment in the Yard (i.e. the selling of hot food and drink after 23.00 hours) was refused by Licensing.

By way of background to this decision, the confirmation of verbal decision from the Licensing Sub Committee on 30 June sets out the reasons why the sale of alcohol is restricted to 21.00 hours. The paragraphs below are an extract from the confirmation of verbal decision report:

“The applicant has put forward the surrender of the Langley premises licence as the justification for the Committee to permit an exception to policy to grant this application. In surrendering the licence, the applicant believes that this would provide sufficient mitigation to demonstrate that this application would not add to cumulative impact in the area.

Having considered the representations from all parties, the proposed mitigation from the applicant relating to cumulative impact and the Council’s policy the Committee was not satisfied that the surrender of the existing premises licence would be sufficient to promote the licensing objectives for the hours applied for. The Committee accepted the argument that 500 people in the basement of the building, in a nightclub type operation is a very different type of operation than that proposed. However, the use of the outside space in Brewer’s Yard for 200 people drinking alcohol, including vertical drinkers would negatively impact the licensing objectives, particularly relating to public nuisance. The acoustic report provided by the applicant did not demonstrate that public nuisance would be avoided, or that sufficient mitigation could be put in place to address the concerns of residents.

The Council’s policy and Cumulative Impact Assessment identifies that cumulative impact occurs and increases significantly after 21:00 hours. There is value in the surrender of the licence, but as stated this alone does not overcome the Committees concern that the hours after 21:00 hours for licensable activities in Brewer’s Yard would add to cumulative impact. Therefore, it is the Committees decision to grant the sale of alcohol in Brewer’s Yard but to limit the terminal time to 21:00 hours.”

The Yard is mostly surrounded by commercial properties, which include the Pineapple dance studios which has upper level windows that overlook both the Yard and Langley Passage. The submitted Noise Assessment Report identifies 23 Neal Street (6 flats) and 17-19 Neal Street (1 flat) as being the most affected noise sensitive properties when the Yard will exceed noise limits applied by the Council. However, it is the intention of the applicant to convert these properties to commercial use as part of a land use swap with other properties in the vicinity of the site. It is recommended that the land use swap is secured by legal agreement with the proviso not to commence development until a planning application has been submitted for the land use swap and not to occupy the development until the land use swap has been physically completed in all material respects.

Although the Licensing Sub-Committee restricted the sale of alcohol to 21.00 hours and refused the request for Late Night Refreshment, the licence does allow the Yard to open until later, until 24.00 hours on Friday and Saturday. Officers consider the opening hours

for the Yard should match those of licensing, namely Monday to Thursday 10:00 to 23:30 hours Friday to Saturday 10:00 to 00:00 hours Sunday 12:00 to 22:30 hours. This will have the benefit of allowing a staggered dispersal of customers from the Yard rather than a sudden cut off whereby customers all leave the premises at the same time and is subject to the land use swap arrangement set out above. It is noted from the applicant's noise report that night time noise levels from the Yard when measured from the flat above the Crown and Anchor PH are likely to be exceeded in terms of noise from the Yard. However, the Crown and Anchor PH is already open until 24.00 hours on Friday and Saturday meaning the impact from any noise from the Yard to occupiers of the maisonette above (which may well be occupied by staff working in the pub) is unlikely to be significant in amenity terms. It is also considered that noise can be mitigated through appropriate management controls at the Yard which will need to form part of the Operational Management Plan.

Capacities

The capacities sought by the applicant for the various uses proposed are set out in Table 2. These are considered acceptable in policy terms. The concerns of the CGCA with regard to the capacity of the Yard are understood. However, the Yard is a largely enclosed space and it is considered that with appropriate management measures in place through a robust operational management plan, the capacity of 200 sought by the applicant for the Yard is acceptable, subject to a condition that there shall only be 100 customers standing at any one time.

Dispersal from the Yard

A number of objections and comments have been raised by local amenity societies, local residents and the Metropolitan Police's Designing Out Crime Officer in relation to the dispersal strategy proposed for the Yard. The applicant's preferred option is to let people egress the Yard in the evening via both the Langley Street passageway, Shelton Street gates and 15A Neal Street shopfront (although the latter would close earlier at 21.00 hours). It is noted that one of the conditions for the 28-32 Shelton Street licence is that after 21:00 hours all patrons shall leave the premises via Langley Street.

The CGCA and objectors to the scheme consider after 22.00 hours dispersal from the Yard should be via the exit into Langley Street. The applicant believes that this would be the most inappropriate solution, given this would effectively funnel and bottle-neck all visitors into one confined space late at night, thereby increasing noise levels and would have a greater impact on the residents located at Mercer Walk. The Metropolitan Police's Designing Out Crime Officer takes the view that due to the quiet nature of Langley Street, it would be preferable and safer for dispersal in the evening to take place from the main gates on Shelton Street.

Officers are sympathetic to the views of both the applicant and the CGCA in terms of dispersal but conclude that the best approach would be for late night dispersal of customers to be shared between both the Shelton Street and Langley Street exits. Letting people out of the Yard via a number of routes is likely to help people dissipate more quickly and importantly more quietly. The exact nature of the dispersal strategy may vary from evening to evening and rely upon the judgement of the security staff employed by the applicant to manage the situation. Officers will expect the Operational

Management Plan to deal with this issue when it is submitted for the council's approval.
(see section below)

Operational Management Plan

A key aspect of the proposal will be appropriate management controls in order to minimise any negative impacts from the uses, and in particular from the Yard, on local environmental quality and residential amenity. The applicant has submitted a draft Operations Management Plan (OMP) with the application. The applicant sets out that the principal objectives of the draft plan will be to maintain the buildings, open space and streetscape to the highest standards for the benefit of occupiers, the public, and the local community; maintain security for occupiers and members of the public; and maintain public safety. The key features of the draft OMP are:

- Diageo will have a security team who will be responsible for the overall 'Guinness buildings at Old Brewers Yard' scheme and will have an office located within the scheme itself. This will be in addition to Mercer's own security within its Covent Garden estate.
- At night-time, the patrolling security officer will be located within Mercer Walk between the hours of 9.00pm and midnight to encourage diners to exit the area quietly and via Langley Street if possible.
- The Shelton Street gates and passageway from Langley Street will be closed overnight.
- The applicant will install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team
- Buskers and street performers shall not be permitted to operate within the site
- Smoking is to be permitted within Mercer Walk and in designated areas within the Yard.
- To let people egress the space late in the evening via both the Langley Street passageway, Shelton Street Guinness gates,

The draft OMP as submitted is not satisfactory. Officers consider that a much more comprehensive and robust OMP should be secured by condition including more detail on how the dispersal of the Yard will be managed, full details of how many security staff will be employed and where they will be located on site, full details of a direct telephone number at the premises to be made available for residents and businesses, the policy on takeaway alcohol sales, full details of CCTV, details of staff training and use of virtual queuing through smart phone apps.

Social & Community Uses

Policy 16 of the City Plan states that 'Applications for entertainment uses will need to demonstrate wider benefits for the local community, where appropriate'

The applicant is proposing to provide a community space in the basement of 5 Langley Street in the form of an events space which will be a multi-purpose room able to host local community events. The applicant has provided details of how it intends to serve the community in its document entitled 'Diageo Executive Summary on serving the community at Old Brewers' Yard' which is provided as a background paper. In summary the applicant advises that the event space could be used for meetings by local amenity the societies, by local residents or by community groups in the wider area.

Officers welcome the proposal by the applicant to allow the use of part of the space within the basement at 5 Langley Street. It is recommended that full details of a community strategy are secured as part of a legal agreement. The strategy will need to set out who will be eligible to use the space and the proposed minimum no of hours for the space to be made available. Details of monitoring arrangements to include annual reports on usage, no of local residents who have used it, any requests by local residents which were declined but unable to be fulfilled etc. will also be required

It is therefore considered that with appropriate conditions, including a requirement for the applicant to submit a robust operational management plan for the council's approval, the S106 Agreement to secure the land use swap and an updated Delivery and Servicing Management Plan (see para 9.5) the proposal would comply with Policies 14, 15 and 16 of the City Plan.

9.2 Environment & Sustainability

Sustainable Design

Policy 38(D) (Design Principles) of the City Plan seeks to ensure that development will enable the extended lifetime of buildings and spaces and respond to the likely risks and consequences of climate change by incorporating principles of sustainable design.

The proposal is largely for the repurposing and refurbishment of existing buildings with the aim to limit heat losses and gains through improvements to the building fabric. Other measures include the use of low carbon energy in the form air source heat pumps at 1 Mercer Walk and 28-32 Shelton Street and energy efficiency measures such as low lighting power and advanced lighting controls and high efficiency mechanical plant. Photo voltaic panels are provided at roof level on the Mercer Walk(133sqm) and Shelton Street (100 sqm) buildings. A BREEAM pre-assessment has been submitted which shows a score of 70.22% with the potential of targeting credits to bring the score up to 96%. The lower threshold of EXCELLENT equates to a score of 70%. This is welcome in planning policy

Energy Performance

Policy 36 (Energy) of the City Plan expects all development to reduce on-site energy demand and maximise the use of low carbon energy sources to minimise the effects of climate change.

The applicant has provided an Energy Statement with their application. This follows the principles of the Mayor of London's energy hierarchy. The table below shows there will be a 56% reduction in regulated carbon dioxide savings. This is welcome in policy terms. As the application is not a major development the scheme does not have to achieve net zero in terms of Policy 36 (B).

	Regulated Carbon Dioxide Savings	
	Tonnes CO ₂ per Annum	%
Be Lean: Savings from energy demand reduction	63.9	25
Be Clean: Savings from heat network	0	0
Be Green: Savings from renewable energy	79.4	31
Cumulative on-site savings	143.6	56

Air Quality

Policy 32 (Air quality) states that the council is committed to improving air quality in the city and expects development to reduce exposure to poor air quality and maximise opportunities to improve it locally without detriment of air quality in other areas.

The proposed development is not expected to lead to a significant change in vehicle traffic on the local roads or generate any significant on site emissions related to combustion. The impacts of the proposed development in the applicant's air quality assessment have been found to be negligible. The development is considered to be air quality neutral and adopts an air quality positive approach. Environmental Health has raised no concerns with regard to the development of the air quality assessment carried out.

Flood Risk & Sustainable Drainage

The application is located within a surface water flood risk hotspot and has submitted a flood risk assessment and drainage strategy as part of the application in accordance with policy 35(B) of the City Plan. This concludes that it is not feasible to provide surface water attenuation within the scheme and that the existing drainage network would be retained. However, rainwater harvesting from the canopy will be incorporated into the scheme with a new rainwater harvesting tank located in the basement of 28-32 Shelton Street and used for toilet flushing. Details of this are recommended to be secured by condition.

Light Pollution

It is recommended that details for the lighting of the courtyard are secured by condition. This will be to minimise the detrimental impact of glare and light spill on local amenity as required by Policy 33(B) of the City Plan.

Odour

The potential for odours from the proposed microbrewery has been assessed in the following document Odour assessment: Old Brewers Yard Covent Garden dated 8th April 2022. Mitigation measures to prevent odour release have been detailed within the

report. Environmental Health do not object and recommend that a pre commencement condition is applied to the development requiring the odour abatement measures to be installed and maintain prior to first use of the brewery and retained.

9.3 Biodiversity & Greening

As originally submitted the scheme included a living wall to be sited on the west side of 1 Mercer Walk facing the public piazza. Whilst the provision of a living wall was welcome in policy terms, it was proposed to replace an existing piece of public art that was provided as part of the Mercer development which was considered unacceptable. The applicant was asked to find an alternative location for the living wall but has advised that there are no other suitable sites within the development. This is regretted but is considered acceptable given the nature of the site.

9.4 Townscape, Design & Heritage Impact

Legislative & Policy Context

Key considerations in assessing the proposals will be impact upon the appearance of the buildings, setting of nearby listed buildings and the character and appearance of the Covent Garden Conservation Area. Proposals will be assessed against the National Planning Policy Framework (NPPF), specifically chapters 12 and 16, as well as policies 38, 39, 40 and 43 of Westminster's City Plan 2019-40 (April 2021).

The key legislative requirements in respect to designated heritage assets are as follows:

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that *"In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*

Section 66 of the same Act requires that *"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*

Section 72 of the same Act requires that *"In the exercise, with respect to any buildings or other land in a conservation area...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."*

Relevant Local Policies include:

Policy 38 Design Principles (A) states that new development will incorporate exemplary standards of high quality, sustainable and inclusive urban design....(B) respond to Westminster's context by positively contribution to Westminster's townscape and streetscape.

Policy 39 Westminster's Heritage: With regards to listed buildings, part (G) states that, works to listed buildings will preserve their special interest, relating sensitively to the period and architectural detail of the building and protecting or, where appropriate, restoring original or significant detail and historic fabric. Part (I) states that development within the settings or affecting views of listed buildings will take opportunities to enhance or better reveal their significance.

With regard to Conservation Areas, part (K) states that development will preserve or enhance the character and appearance of Westminster's conservation areas. (L) goes on to state that there will be a presumption that unlisted buildings that make a positive contribution to a conservation area will be conserved.

Policy 40 Townscape and Architecture, (A) explains that development should be sensitively designed, having regard to the prevailing, scale, heights, character, building lines and plot widths, materials, architectural quality, and degree of uniformity in the surrounding townscape. (B) goes on to state that: Spaces and features that form an important element in Westminster's local townscapes or contribute to the significance of a heritage asset will be conserved, enhanced and sensitively integrated within new development. (D) Alterations and extensions will respect the character of the existing and adjoining buildings, avoid adverse visual and amenity impacts and will not obscure important architectural features or disrupt any uniformity, patterns, rhythms or groupings of buildings and spaces that contribute positively to Westminster's distinctive townscape. Roof level extension are considered under part (E), which states that roof extensions will be supported in principle where they do not impact adversely on heritage assets and should (1) where part of a terrace or group already characterised by roof additions or alterations be of appropriate design, which follows an established form and would help to unify the architectural character of the existing terrace or a group.

Policy 43 Public Realm, part (A) explains that development will contribute to a well-designed, clutter-free public realm with use of high quality and durable materials capable of easy maintenance and cleaning, and the integration of high-quality soft landscaping as part of the streetscape design.

28-32 Shelton Street

28-32 Shelton Street is a 1930s warehouse positioned between two early-eighteenth century grade II listed warehouses. The building is of townscape merit and makes a positive contribution to the character and appearance of the area. Unembellished, its brick facade is articulated by a uniform arrangement of large multi-paned Crittal windows. At its base, the ground floor features modern shopfronts reflecting a traditional retail aesthetic, but which falls short of reinforcing the warehouse character of the building. The top of the building features a late twentieth century saw tooth pitched roof incorporating patent glazing along the two northern pitches. The roof is largely concealed by the building's parapet and only visible from high-level private views.

The proposal includes a two-storey upward extension to the building, including brick extension incorporating an internalised plant room and store space at 5th floor level with a Crittal style glass addition at 6th floor level. The 5th floor plant room will be concealed by a vertical brick façade articulated by louvered apertures which correspond with the

window positions below. The façade treatment of the 5th floor is intended to provide a seamless relationship with the host building, with brick work to match the existing and the opening to align with the fenestration on the lower floors. The height of the 5th floor brick extension will also closely align with the parapet of 24-26 Shelton Street, which lies directly to the west of the site. PV panels will be sited at roof level.

Positioned to extend from the internal face of the brick extension, the 6th Floor will feature a Crittal style aluminium framed glass extension, the front of which will exhibit curved corners. The extension is completed by a generous aluminium capping, which will have a modest overhang to the front and provide shelter to the terrace to the rear. The height of the extension closely aligns with the ridge height of the gabled roof of 24-26 Shelton Street, though due to its vertical form it will appear more assertive.

Architecturally, the brick addition is visually restrained, whilst the Crittal style extensions will be a more striking addition to the building. In this commercial context and given the period of the host building, the extension is not entirely inappropriate. The deco-style top floor is considered complimentary to the 1930's host building and its industrial character.

The concerns from the amenity societies and local residents regarding the additional height and bulk presented by the extension, and its visual prominence in the immediate context of the site, are acknowledged. The extension, primarily the glazed 6th floor, will be most greatly perceived from directly opposite the site, where Neal Street, Shelton Street and Earlham Street conjoin. Here the building will step significantly upward from no 23 Neal Street, and be notably more prominent than the existing building, however when viewed a short distance north along Neal Street, the extension becomes completely concealed by the opposing buildings.

Like-wise, when viewed from the west along Shelton Street from Endel Street, the extension and the additional height proposed would be read in the context of a undulating roof line and the comparable scale of the warehouse buildings opposite the site along Shelton Street. Due to the tight-knit townscape and street pattern around Shelton Street and Seven Dials, the proposals are barely perceivable in many other key directional views within the wider area.

The additional height of the building will have a modest impact on views, and the appearance of the townscape within the immediate context of the site, however, this is not felt to be entirely detrimental, and the wider scheme does present several mitigating benefits.

In terms of the neighbouring listed buildings, the scheme would obstruct long views of the distinctive roof profile of no. 24-26 Shelton Street when observed from the east along Shelton Street from the direction of Endel Street. This impact is considered to cause a moderate level of harm to the setting of the Listed Building. The increased height would also appear in variance with the height and scale of no. 34 Shelton Street (21-23 Neal Street), however given wider context of the site, which is characterised by larger scale warehouse buildings, this is not considered to detract from its setting or diminish its appreciation within the townscape.

Old Brewers' Yard:

The reinvigoration of Old Brewer's Yard would be hugely beneficial, not only to enhance the Yard with the removal of clutter and improve accessibility, but for the wider area, providing an alternative destination within Covent Garden. The provision of a new social space is supported in design terms provided the openness of the Yard is not entirely lost with the introduction of the canopy. The canopy is intended to have a saw tooth profile with glass roof and supported by industrial rafters which would span the courtyard. It is recommended that further design details are secured by condition to ensure that the framing has a robustness without appearing too heavy and overbearing within the space.

The rear elevations of the Langley Street buildings which front the Yard are part of later extensions to the primary listed building and lack the architectural or historic interest of the main building fronting Langley Street. Modifying and repurposing the modern openings to the rear of 6-8 Langley Street strikes the right balance between retaining some of the informal industrial feel of the space whilst improving their aesthetic.

15A Neal Street:

The provision of an additional pedestrian route through to Brewers' Yard from Neal Street to the east would improve permeability into the yard. An unlisted building, no. 15A has a characterful shopfront, but overall, the building makes a neutral contribution to the conservation area. The removal of the shopfront and installation of a contemporary, largely glassed frontage is not felt to detract from the character and appearance of the Conservation Area and therefore is not opposed.

1 Mercer Walk

1 Mercer Walk is a former warehouse building and an unlisted Building of Merit. The proposal intends to use the building as a microbrewery, resulting in some external alterations such as modifications to the roof top plant area and the addition of external openings on its eastern side. Generally, the proposals will maintain the building's architectural character and is considered acceptable.

Conclusion:

The principle of a two storey extension at 28 -32 Shelton Street is considered acceptable. The detailed design of the extension has been subject to detailed negotiation through the council's pre-application process whereby officers tried to secure improvements to the design. Whilst some amendments have been made, as currently proposed the roof extension to the Shelton Street building is considered to cause less than substantial harm to the character and appearance of the Covent Garden Conservation Area and the setting of neighbouring listed buildings, principally due to its height and bulk and resulting visual prominence.

Archaeology

The site is located within an Archaeological Priority Area. The following ground works are proposed:

- Two new lift pits will be inserted into the basement of 28–32 Shelton Street;
- A new lift pit will be inserted into the basement of 5 Langley Street;
- A new lift pit will be inserted into the basement of 1 Mercer's Walk;
- The columns in the Yard will require the excavating of foundations approximately 0.45m deep.

Historic England has been consulted and any comments received will be reported verbally to committee.

Residential Amenity

Daylight & Sunlight

Policy 7. Managing development for Westminster's people seeks to promote neighbourly development by 'Protecting and where appropriate enhancing amenity, by preventing unacceptable impacts in terms of daylight and sunlight, sense of enclosure, overshadowing, privacy and overlooking.' under part A and 'Protecting and where appropriate enhancing local environmental quality' under Part B.

The only part of the proposed development where there will be an increase in massing is at 28-32 Shelton Street, where a 2 storey extension will be constructed at roof level. Therefore, this is the only part of the development which has the potential to affect neighbouring properties with respect to daylight.

The applicant has provided a daylight and sunlight report that identifies the nearest residential properties that could be affected by the proposal, namely second and third floor windows at 22 Neal Street and windows facing proposed development at 14-18 Neal Street. The daylight and sunlight report concludes that the proposal is fully compliant with the BRE's publication 'Site layout planning for daylight and sunlight' (second edition) in terms of the vertical sky component (VSC), Daylight Distribution and Annual Probably Sunlight Hours (APSH) analysis.

Following the submission of the current application, the BRE published a new edition of its daylight and sunlight guidance ' (third edition 2022). However the applicant's daylight consultant has advised that no update to the assessment is required. This is because the main changes in the new BRE guide relate to daylight and sunlight within new developments. The analysis methodology and assessment criteria for daylight and sunlight to existing neighbouring buildings remains the same. As such, the applicant confirms that the VSC and APSH analysis performed remains valid and no changes are required.

The CGCA has raised a concern that the open area at the junction of Neal Street and Earham Street will lose some of its sunlight at 12pm and 2pm in March and in the morning in June. In general streets are not analysed in detail and are not considered to have a special requirement for sunlight. The daylight and sunlight report did include shadow analysis of the "Existing" and "Proposed" scenarios and the results show negligible differences on sunlight to neighbouring streets.

Sense of Enclosure

The LB Camden has raised concerns about the impact of the proposal on 31-33 Shelton Street (also known as 39-51 Earlham Street) in daylight terms but the analysis provided by the applicant confirms that whilst there will be some breaches of the BRE guidance to windows in the elevation facing the application site this will not be significant and will not prejudice the use of the building for commercial purposes (retail and offices). Similarly given the commercial use of the building it is not considered that there will be any significant impact in terms of loss of outlook from this property.

Privacy

Given the commercial use of 31-33 Shelton Street (also known as 39-51 Earlham Street) it is not considered there will be any significant harm arising from any overlooking from the proposed roof extension. The sixth floor roof terrace at the rear of the proposed roof extension to the Shelton Street building has been designed to be partially enclosed with a balustrade glazed screen. This will prevent any overlooking from the terrace to residential properties to the east, such as Odhams Walk, located approximately 24m away.

Noise & Vibration

The application includes mechanical plant equipment at roof level on the Mercer Walk and Shelton Street buildings and on the roof of 7 Langley Street. Environmental Health has no objection in terms of noise and vibration subject to the standard noise conditions and a condition to secure a supplementary noise report. A condition is also recommended to prevent the transmission of noise and vibration to residential units adjoining 1 Mercer Walk. The application therefore complies with Policy 33(D) Local environmental impacts.

9.5 Transportation, Accessibility & Servicing

Highway Impact

The Highways Planning Manager welcomes the promotion of sustainable transport by prioritising walking by the opening up of the pedestrian link into the Yard. Given that the opening up of the routes through the site for public use is considered a benefit of the scheme it is recommended that this is secured through a walkways agreement. It is acknowledged that the new pedestrian link will have to be closed when the development is not open to the public which is considered sensible. The proposal is considered to support the aims of Policy 25 of the City Plan.

Servicing and Waste & Recycling Storage

Policy 29 (B) states that 'Servicing, collection and delivery needs should be fully met within a development site and applicants will produce Delivery and Servicing Plans which encourage provision for low-emission, consolidation and last mile delivery modes.'

The draft Delivery and Servicing Management Plan submitted with the application envisages that the buildings that form part of Old Brewer's Yard would be serviced off-

street from within the Yard itself between 07.00 to 10.00 hours (to allow use of the Yard by the public after this time.) This is welcome in policy terms.

The servicing arrangements for the microbrewery at 1 Mercer Walk are slightly different in that it is intended that some servicing takes place from Langley Street (subject to the hours restrictions on that street) which is not supported by policy 29. Understandably the Highways Planning Manager is disappointed with this arrangement and would like as much servicing as possible for 1 Mercer Walk to take place from within the Yard itself and then wheeled across the road by trolley. It is therefore recommended that a condition secures a revised Delivery and Servicing Management Plan that sets out the level of servicing for 1 Mercer Walk that will take place from the Yard, and includes full justification for any on-street servicing together with details of how the servicing in the Yard will be managed. The Plan will also need to set out the measures which will encourage low-emission, consolidation and last mile delivery modes.

Cycling & Cycle Storage

The long stay cycle parking provision is acceptable in policy terms. Whilst 20 short stay spaces is not fully policy compliant with London Plan standards, the existing development has no short-stay cycle parking and the overall uplift in floorspace is only 531 sq m, and what is proposed is considered enough to serve that amount of floorspace. It is recommended that the cycle parking is secured by condition.

9.6 Economy including Employment & Skills

The West End has been particularly hard hit by the pandemic and there is a need for businesses within the Central Activities Area to be supported at this time to enable their post pandemic recovery. The proposed development will contribute to the recovery of the West End in accordance with Policies 1 and 13 in the City Plan 2019-2040 by providing new employment and job opportunities through operation and construction and will provide new upskilling and training programmes that will benefit the local community. For example, training in the culinary arts as part of the 'Guinness Kitchen' programme at 28-32 Shelton Street, and the 'Learning for Life' programme in the microbrewery at 1 Mercer Walk. The development will also see the upgrade of existing buildings and bring vacant buildings and spaces back into use.

9.7 Other Considerations

None.

9.8 Environmental Impact Assessment

The proposed development is not of sufficient scale or impact to require an Environmental Impact Assessment.

9.9 Planning Obligations & Pre-Commencement Conditions

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

- i. The residential use at second and third floor level at 23 Neal Street and third floor level at 17-19 Neal Street to have been relocated as part of a land use swap with the City Council. The applicant not to commence development until planning applications have been submitted for the land use swap and not to occupy the development until the land use swap has been physically completed in all material respects to a standard ready for residential occupation and evidence has been submitted to the City Council to confirm completion of such works.
- ii. Details of a community strategy.
- iii. Walkways Agreement to secure access to Langley Passage and Old Brewer's Yard.
- iv. Monitoring costs.

The estimated CIL payment is: £33,040 Mayoral CIL and £82,600 Westminster CIL.

10. Conclusion

The proposed scheme will add to the highly diverse mix of uses within this part of Covent Garden which is located within the West End Retail and Leisure Special Policy Area. The retail and leisure experience will provide a more diverse evening economy for those who work, visit and live in Covent Garden. The concerns of the amenity societies and local residents about noise and disturbance are understood but it is considered that with appropriate safeguards through planning conditions, residential amenity can be protected.

Section 9.4 of this report identifies that the roof extension to the Shelton Street building will cause less than substantial harm to the character and appearance of the Covent Garden Conservation Area and the setting of neighbouring listed buildings, principally due to its height and bulk and resulting visual prominence. This is outweighed by the public benefits of the scheme.

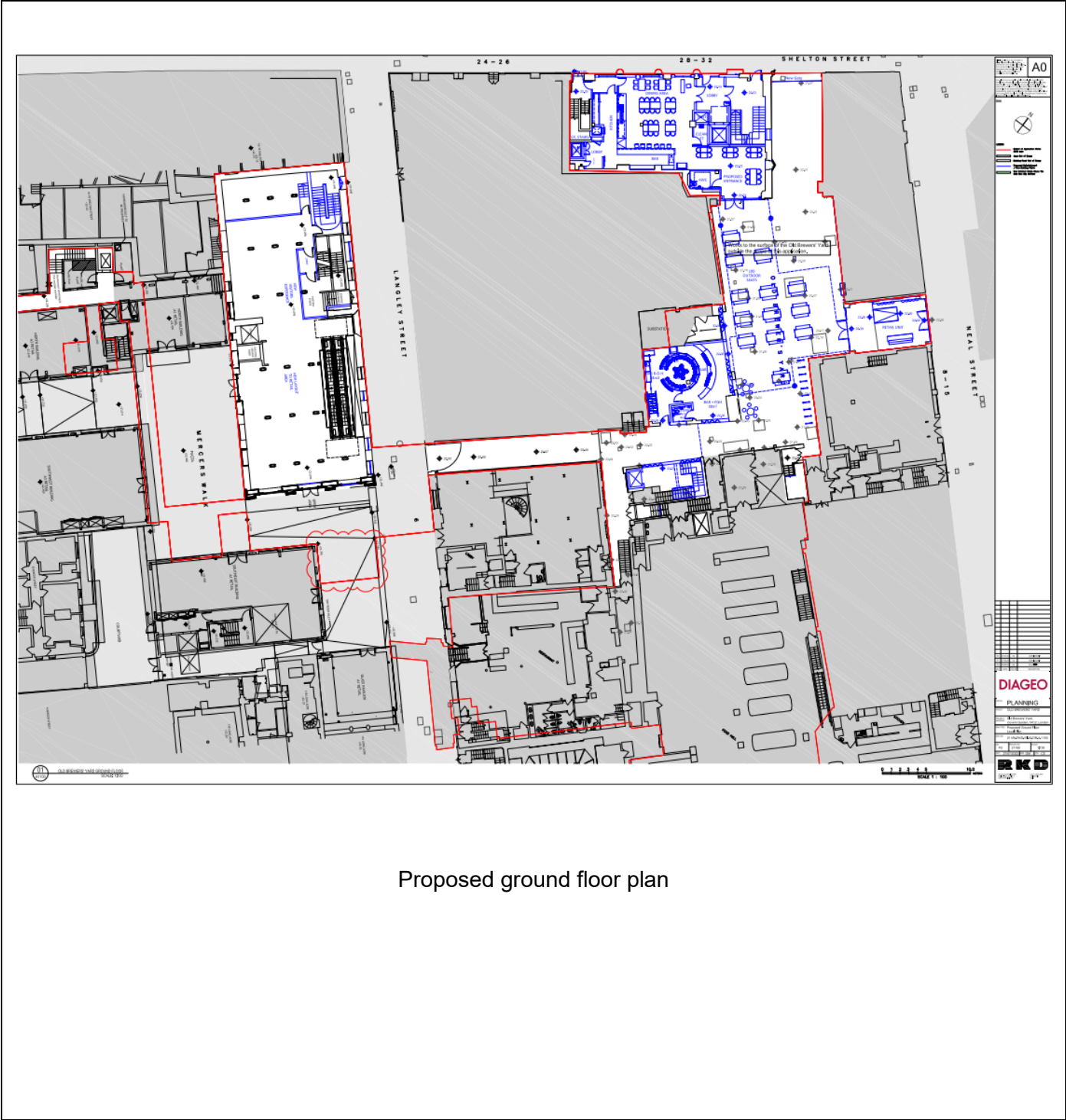
As such, whilst being mindful of policies 38, 39 and 40 of the City Plan 2019-2040, given the substantial public benefits that would be delivered, which include reinvigorating and better revealing Old Brewer's Yard by providing a new pedestrian route through the site and a new social space. This has worked successfully in other parts of Covent Garden in the Mercer's development and new routes off Long Acre through to King Street. These pedestrian routes provide new views and enhance the character of the conservation area. Other public benefits include the provision of a new retail and leisure destination and visitor attraction within Covent Garden and the economic benefits and increased footfall this will bring to the area. The proposals intend to provide a unique experience which will complement the current visitor experience and encourage footfall to spread beyond the historic Market. Therefore, the recommendation to grant conditional permission is compliant with the requirements of the NPPF and the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

Item No.
1

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: MATTHEW MASON BY EMAIL AT mmason@westminster.gov.uk

11. KEY DRAWINGS



Proposed ground floor plan



Proposed first floor plan



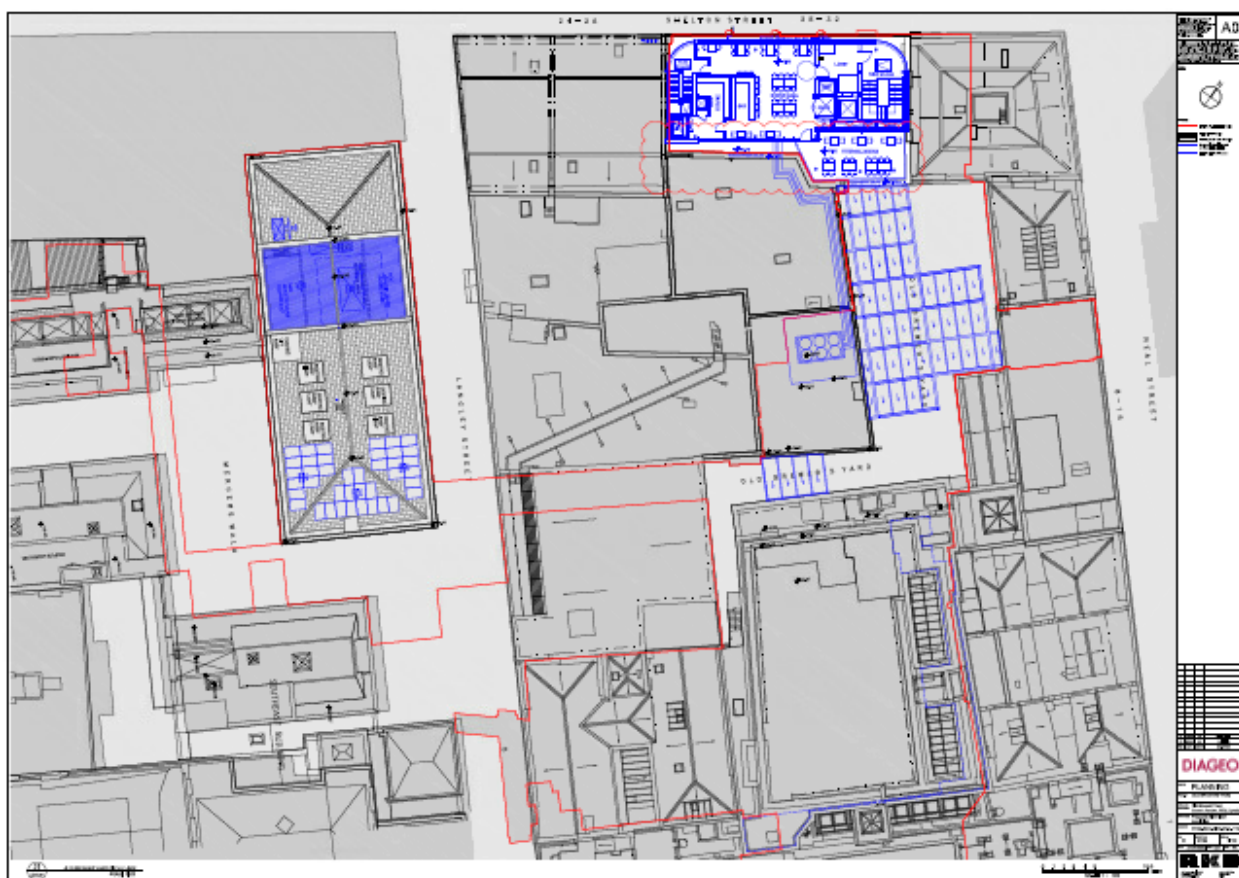
Proposed second floor plan



Proposed third floor plan



Proposed fourth floor plan



Proposed sixth floor level



Above and below: Indicatives image of Old Brewer's Yard and canopy





Existing 28-32 Shelton Street



Proposed 28-32 Shelton Street with roof extension



15A, Neal Street – Existing West Façade



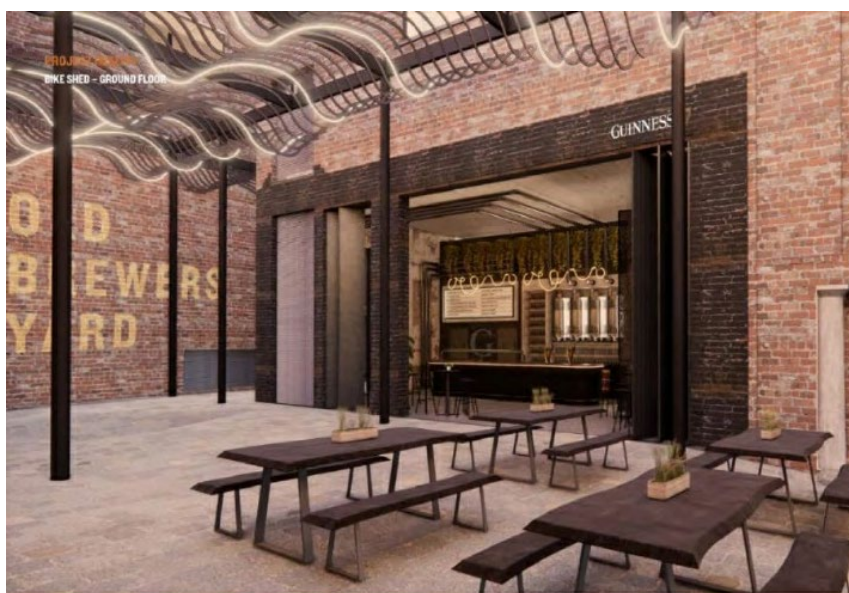
15A, Neal Street – Proposed West Façade



Proposed 1 Mercer Walk visual



Rear of 7 Langley Street (Existing)



Proposed visual of new bar at rear of 7 Langley Street

DRAFT DECISION LETTER FULL

Address: 28 - 32 Shelton Street, London, WC2H 9JE,

Proposal: Mixed-use development at Old Brewer's Yard including: at 28-32 Shelton Street, the erection of two-storey roof extension and other external alterations (including shopfront alterations, new rear access to the Yard, and plant) in connection with the use of the building as a restaurant (Class E(b)); at 1 Mercer Walk, the installation of ancillary plant & servicing equipment, external alterations including opening up of blind windows on east elevation, installation of PV panels at main roof level and the placement of external tables and chairs on Mercer Walk, all in connection with the use of the building as a microbrewery and visitor attraction with ancillary retail, bar and training space (Sui Generis); at 15A Neal Street (ground floor only), external alterations including installation of full-height glazed rear wall and installation of a new shopfront; at 5 Langley Street (basement, part-ground floor and part-roof only) alterations to north and west facade and installation of new plant, all in connection with the flexible mixed-use of the basement and part-ground floor as entertainment/events/community space with ancillary storage areas (Sui Generis); at the rear of 7 Langley Street, installation of plant at roof level and the use of the former bin store as a bar area servicing the Yard (Sui Generis); at Old Brewer's Yard, the erection of a new high-level glazed canopy structure and semi-permanent external seating, installation of new entrance gates fronting Shelton Street, placement of planters and associated street furniture, for use of the Yard as a flexible entertainment/dining/events/ community outdoor space (Sui Generis). (Site includes Old Brewer's Yard, 28-32 Shelton Street, 15A Neal Street, 5 and 7 Langley Street, 1 and 3 Mercers Walk and 107-115 Long Acre).

Reference: 22/02009/FULL

Plan Nos: Existing
21166-RKD-SI-00-DR-A-1000, 21166-RKD-SI-00-DR-A-1010, 21166-RKD-SI-00-DR-A-0099, 21166-RKD-SI-00-DR-A-0100, 21166-RKD-SI-00-DR-A-0101, 21166-RKD-SI-00-DR-A-0102, 21166-RKD-SI-00-DR-A-0103, 21166-RKD-SI-00-DR-A-0104, 21166-RKD-SI-00-DR-A-0105, 21166-RKD-SI-00-DR-A-0106., , 21166-RKD-ME-00-DR-A-1200, 21166-RKD-SH-00-DR-A-2200, 21166-RKD-SH-00-DR-A-2201, 21166-RKD-NE-00-DR-A-3200, 21166-RKD-LA-00-DR-A-5200., , 21166-RKD-ME-00-DR-A-1300, 21166-RKD-SH-00-DR-A-2300, 21166-RKD-SH-00-DR-A-2301, 21166-RKD-SH-00-DR-A-2302, 21166-RKD-NE-00-DR-A-3300, 21166-RKD-OB-00-DR-A-4300, 21166-RKD-OB-00-DR-A-4301, 21166-RKD-OB-00-DR-A-4302, 21166-RKD-LA-00-DR-A-5300

Proposed
21166-RKD-SI-00-DR-A-1020, 21166-RKD-SI-00-DR-A-1099, 21166-RKD-SI-00-DR-A-1100, 21166-RKD-SI-00-DR-A-1101, 21166-RKD-SI-00-DR-A-1102, 21166-RKD-SI-00-DR-A-1103, 21166-RKD-SI-00-DR-A-1104, 21166-RKD-SI-00-DR-A-1105, 21166-RKD-SI-00-DR-A-1106, 21166-RKD-SI-00-DR-A-1107., , 21166-RKD-ME-00-DR-A-1210, 21166-RKD-SH-00-DR-A-2210, 21166-RKD-SH-00-DR-A-2211, 21166-RKD-NE-00-DR-A-3210, 21166-RKD-LA-00-DR-A-5210., , 21166-RKD-ME-00-DR-A-1310, 21166-RKD-SH-00-DR-A-2310, 21166-RKD-SH-00-DR-A-2311, 21166-RKD-SH-00-DR-A-2312, 21166-RKD-NE-00-DR-A-3310, 21166-RKD-OB-

00-DR-A-4310, 21166-RKD-OB-00-DR-A-4311, 21166-RKD-OB-00-DR-A-4312, 21166-RKD-LA-00-DR-A-5310.

21166-RKD-SH-00-DR-A-2320, 21166-RKD-SH-00-DR-A-2321, 21166-RKD-SH-00-DR-A-2322, 21166-RKD-SH-00-DR-A-2323, 21166-RKD-SH-00-DR-A-2324, 21166-RKD-NE-00-DR-A-3320, 21166-RKD-OB-00-DR-A-4320, 21166-RKD-LA-00-DR-A-5320., , 21166-RKD-OB-00-DR-A-4500.

Air Quality Assessment (8 March 2022), Archaeological desk-based assessment (March 2022), Daylight, Sunlight & Overshadowing Assessment (04/02/2022), Drainage Strategy (March 2022), Energy Statement Rev P1-03, Flood Risk Assessment April 2022, Townscape, Heritage and Visual Impact Assessment (February 2022), Noise Impact Assessment Version 3.0, Odour Assessment Rev 04, Planning Statement, Sustainability Statement (8 March 2022)

For information purposes only: Design and Access Statement, Fire Station, Landscaping Strategy, ,

Case Officer: Matthew Mason

Direct Tel. No. 020 7641
07866037944

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 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 , onot 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 Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R11AD)

- 3 Customers shall not be permitted within the 28-32 Shelton Street, 1 Mercer Walk, 5 Langley Street and rear of 7 Langley Street and Old Brewer's Yard premises before 10.00 or after 23.30 hours on Monday to Thursday (not including bank holidays and public holidays), before 10.00 or after 00.00 on Friday and Saturday and before 10.00 or after 22.30 hours on Sundays, bank holidays and public holidays.

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)

- 4 You must only allow customers to use the external terrace area on the sixth floor at 28-32 Shelton Street between 10:00 to 22.00 hours. The external terrace shall be vacated by 22.00 hours each 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)

- 5 You must not allow more than 24 customers onto the sixth floor roof terrace at 28-32 Shelton Street at any one time. Apart from access, you must ensure customers are seated while on the roof terrace.

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)

- 6 You must not allow access by members of the public from 15a Neal Street into Old Brewers Yard before 10.00 and after 21.00 hours each 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)

- 7 The proposed customer capacity for the approved uses within the development at any time shall be: , i). 28-32 Shelton Street - 337 customers of which there shall be no more than 24 customers on the external sixth floor roof terrace at any one time. , ii). 1 Mercer Walk - 220 customers., iii) 5 Langley Street - 350 customers., iv). Rear of 7 Langley Street and Old Brewer's Yard - 200 customers of which a maximum of 100 standing shall be permitted.

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)

- 8 No alcoholic drink shall be sold in connection with the development except for consumption upon the premises with the exception of 1 Mercer Walk and 15A Neal

Street where drink can be sold from the retail shop.

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)

- 9 Notwithstanding the submitted information, you must apply to us for approval of an operational management plan for each of the permitted uses within the development hereby approved. You must not use any part of the development until we have approved what you have sent us. Thereafter you must manage the development in accordance with the details approved. (see informative 2)

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)

- 10 No music, either live or recorded, shall be played in the entrance and exit or any of the premises hereby approved or within the sixth floor terrace at 28-32 Shelton Street.

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)

- 11 You must not play any recorded or live music which is audible outside the site premises (which for the avoidance of doubt includes Old Brewer's Yard).

Reason:

To ensure the full benefits of the scheme are realised by ensuring that after 10.00 hours the public are able to access freely the Langley Passage and Old Brewer's Yard. This is as set out in Policies 25 and 39 of the City Plan 2019 - 2040 (April 2021).

- 12 You can only use the ground floor of 15A Neal Street for the display or retail sale of goods, other than hot food, principally to visiting members of the public within Class E of the Town and Country Planning (Use Classes) Order 1987 as amended September 2020 (or any equivalent class in any order that may replace it). You must not use this premises for any other purpose, including any within Class E of the Town and Country Planning (Use Classes) Order 1987 (as amended September 2020) (or any equivalent class in any order that may replace it).

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)

- 13 You must apply to us for approval of details of all external lighting for the terrace at sixth floor level at 28-32 Shelton Street and for Old Brewer's Yard. You must not start work on this part of the development until we have approved what you have sent us.

Thereafter you must carry out the lighting in accordance with the details approved. You must ensure that all lighting is switched off when the terrace is not in use.

Reason:

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

- 14 The design and construction of the separating building fabric within 1 Mercer Walk should be such that the received noise value in any neighbouring residential dwelling(s), with music/entertainment occurring, should achieve a value of 10 dB below that measured/assessed without music/entertainment events taking place, at the quietest time of day and night, measured/assessed over a period of 5 minutes and in the indices of Leq & LMax in 63 Hz & 125 Hz octave bands. , , Maximum noise levels generated by the proposed development should be demonstrated not to exceed NR30 Leq / NR35 LMax (day) and NR25 Leq / NR30 Leq (night) inside residential dwellings with the music/entertainment occurring. This includes noise from all sources (including music noise, impact noise from patrons, moving tables/chairs etc).

Reason:

To ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the same or adjoining buildings from noise and vibration from elsewhere in the development, as set out Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Environmental Supplementary Planning Document (May 2021). (R49BB)

- 15 You must apply to us for approval of detailed drawings of the design, construction and insulation of the whole kitchen extract ventilation system(s) and any associated equipment for the development. You must not start on these parts of the development until we have approved in writing what you have sent us. You must then carry out the work according to the approved drawings. You must not change it without our permission. (C13BC)

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 You must install the odour abatement measures set out in the Odour assessment: Old Brewers Yard Covent Garden document dated 8th April 2022 prior to the use of 1 Mercer Walk as a microbrewery. Thereafter you must retain and maintain these odour abatement measures for as long as the microbrewery is in use.

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)

- 17 (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 in writing 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 in writing 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 written 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. (C46AC)

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 draft Environmental Supplementary Planning Document (May 2021), 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)

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 0.2m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property. (C48AB)

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 draft Environmental Supplementary Planning Document (May 2021). (R48AB)

- 19 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(s) 17 of this permission. You must not start work on this part of the development until we have approved in writing what you have sent us. (C51AB)

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Environmental Supplementary Planning Document (May 2021), 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. (R51AC)

- 20 You must apply to us for approval of a sample panel of brick of the following parts of the development - the roof extension to 28-32 Shelton Street. The sample panel of brick to be provided on site, showing brick, brick bond and type of mortar. 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 samples. (C26DB)

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 Covent Garden Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 21 You must apply to us for approval of a sample of the following parts of the development - ventilation louvre to Shelton Street. 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 sample(s). (C26DB)

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

(R26BF)

- 22 You must apply to us for approval of details of a bay study of the Shelton Street extension, front, and rear, showing brick and coping details and details of the framing profiles and capped roof. 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 this part 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). (R26BF)

- 23 You must apply to us for approval of details of the following parts of the development: , i. Canopy details: including fixings to the building and column/support and beam details; , ii. Details of the new shopfronts and entrance doors to Shelton Street (scaled 1:10); , iii. Details of the new frontage to 15A Neal Street (scaled 1:10); , iv. Details of all new external doors and windows to 1 Mercer Walk; and , v. Details of any new external lighting within the Yard., 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 this part 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). (R26BF)

- 24 Unless otherwise set out in the Servicing Management Plan approved under condition 25 of this decision, all servicing of the development, which includes deliveries and refuse collection, must be from within Old Brewer's Yard and take place between 07.00 to 10.00 hours on any day.

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties and to ensure the full benefits of the scheme are realised by ensuring that after 10.00 hours the public are able to access freely the Langley Street Passage and Old Brewer's Yard as set out in Policies 25, 29 and 39 of the City Plan 2019-2040 (April 2021).

- 25 Notwithstanding the submitted information, you must apply to us for approval of an Servicing Management Plan for the development hereby approved. You must not occupy any part of the development until we have approved what you have sent us. Thereafter you must manage the development in accordance with the details approved. (see informative 6)

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)

- 26 You must provide each cycle parking space and associated facilities for cyclists shown on the approved drawings prior to occupation of the development. Thereafter the cycle spaces and associated facilities for cyclist must be retained and the space used for no other purpose. (C22IA)

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)

- 27 The provision for the storage of waste and recyclable materials for the development, as shown on drawing number 21166-RKD-SI-00-DR-A-1099 Rev P1 is to be made permanently available and used for no other purpose. All occupants within the development must have access to the two bin stores located at the basement. Waste servicing must be carried out within the site demise as stated in the Transport Statement dated March 2022. No waste should be left on the public highway., , ,

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)

- 28 You must hang all doors or gates so that they do not open over or across the road or pavement. (C24AA)

Reason:

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

- 29 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 Covent Garden Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 30 The glass that you put in the side (east) elevation of the roof extension and balustrade to 28-32 Shelton Street must not be clear glass (as shown on drawing 21166-RKD-SH-

00-DRA-2312-P1 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 given our written approval for the sample. You must then install 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, as set out Policies 7 and 38 of the City Plan 2019 - 2040 (April 2021). (R21AD)

- 31 You must provide, maintain and retain the following energy efficiency measures before you start to use any part of the development, as set out in your application., , - photovoltaic panels to the roof of 1 Mercer Walk and 28-32 Shelton Street., , 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)

- 32 You must apply to us for approval of details of the rainwater harvesting system. You must not start work on this part of the development until we have approved what you have sent us. Thereafter you must carry out the rainwater harvesting in accordance with the details approved and prior to occupation of the Yard and bar at rear of 7 Langley Street. Thereafter you must retain and maintain the rainwater harvesting system in accordance with the details approved.

Reason:

In accordance with policy 35(B) of the City Plan 2019 - 2040 (April 2021) as the site is located within a surface water hotspot.

- 33 The development hereby permitted shall be carried out so as to have a minimum target rating of 'Excellent' under the BREEAM Refurbishment and Fit Out category. Upon certification by the Building Research Establishment (or equivalent) a copy of the certificate detailing the awarded score for each building will be submitted to the local planning authority within 6 months of completion for our approval. ,

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)

- 34 You must apply to us for approval of detailed drawings of a soft landscaping scheme for Old Brewer's Yard. You must not start work on the relevant part of the development until we have approved in writing what you have sent us. You must then carry out the landscaping and planting within 3 months of completing the development (or within any other time limit we agree to in writing)., , If you remove any trees that are part of the planting scheme that we approve, or find that they are dying, severely damaged or

diseased within 2 years of planting them, you must replace them with trees of a similar size and species. (C30CC)

Reason:

To improve the appearance of the development, to make sure that it contributes to the character and appearance of this part of the Covent Garden Conservation Area, and to improve its contribution to biodiversity and the local environment. This is as set out in Policies 34, 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R30CE)

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 You are advised that the Operational Management Plan should include, but not be restricted to, matters including: how the dispersal of the Yard will be managed, full details of how many security staff will be employed and where they will be located on site, full details of a direct telephone number at the premises to be made available for residents and businesses, the policy on takeaway alcohol sales, full details of CCTV, details of staff training and use of virtual queuing through smart phone apps.
- 3 You are advised to permanently mark the plant/ machinery hereby approved with the details of this permission (including date decision and planning reference number). This will assist in future monitoring of the equipment by the City Council if and when complaints are received.
- 4 You are advised that advertisement consent will be required for any external signage on the building.
- 5 You are advised that painting the flank wall of 23 Neal Street may require listed building consent - a visually contrasting paint scheme, or murals are unlikely to be considered harmful and unacceptable.
- 6 The revised Delivery and Servicing Management Plan will need to include a full justification for any on-street servicing for 1 Mercer Walk together with details of how the servicing in the Yard

will be managed to ensure there is no conflict between servicing vehicles arriving at the same time and vehicles being able to fully turn around within the site. The Plan will also need to set out the measures which will encourage low-emission, consolidation and last mile delivery modes.

DRAFT DECISION LETTER LISTED BUILDING CONSENT

Address: 28 - 32 Shelton Street, London, WC2H 9JE,

Proposal: Works to rear-part of 7 Langley Street comprising the part-demolition of external walls and construction of new walls, openings, and associated fixtures including canopy fixtures pertaining to Old Brewer's Yard, the complete demolition of internal structures and installation of new internal structures including replacement staircase and new mezzanine level for use as a bar and ancillary storage, and installation of plant at roof level; together with works at 28-32 Shelton Street comprising the installation of entrance gates fronting the undercroft shared with listed building 34 Shelton Street. [Addresses include 7-8 Langley Street and 34 Shelton Street].

Reference: 22/02163/LBC

Plan Nos: 21166-RKD-LA-00-DR-A-5200 Rev P0, 21166-RKD-SI-00-DR-A-0100 Rev P1, 21166-RKD-SH-00-DR-A-2302 Rev P0, 21166-RKD-SH-00-DR-A-2201 Rev P0, 21166-RKD-SI-00-DR-A-1100 Rev P1, 21166-RKD-SI-00-DR-A-1101 Rev P1, 21166-RKD-SI-00-DR-A-1102 Rev P1, 21166-RKD-SI-00-DR-A-1107 Rev P1, 21166-RKD-LA-00-DR-A-5210 Rev P0, 21166-RKD-OB-00-DR-A-4320 Rev P0, 21166-RKD-OB-00-DR-A-4311 Rev P0., , Townscape, Heritage and Visual Impact Assessment (February 2022), ,

Case Officer: Matthew Mason

Direct Tel. No. 020 7641
07866037944

Recommended Condition(s) and Reason(s)

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

Reason:

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

- 2 All new work and improvements inside and outside the building must match existing original adjacent work in terms of the choice of materials, method of construction and

finished appearance. This applies unless differences are shown on the approved drawings or are required in conditions to this permission. (C27AA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Covent Garden Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R27AC)

- 3 You must apply to us for approval of details of the following parts of the development: ,
 i. The canopy and details of fixings to 7 Langley Street., ii. The new shutters/doors to the rear of 7 Langley Street, , 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.

Informative(s):

- 1 SUMMARY OF REASONS FOR GRANTING CONDITIONAL LISTED BUILDING CONSENT -
 In reaching the decision to grant listed building consent with conditions, the City Council has had regard to the relevant policies in the National Planning Policy Framework, the London Plan (March 2021), the City Plan (April 2021), as well as relevant supplementary planning guidance, representations received and all other material considerations., , The City Council has had special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses and has decided that the proposed works would not harm this special architectural or historic interest; or where any harm has been identified it has been considered acceptable in accordance with the NPPF., , In reaching this decision the following were of particular relevance: Policies 38, 39 and 40 of the City Plan 2019 - 2040 adopted in April 2021 and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.