

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 23 August 2022	Classification For General Release	
Report of Director of Place Shaping and Town Planning		Ward(s) involved St James's	
Subject of Report	Part Basement and Ground Floor, 190 - 196 Piccadilly, London, W1J 9EY		
Proposal	Use of the part ground and lower ground floors as a mixed-use working, social, exhibition, event and production space (Sui Generis) for a temporary period of four years. (Site includes 190-196 Piccadilly, Princess Arcade and 36-38 Jermyn Street).		
Agent	Bidwells LLP		
On behalf of	Pavilion Space Ltd		
Registered Number	22/03393/FULL	Date amended/ completed	22 May 2022
Date Application Received	22 May 2022		
Historic Building Grade	Grade II		
Conservation Area	St James's		
Neighbourhood Plan	Not applicable		

1. RECOMMENDATION

Grant conditional permission

2. SUMMARY & KEY CONSIDERATIONS

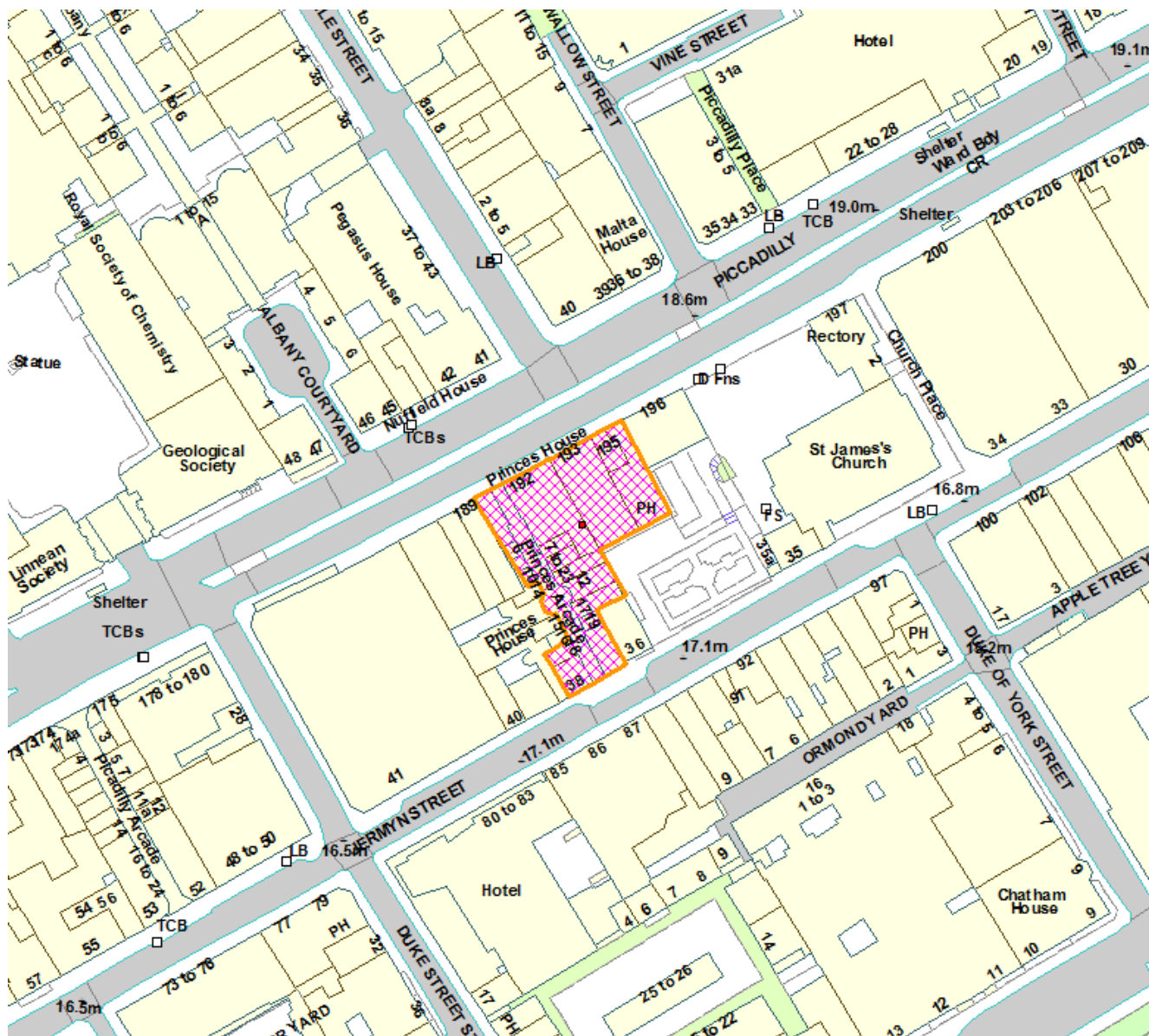
The application proposes the use the part ground and lower ground floors of the building for a temporary period of four years, as a flexible mixed-use working, social, event and production space (Sui Generis).

The key considerations in this case are:

- The acceptability of the proposal in land use terms
- The impact on the amenity of neighbouring residential properties.

For the reasons set out in the main report, it is considered that the proposal, with conditions, is acceptable in land use, amenity and highways terms and neighbouring residential occupiers would not be unduly harmed. As such, the application is recommended for approval.

3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

5.1 Application Consultations

AMENITY SOCIETY (St. James's Conservation Trust):

Any response to be reported verbally

AMENITY SOCIETY (Residents Society Of Mayfair & St. James's):

Any response to be reported verbally

ENVIRONMENTAL HEALTH

No objection

HIGHWAYS PLANNING MANAGER:

No objection.

PROJECT OFFICER FOR WASTE

No objections subject to adequate waste storage being provided.

ADJOINING OWNERS / OCCUPIERS

No.of original consultees: 78

No. Replies: 0

SITE NOTICE

Yes.

5.2 Applicant's Pre-Application Community Engagement

The applicant has not submitted a Statement of Community Involvement and the other application documents do not indicate that 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. However, the Early Community Engagement guidance only expects such engagement to take place where proposals of this nature may have a significant impact on residential amenity or other noise sensitive receptors.

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 the ground and part-lower ground floors of 194 and 196 Piccadilly which is Grade II listed.

The site has one main frontage, which faces onto Piccadilly, and is bordered by 196A Piccadilly to the north-east and 192 Piccadilly to the south-west. The churchyard of St James's Piccadilly is located to the rear of the building. Princes Arcade is located to the south-west of the site and connects from Piccadilly to Jermyn Street.

The BAFTA headquarters occupies the upper floors of the application site.

The premises have most recently been used as an event space known as BAFTA 194 following a permission granted in 2019. The space was used as a private members club and was used for hosting receptions, dinners, award ceremonies and celebrations. The ground floor was used for daytime food and beverage, and in the evening for stand-up receptions, private parties and product launches. The lower ground floor was for gala dinners, award ceremonies and larger parties, and was available for hire during evenings and weekends. This permission was for temporary period of 3 years which expired on 31 May 2022 and was also subject to a condition requiring the premises to revert back to the former use, a restaurant use granted in November 2014.

Prior to that former restaurant use, the site was a Gala casino that operated 24 hours a day with the sale of alcohol and other licensable activities from 10am to 7am Monday to Sunday with a capacity for 410 persons. The relevant licence (ref. 13/00938/LIPT) is still operational and held by the Crown Commissioners.

The site is located in the Central Activities Zone (CAZ), the West End Retail and Leisure Special Policy Area, Piccadilly CAZ Retail Cluster, the St James Special Policy Area, and the St James's Conservation Area.

7.2 Recent Relevant History

Planning permission granted June 1979 for the use of part of basement and part of ground floor of 196 Piccadilly as a gaming club.

Planning permission granted August 1997 for the use of the basement and part ground floor of 196 Piccadilly as a casino.

Planning permission granted November 2014 for the use of part basement and part ground floor as Class A3 restaurant. Installation of new shopfronts and associated internal and external alterations including replacement roof top plant, alterations to rear elevations fronting St James's Churchyard and new extraction ducts within rear lightwell.

Planning permission granted May 2019 for the use of the part ground and basement floors as a private members club, café and public exhibition/event space for a temporary period of three years. (Site includes 190-196 Piccadilly, Princess Arcade and 36-38 Jermyn Street).

Planning permission granted July 2019 for the variation of Conditions 5 and 6 of planning permission dated 17 May 2019 (RN 19/02169) for use of the part ground and basement floors as a private members club, cafe and public exhibition/event space for a temporary period of three years. (Site includes 190-196 Piccadilly, Princess Arcade and 36-38 Jermyn Street); NAMELY to amend the opening hours between 08.00 and 01.00 Monday to Friday: 11.00 and 01.00 on Saturdays and between 11.00 and 23.00 on Sundays and bank holidays. And to amend the Operational Management Plan to reflect these hours.

8. THE PROPOSAL

The Applicant proposes to use the part ground and lower ground floors for a temporary period of four years, as a multi-format mixed-use working, social, event and production space (Sui Generis). It is understood that the premises will be operated by Pavilion Space Ltd who currently have premises in Kensington, Knightsbridge and the City. The operator intends to develop a mixed programme of activity, from curating and developing their own shows and events, partnering with new and established organisations, to developing new entertainment formats with existing media organisation and brands.

The proposed mix of uses/activities which will take place within the premises are as follows:

- Working space;
- Gallery space;
- Café and bar facilities;
- Cinema;
- Theatre;
- Live music;
- Comedy;
- Launch events;
- Media production/studio facilities.

The proposed use will operate with opening hours from 0800 daily until 03:00 on Thursdays-Saturdays, 01:30 Mondays-Wednesdays and 00:30 on Sundays. The application is supported by an Operational Management Plan (OMP) that sets out how the space will operate:

Ground Floor by Day

This is principally a social space and is likely to operate as a gallery, cafe, meeting point and relaxed workspace for freelancers and creatives that wish to work flexibly. This is an open access space, serving the local community, pedestrians and freelancers. It can also function as an exhibition or retail space simultaneously, or as reception for activities on the lower ground floor.

Ground Floor by Night

In general, the ground floor in the evening supports the lower ground floor activity and if an event is in progress, operates as a reception/lobby/bar where registration, ticket pick-ups and entrance for guests.

Basement Floor by Day

This space will house exhibitions, studio space, retail fairs and pop ups. The kitchen area allows the provision of food and refreshments and can be utilised for functions that offer menu development.

Basement Floor by Night

A fluid platform and space for cinema, theatre, live music, comedy, club, launch and private events.

An indicative schedule of events is shown in the table below:

ZONE	MON	TUE	WED	THU	FRI	SAT	SUN
GROUND FLOOR DAY	CAFÉ MEETING SPACE.	CAFÉ MEETING SPACE.	PHOTOGRAPHY CURATED BY DAZED. ARTIST. INTERVIEW FOR ONLINE BROADCAST	CAFÉ MEETING SPACE. FASHION SALE	CAFÉ MEETING SPACE. FASHION SALE	SATURDAY BRUNCH WITH CURATED SPECIAL CHEFS	TAKEOVER, CURATING FOOD, DRINKS & MUSIC
GROUND FLOOR NIGHT	BOOK LAUNCH & TALK	RECEPTION FOR MAIN EVENT	RECEPTION FOR MAIN EVENT	RECEPTION FOR MAIN EVENT	RECEPTION FOR MAIN EVENT	RECEPTION FOR MAIN EVENT	TAKEOVER, CURATING FOOD, DRINKS & MUSIC
LOWER FLOOR DAY	LOCAL COMMUNITY GROUP MEETING	DRY HIRE CORPORATE OR STUDIO USE	DRY HIRE CORPORATE OR STUDIO USE	EXHIBITION. RETAIL AND SHOWCASE	SET UP FOR EVENING EVENT	SATURDAY BRUNCH WITH CURATED SPECIAL CHEFS	ROLLER DISCO
LOWER FLOOR NIGHT	JAZZ ONLINE BROADCAST	CELEBRITY FIRESIDE INTERVIEW FOR	CABERET / SPOKEN WORD	ADIDAS X SHEPARD FAIREY	LIVE MUSIC PERFORMANCE	LIVE MUSIC PERFORMANCE	LIVE BROADCAST

9. DETAILED CONSIDERATIONS

9.1 Land Use and Amenity

Land Use Overview

London Plan Policy SD4 concerns the CAZ and seeks to promote unique international, national and London-wide roles of the CAZ, based on an agglomeration and rich mix of strategic functions and local uses. The policy also states that "the unique concentration and diversity of cultural, arts, entertainment, night-time economy and tourism functions should be promoted and enhanced".

London Plan Policy E1 concerns offices and supports improvements to the quality, flexibility and adaptability of office space of different sizes via new office provision, refurbishment and mixed-use development.

London Plan Policy E10 covers visitor infrastructure and seeks to ensure that "London's visitor economy and associated employment should be strengthened by enhancing and extending its attractions, inclusive access, legibility, visitor experience and management." London Plan Policy HC5 which aims to support London's culture and creative industries states that proposals should "Consider the use of vacant properties and land for pop-ups or meanwhile uses for cultural and creative activities during the day and at night-time to stimulate vibrancy and viability and promote diversity in town centres, Cultural Quarters and other areas."

City Plan Policy 2 recognises that the intensification of the West End Retail and Leisure Special Policy Area (WERLSPA) will deliver certain priorities, including an improved retail and leisure experience that responds to innovation and change in the sector, along with a diverse evening and night-time economy and enhanced cultural offer. The supporting text (paragraphs 2.7, 2.9 and 2.10) anticipate that the WERLSPA will absorb much of Westminster's future commercial growth, including the development of 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 whilst, at the same time, minimising negative impacts on residential neighbourhoods. The West End is recognised as home to the largest evening and night-time economy in the UK, supporting as a wealth of cultural uses, pubs, bars, restaurants, nightclubs, cinemas, theatres and other leisure uses. To ensure the area is welcoming and attractive to all communities, the appropriate management and diversification of the evening and night-time economy will be supported by enhancements to its cultural offer e.g. art installations and late-night shopping to help ensure the evening and night-time economy is not dominated by the consumption of alcohol, which can lead to issues of anti-social behaviour and deter others from visiting central London outside of daytime hours. Enhancing the cultural offer will include support for new venues and ancillary uses which enable existing uses ones to thrive.

City Plan Policy 14 concerns town centres, high streets and the CAZ, with their intensification supported in principle for main town centre uses. Uses that provide active frontages will be required at ground floor level, with the WERLSPA to provide a wide mix of commercial uses that support the West End's role as a cultural hub and centre for visitor, evening and night-time economy. Sub-section E of the Policy also recognises that temporary 'meanwhile' uses will be supported where they will enhance town centre

vitality and viability and be appropriately managed. Policy 14 goes on to state that town centre uses will be supported in principle through the CAZ with a commercial or mixed-use character, having regard to existing mix of land uses. The supporting text (paragraph 14.5, 14.6 and 14.7) acknowledges that, to ensure their long-term sustainability, town centres will need to provide a mix of commercial uses to 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., “....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...”.

City Plan Policy 15 concerns the visitor economy and seeks to maintain and enhance Westminster as a visitor destination. Proposals for new arts and cultural uses will be supported in commercial areas of the CAZ.

City Plan Policy 16 (A) of the City Plan states that proposals for food and drink and entertainment uses will 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 definition of entertainment uses within the City Plan glossary includes uses predominantly, or partly used for entertainment purposes including live music venues and other sui generis uses e.g. nightclubs, casinos and amusement arcades.

City Plan Policy 21 is specific to the Mayfair and St James's Special Policy Areas and supports developments in these areas that enhance their character and function as centres for art trade and luxury retail, through provision of floorspace for use as art galleries.

Loss of Restaurant Accommodation

The lawful use of the ground and lower ground floor is for restaurant purposes. Policy 14 (B) requires that uses that provide active frontages and serve visiting members of the public will be required at the ground floor throughout the town centre hierarchy.

Given the proposed use retains access to visiting members of the public at ground floor level, the proposed use is acceptable.

Proposed use and impact on amenity

The proposed use accords with the principle of the aforementioned policies subject to the impacts of the new entertainment use in terms of scale of activity, relationship to any existing concentrations of entertainment uses and any cumulative impacts, and provided that they do not adversely impact on residential amenity, health and safety, local environmental quality and the character and function of the area.

The application is supported by an Operational Management Plan (OMP) that sets out that the premises will operate: from 0800 daily and up until 03:00 on Thursdays-Saturdays, 01:30 Mondays-Wednesdays and 00:30 on Sundays. Whilst the proposed

hours are later than those previously permitted, given the site operated previously for 24 daily in line with the 2013 licence referred to above it is considered that the principle of a later opening time is acceptable. There are no records of complaint received in relation to the former casino use.

Other proposed measures within the OMP relate to security/monitoring of the site area, to discourage loitering, including a formal dispersal policy; door supervision; the presence of staff to greet customers and to monitor the building entrance; noise monitoring; the provision of adequate staff training in all management procedures; the operation of a no-smoking policy; measures regarding travel to and departure from the premises; general staff management procedures; servicing hours, deliveries and the movement of waste within the building; the installation of CCTV and the implementation of complaints procedures.

In acknowledgement that the proposed use may have more intense activity on site and arrival and departure patterns, the applicant submitted a noise assessment detailing mitigating measures to control/contain noise on site. Sound insulation testing has been carried out using a high-powered professional PA system, and noise breakout to other parts of the building and to structurally connected buildings has been assessed. The report recommends that remedial works are recommended at basement level, which include fitting a lobby system near the staircase and general maintenance to doors, windows and back of house areas. Secondly, a high-quality sound system would be installed with a defined maximum operating level to ensure sound can be efficiently reproduced internally without causing excessive noise elsewhere. Environmental Health have reviewed the submitted information and have raised no objection.

The applicant has not indicated the intended capacity for the site. Whilst it is acknowledged that licensing previously allowed for up to 410 customers to be permitted onsite at any one time, the nature of arrivals and departures in association with a casino is very different to the uses now proposed. Concern is raised that the proposed uses may generate intense periods of high levels of vehicle arrivals and departures. This would be most likely as one event ends and another starts. Large groups of people arriving and departing in a short space of time may also result in localised congestion. This would include on the footway (to other pedestrians) and on the carriageway (to other motorists). As such, it is considered necessary to restrict the capacity of the proposed use to a maximum of 350 customers in line with the previous BAFTA consent which included similar events. Conditions are also required to restrict the potential of break out operation noise associated with the use and requiring the proposed use to be carried out in accordance with the submitted OMP, which has measures to manage anti-social behaviour associated with people entering and leaving the premises. However, whilst there is considered to be adequate space internally to avoid customers queuing on the highway, including the ground floor area and the waiting area at basement level, a condition is recommended seeking a queue management strategy to identify the location and management measures which will be employed to ensure queuing is contained within the confines of the application premises.

Given that the proposed use will replace an existing entertainment use, it is not considered that the proposal will add to the existing concentration of entertainment uses in the area.

The application premises benefits from an existing ventilation and extraction system permitted and installed under the 2014 restaurant permission and therefore the proposal will not result in local environmental impacts.

Given that there are no nearby residential properties with the exception of four residential units within 41-46 Piccadilly located on the opposite site of Piccadilly approximately 40m from the entrance, it is not considered the proposal will materially impact local residential amenity. No comments have been received to the application, and it is understood that both the former BAFTA use and casino use operated without complaints being generated to the Council.

Given the above, it is considered the proposed use is acceptable for a temporary period of four years.

9.2 Environment & Sustainability

Not relevant.

9.3 Biodiversity & Greening

Not relevant.

9.4 Townscape, Design & Heritage Impact

No material external alterations are proposed. The proposal does include the addition of a glazed lobby is proposed at basement level to provide noise attenuation, although this will be lightweight and fixed to modern sections of the building and is easily reversible. The works will not affect the building's special architectural or historic interest and as such, it is not considered listed building consent is required.

9.5 Residential Amenity

The local environmental impacts are detailed within both Section 9.1 of this report.

9.6 Transportation, Accessibility & Servicing

Cycle Parking

No cycle parking is indicated. The London Plan Policy T5 requires 1 space per 175m² of for drinking establishments (most comparable use). The proposed use requires a minimum of 5 cycle parking spaces. A condition has been recommended to secure details of cycle parking.

Trip Generation

No Transport Assessment has been submitted and there is a lack of detail on maximum capacity. On balance, subject to a cap on maximum total capacity of 350 people in total, while the proposed land use may result in higher levels of activity at different times, the activity of guests arriving and departing the site (both vehicular and pedestrian) will not result in significant detrimental highway safety or operation, based on the proposed use as outlined in the submission documents.

Servicing

Policy 29 requires new developments to be provide for on-site servicing and freight consolidation. Deliveries and goods left on the highway create an obstruction to pedestrians. Delivery vehicles stopping on the highway can also result in localised congestion to other motorists. Given the increase in the use of the site for events etc, to ensure the proposed new use does not have a detrimental impact on the highway network, a condition has been imposed requiring a Servicing Management Plan.

Waste

Although a refuse area has been indicated on the submitted drawings, the drawing and the waste detail submitted are not in line with the council waste storage requirements. As such, a condition has been recommended to secure details of waste storage.

9.7 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 employing 38 members of staff, ensuring that the unit is not left vacant and would support the night-time economy.

Whilst the development is of insufficient scale to require an employment and skills plan, it will contribute positively to the local economy during the construction phase through the generation of increased opportunities for local employment, procurement and spending.

9.8 Other Considerations

None.

9.9 Environmental Impact Assessment

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

9.10 Planning Obligations

Planning obligations are not relevant in the determination of this application.

10. Conclusion

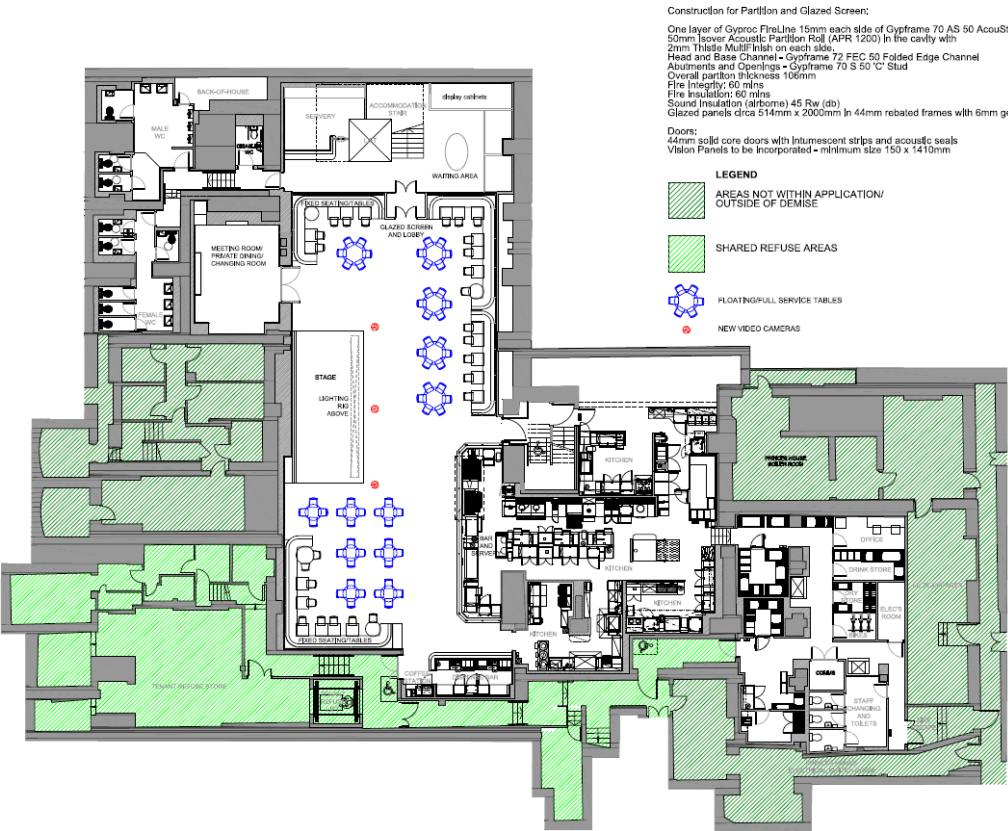
It is considered that the proposal is acceptable in land use, amenity and highway terms and complies with Policies 1, 2, 7, 13, 14, 16, 21, 25, 29, 33, and 43 of the City Plan 2019 - 2040 (April 2021) and Policies SD4, E1, E10, T5 and T7 of the London Plan. The application is therefore recommended for conditional approval.

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

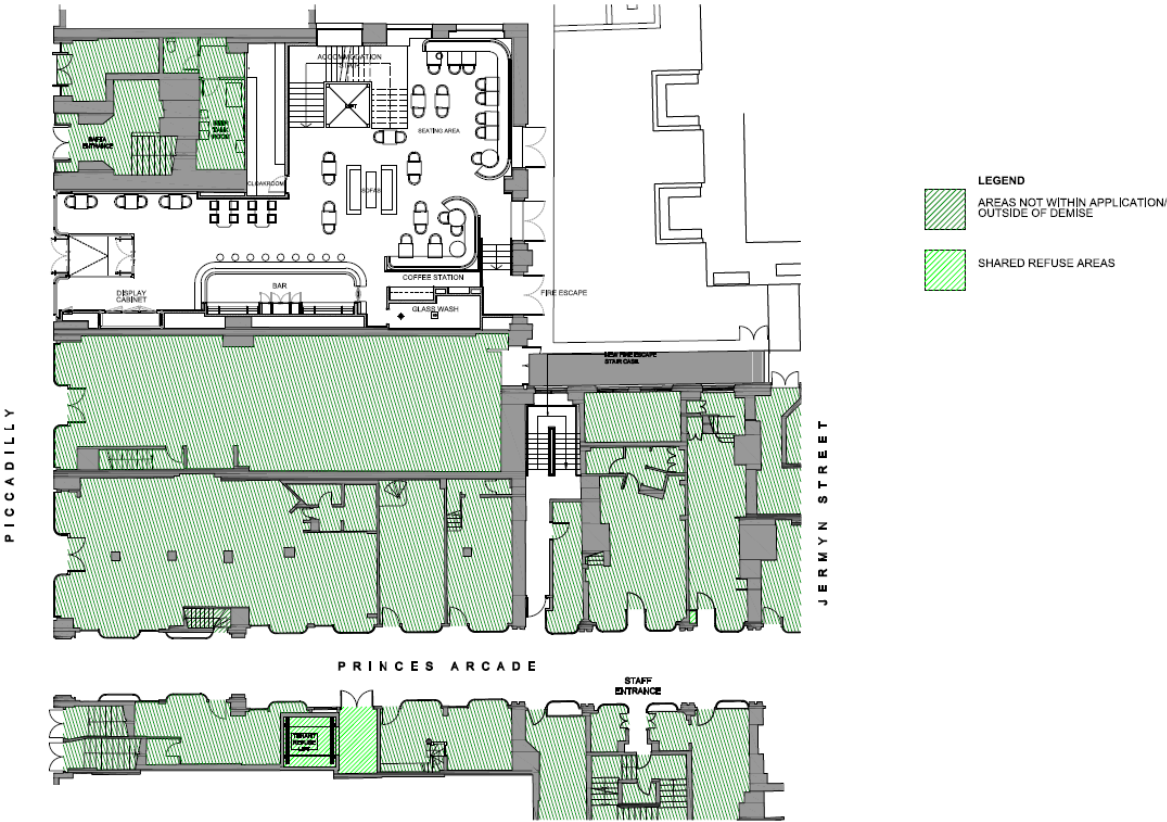
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: JO PALMER BY EMAIL AT JPALME@WESTMINSTER.GOV.UK .

11. KEY DRAWINGS

Proposed Basement Plan



Proposed Ground Floor Plan



DRAFT DECISION LETTER

Address: Parts Basement and Ground Floor, 190 - 196 Piccadilly, London, W1J 9EY

Proposal: Use of the part ground and lower ground floors as a mixed-use working, social, exhibition, event and production space (Sui Generis) for a temporary period of four years. (Site includes 190-196 Piccadilly, Princess Arcade and 36-38 Jermyn Street).

Reference: 22/03393/FULL

Plan Nos: Document titled 'NEON @ 194 Piccadilly Operation Management Statement Prepared by Cymon Exkel, Managing director, Neon' dated March 2022, Drawings: 4968/PA/03, 4968/PA/04.

Case Officer: Damian Lavelle

Direct Tel. No. 020 7641
07779431364

Recommended Condition(s) and Reason(s)

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

Reason:

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

- 2 You must apply to us for approval of details of how waste is to be stored on site and how materials for recycling will be stored separately. You must then provide the waste and recycling storage prior to occupation as mixed-use working, social, exhibition, event and production space (Sui Generis) and thereafter permanently retain the stores according to these details. You must clearly mark them and make them available at all times to everyone using the premises. You must not use the waste and recycling store for any other purpose.

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)

- 3 No waste is to be left on the 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)

- 4 You must not allow more than 350 customers into the property at any one time. (C05HA)

Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out Policies 7, 16 and 33 of the City Plan 2019 - 2040 (April 2021). (R05GC)

- 5 The mixed-use working, social, exhibition, event and production space (Sui Generis) hereby approved must not be open to customers except between 08:00 and 01:30 Monday to Wednesday, between 08:00 and 03:00 Thursday to Saturday and between 08:00 and 00:30 on Sunday.

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 The Operational Management Plan titled 'NEON @ 194 Piccadilly Operation Management Statement Prepared by Cymon Exkel, Managing Director, Neon' dated March 2022 must be adhered to at all times unless revised details are submitted and agreed by the City Council as local planning authority.

Reason:

To protect the environment of people in neighbouring properties as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7 and TACE 10 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 7 No live or recorded music shall be played in the premises that is audible outside the premises.

Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out Policies 7, 16 and 33 of the City Plan 2019 - 2040 (April 2021). (R05GC)

- 8 The three sets of doors at rear ground floor level facing onto St James's churchyard shall be kept closed at all times and shall not be used for access (ingress or egress) or for natural ventilation except in the case of emergency (e.g. fire escape and smoke venting).

Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out Policies 7, 16 and 33 of the City Plan 2019 - 2040 (April 2021). (R05GC)

- 9 You must apply to us for approval of details of secure cycle storage for the mixed-use working, social, event and production space. You must not occupy the premises for mixed-use working, social, event and production space (Sui Generis) purposes until we have approved in writing what you have sent us. You must then provide the cycle storage

in line with the approved details prior to occupation and make it available at all times to everyone using the premises. You must not use the cycle storage for any other purpose.

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)

- 10 The use hereby permitted must cease on the 31 August 2026. Thereafter, the basement and ground floor subject to this change of use must revert back to restaurant use (Class E) in accordance with planning permission dated 11 November 2014 (RN: 14/06743).

Reason:

At the Applicant's request.

- 11 (1) Where noise emitted from the proposed internal activity in the development will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the internal activity within the mixed-use working, social, event and production space use hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the permitted hours of use. The activity-specific noise level should be expressed as LAeqTm and shall be representative of the activity operating at its noisiest.

(2) Where noise emitted from the proposed internal activity in the development will contain tones or will be intermittent, the 'A' weighted sound pressure level from the internal activity within the mixed-use working, social, event and production space use hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the permitted hours of use. The activity-specific noise level should be expressed as LAeqTm and shall be representative of the activity operating at its noisiest.

(3) Following completion of the development, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include

(a) The location of most affected noise sensitive receptor location and the most affected window of it;

(b) Distances between the application premises and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;

(c) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (a) above (or a suitable representative position), at times when background noise is at its lowest during the permitted hours of use. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;

(d) The lowest existing LA90, 15 mins measurement recorded under (c) above;

(e) Measurement evidence and any calculations demonstrating that the activity complies with the planning condition;

(f) The proposed maximum noise level to be emitted by the activity.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels and as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the 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. (R47AC)

- 12 You must apply to us for approval of a Servicing Management Plan prior to commencement of the use for mixed-use working, social, event and production space (Sui Generis) purposes.

The plan must identify process, internal storage locations, scheduling of deliveries and staffing.

You must not commence the use hereby approved until we have approved in writing what you have sent us.

You must then operate the use hereby approved in accordance with the approved Servicing Management Plan for the life of the development.

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)

- 13 You must apply to us for approval of a queue management strategy demonstrating how large numbers of people will be managed when attending events or functions to ensure no queuing takes place on the public highway. You must not occupy the mixed-use working, social, exhibition, event and production space (Sui Generis) until we have approved what you have sent us. Queues must then be managed in accordance with the queue management strategy at all times that the premises is in use.

Reason:

In the interests of public safety, to avoid blocking the footway and to ensure the use will not cause nuisance for people in the area as set out Policies 7, 16, 25 and 33 and 43 of the City Plan 2019 - 2040 (April 2021).

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the City Plan 2019 - 2040 (April 2021), neighbourhood plan (where relevant), supplementary planning documents, the London Plan (March 2021), planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 This permission does not act as listed building consent. You must apply for this separately for any works that affect the special architectural or historic character of the building. It is a criminal offence to carry out work on a listed building without listed building consent. (I01AA)

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.