

Pre-Submission Publication Representation Form



Ref:

R077

(for official use only)

Name of the document (DPD) to which this representation relates:

Draft Revised Lambeth Local Plan Proposed Submission Version January 2020 (DRLLP PSV Jan 2020) and associated Proposed Changes to the Policies Map January 2020 (PCPM Jan 2020)

Please return to: localplan@lambeth.gov.uk

or by post: Planning Policy Team, London Borough of Lambeth, PO Box 734 Winchester SO23 5DG

by 11pm on 13th March 2020.

Please read the Guidance Note and Privacy Notice attached to this form before completing the representation form or submitting your comments

This form has two parts –

Part A – Personal details (please see applicable privacy notices in Section 5 of the guidance note)

Part B – Your representation(s). Please fill in a separate sheet for each part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 you wish to make a representation about.

Part A

1. Personal details*

2. Agent's details (if applicable)

* If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.

Title	<input type="text" value="Mr"/>	<input type="text" value="Ms"/>
First name	<input type="text" value="M"/>	<input type="text" value="Rebecca"/>
Last name	<input type="text" value="Nawab"/>	<input type="text" value="Rogers"/>
Job title [†]	<input type="text"/>	<input type="text" value="Associate"/>
Organisation [†]	<input type="text" value="London Hotel Group"/>	<input type="text" value="Barton Willmore"/>
Address	<input type="text" value="C/O Agent"/>	<input type="text" value="7 Soho Square"/>
	<input type="text"/>	<input type="text" value="London"/>
	<input type="text"/>	<input type="text"/>
	<input type="text"/>	<input type="text"/>
Postcode	<input type="text"/>	<input type="text" value="W1D 3QB"/>
Telephone	<input type="text"/>	<input type="text"/>
Email [†]	<input type="text"/>	<input type="text" value="rebecca.rogers@bartonwillmore.co.uk"/>

[†] where relevant

Pre-Submission Publication Representation Form

Part B – please use a separate sheet for each representation

3. To which part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 does this representation relate? *(identify specific reference if possible)*

Paragraph no. Policy no. Policies Map

4. Do you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 is:

(please tick)

4.1 Legally compliant

Yes

No

4.2 Sound[^]

Yes

No

4.3 Complies with the Duty to co-operate

Yes

No

[^] *The considerations in relation to being 'sound' are explained in the notes at the back of this form. If*

you have ticked 'No' to 4.2, please continue to Q5. Otherwise please go to Q6.

5. Do you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 is unsound because it is not:

(please tick)

5.1 Positively prepared

5.2 Justified

5.3 Effective

5.4 Consistent with national policy

(Please tick only one option. A separate form should be used if you wish to raise more than one concern.)

6. Please give details of why you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible

If you wish to support the legal compliance or soundness of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 or their compliance with the duty to co-operate, please also use this box to set out your comments and then go to Q9.

Please refer to attached report

(if required continue on the additional comments page attached)

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7. Please set out what change(s) you consider necessary to make the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 legally compliant or sound, having regard to the test you have identified in Q5 above where this relates to soundness. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination.) You will need to say why this change will make the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of this part of policy or text. Please be as precise as possible.

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8. If your representation is seeking a change to the DRLLP PSV Jan 2020 or associated PCPM Jan 2020, do you consider it necessary to participate at the oral part of the examination?

No I do not wish to participate at the oral examination

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The publication of the inspector's recommendations following the independent examination

The adoption of the Revised Lambeth Local Plan and Policies Map.

Signature

R Rogers

Date

13/03/2020

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[^] *The considerations in relation to being ‘sound’ are explained in the notes at the back of this form. If*

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13/03/2020

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Representations to the Draft Revised Lambeth Local Plan Proposed Submission Version (DRLLP PSV)

Prepared by Barton Willmore LLP on behalf of London Hotel Group

March 2020

Representations to the Draft Revised Lambeth Local Plan Proposed Submission Version (DRLLP PSV 2020)

Prepared by Barton Willmore LLP on behalf of London Hotel Group

Project Ref:	31016/A5/AD
Status:	Final
Issue/Rev:	01
Date:	12 March 2020
Prepared by:	Andrew Dowell
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Ref: 31016
Date: 12 March 2020

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**APPENDIX 1 : PREVIOUS REPRESENTATIONS SUBMITTED ON
BEHALF OF LHG IN RESPECT OF POLICY ED14
(DATED DEC 2018)**

1.0 INTRODUCTION

- 1.1 Barton Willmore LLP act on behalf of the London Hotel Group (LHG), who own and operate hotels across London. These hotels are operated in partnership with global brands, such as Ibis (AccorHotels Group) and Best Western. LHG have several property interests within the London Borough of Lambeth. On behalf of LHG, we wish to submit representations to the Pre-submission Publication of the Draft Revised Lambeth Local Plan (DRLLP PSV).
- 1.2 These representations on the DRLLP PSV follow previous representations submitted to Lambeth on the Regulation 18 stage of consultation in December 2018. These are included at Appendix 1 for reference.
- 1.3 The DRLLP PSV Regulation 19 consultation commenced in January 2020 and the LDS timetable on the Council's website indicates that the plan is expected to be adopted in Spring 2021. The intention with the partial review of the Lambeth Local Plan is that it will be in general conformity with the new draft London Plan, which is expected to be adopted in summer 2020.
- 1.4 These representations have been prepared against the test of soundness as set out in Paragraph 35 of the National Planning Policy Framework. Local Plans are considered to be sound if they are:
- Positively Prepared - providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs, and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
 - Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
 - Effective - deliverable over the plan period, and based on effective joint working on cross boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
 - Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in the NPPF.
- 1.5 These representations consider the draft policies against the test of soundness as set out above.

2.0 REPRESENTATIONS ON THE DRLLP PSV

2.1 This section considers the draft policies contained within the DRLLP PSV against the test of soundness. Each policy is considered in turn beneath the headings below.

POLICY ED14

a) Outside of the Waterloo CAZ boundary and Vauxhall Opportunity Area and CAZ boundaries visitor accommodation (C1) will be supported in major and district town centres. In these locations visitor accommodation should be of an appropriate scale for the proposed location and should not unacceptably harm the balance and mix of uses in the area, including services for the local residential community. Additional visitor accommodation outside town centres will not be permitted.

2.2 LHG still considers that the requirements of this policy are inconsistent with the NPPF (2019) and is not in conformity with the emerging draft London Plan. Policy ED14 is also considered to be inconsistent with the remainder of the draft Lambeth Local Plan. The main concerns are set out below.

2.3 LHG's concerns remain that the wording of this policy suggests that support will only be given to visitor accommodation in major and district town centres. Additionally, there is no clear justification to limit visitor accommodation to major and district centres and exclude local centres. Annex 2 of the NPPF states that references to town centres also includes local centres but not centres of a purely neighbourhood significance. There is no evidence to support a position that visitor accommodation should be directed to higher order centres only, such as major or district centres, and to ignore local centres. Therefore, it is requested that the restriction of additional visitor accommodation outside town centres is completely removed from Part a) of the policy.

2.4 Additionally, the policy fails to recognise the sequential test in decision making by stating that '*visitor accommodation outside town centres will not be permitted*'. The NPPF allows for the development of main town centre uses (including visitor accommodation such as hotels) outside of town centres if a sequential test is applied and sequentially superior suitable sites are not available (or expected to become available within a reasonable period). In this context, it is important to note

that Policy ED7d (Town Centres) sets out a sequential test for main town centre uses (which includes visitor accommodation such as hotels).

- 2.5 The highly restrictive approach set by Policy ED14 is not supported by the NPPF and would not conform with the draft London Plan. Therefore, the policy as proposed is not sound. The approach that is being taken for a town centre only approach is contested. It would be more appropriate, effective and consistent with strategic and national policy if a town centre first approach was allowed for to which LHG would have no objection.
- 2.6 The requirement for visitor accommodation to be an “appropriate scale” is vague and unclear. Scale has not been a national policy test for main town centre uses since 2009. The re-introduction of the scale test for a specific main town centre use is not justified and there is no evidence that supports this.

b) Additional visitor accommodation (C1) will be supported in Vauxhall outside of wholly residential streets or predominately residential neighbourhoods subject to the following area specific requirements:

- i) Strategically important hotels should be located in the parts of the Opportunity Area that are within the CAZ. Strategically important hotels and other forms of visitor accommodation will be supported in this location where they are part of a mixed-use development, do not result in the loss of office space or other strategic functions of the CAZ and do not intensify the provision of serviced accommodation in a way that causes unacceptable harm to local amenity or the balance of local land uses.***
- ii) In the rest of the Opportunity Area and in the parts of the CAZ that are not within the Opportunity Area, visitor accommodation of up to 100 rooms will be supported where they are part of a mixed-use development, do not result in the loss of office space or other strategic functions of the CAZ and do not intensify the provision of serviced accommodation in a way that causes unacceptable harm to local amenity or the balance of local land uses.***

- 2.7 LHG would again like to emphasise the following points below.
- 2.8 At part (ii), the caveat that a proposal should not result in the intensification of the provision of serviced accommodation is not consistent with draft London Plan Policy E10. Policy E10 states that intensification should be resisted in circumstances where the proposal '*compromises local amenity or the balance of local land uses*'. Subject to satisfying such tests, the intensification of hotel use would be acceptable and there is no justification to include such a blanket restriction. It is therefore requested that the wording to this part of the policy is updated to reflect draft London Plan Policy E10.
- 2.9 Additionally, the caveat that the proposal would not result in the loss of office space is also inconsistent with draft Policy E10, which concerns the impact on '*office space and other strategic functions*' rather than its loss. Indeed, the loss of office space would be matters to be considered separately under draft Policy ED1c of the Lambeth Local Plan and therefore having a blanket restriction is neither justified nor effective. Therefore, it is more appropriate for this part of the policy to refer to 'impact on', rather than 'loss of' office space in this context.
- c) No additional visitor accommodation (C1) will be permitted in Waterloo within the boundary of the Central Activities Zone (CAZ).***
- 2.10 LHG still considers that introducing a blanket ban on hotels in the Waterloo CAZ boundary would introduce an inappropriate barrier to the market and would constrain growth in the hotel sector. There is and will continue to be demand for hotel accommodation in areas of tourist activity and near key transport hubs. Any proposal for additional hotel accommodation should be judged on its own merits taking into account the specific policy requirements of the site.
- 2.11 The justification given for the restriction is explained within Lambeth's Topic Paper 5 (Visitor Accommodation) at paragraph 5.3. Whilst the Council states '*the contribution of visitor accommodation to the character of Waterloo given its location in the CAZ is recognised*', the primary concern for this area appears to be the concentration of hotels in the pipeline. The Council state that '*respondents to the Issues consultation suggested that the character of Waterloo, particularly Lower Marsh, is changing due to the concentration of hotels in this area and is negatively impacting on local services for residents*'. This continues to be a limited evidence

base on which to justify such a wholesale blanket ban on new hotels in this location.

- 2.12 The Council seeks to further justify the position by making reference to draft London Plan Policy E10 which states that '*intensification of the provision of serviced accommodation should be resisted where this compromises local amenity or the balance of local land uses*'. However, this draft policy does not help the Council justify its policy position. The key consideration is that draft Policy E10 would be used in the decision-making process and does not preclude hotels in the CAZ unless they compromise local amenity or the balance of land uses. It is therefore considered that a judgement on whether this requirement is satisfied can only be reached on a site by site specific basis.
- 2.13 Furthermore, when interpreting the draft London Plan Policy E10 and the balance of land uses test, paragraph 6.10.3 of the draft London Plan states '*concentrations of serviced accommodation within parts of the CAZ might constrain other important strategic activities and land uses (for example offices and other commercial, cultural and leisure uses) or erode the mixed-use character of an area should be avoided*'. It is considered that the Council's evidence falls short on justifying that the concerns expressed would constrain important strategic activities and land uses to such an extent that all new hotel room provision should be banned from the Waterloo CAZ.
- 2.14 Therefore, simply because there is a strong pipeline of expected hotels in the Waterloo area is not a strong justification to resist the provision of further hotels, particularly if they introduce choice to the market and create economic growth in accordance with other policies of the draft London Plan. It is therefore suggested that the wording currently set out in the draft London Plan is used in this instance which will allow for maintaining a mixed use character of an area.
- d) Proposals to extend existing visitor accommodation will only be supported in the locations set out above subject to the other requirements in this policy being met.***
- 2.15 For the reasons explained above, it is still considered that the locational limits set out on visitor accommodation are not sound. Accordingly, this element of the policy is redundant and not necessary.

e) In all locations set out above, proposals for visitor accommodation (C1) will be acceptable only where it can be demonstrated that the development does not compromise a site's capacity to meet the need for conventional dwellings, especially affordable family homes.

2.16 For the reasons explained above, it is still considered that the locational limits set out on visitor accommodation are not sound. Accordingly, this element of the policy is redundant and not necessary.

f) Proposals for new or extended visitor accommodation should an assessment of impact on neighbouring residential amenity, including cumulative impact taking account of existing hotels nearby. Where necessary, measures to mitigate harm to residential amenity will be secured through planning obligations.

2.17 Residential amenity is protected through Policy Q2 of the Lambeth Local Plan. We do not disagree with the requirement to assess the impact on residential amenity from a planning application for a hotel, much like the same would be expected for any other land use.

g) Proposals for new or extended visitor accommodation should include a visitor management plan that assess the impacts of additional visitor numbers on the local area, such as increased demand on local transport facilities and on public services to manage and maintain the public realm; and sets out how these impacts will be managed. Planning obligations will be sought to mitigate any identified impacts.

2.18 No further comment.

h) All new visitor accommodation should meet the highest standards of accessibility and inclusion, in accordance with the requirements set out in the London Plan policy E10. Applicants should submit an Inclusive Design Statement with their proposals.

2.19 No further comment.

i) All new visitor accommodation should make a positive contribution to townscape, should be of high quality design and be designed to meet

relevant quality standards so that it may be accredited by the Visit England's National Quality Assessment Scheme.

2.20 No further comment.

j) All new hotels will be expected to provide facilities for business visitors, including meeting rooms with workspaces. The potential for business and leisure facilities within hotels to be made available for public use in locations where there is an identified shortage of provision will be explored. Public use of hotel facilities will be secured through planning obligations.

2.21 No further comment.

k) Provision of pick-up and set-down points for taxis and coaches should be appropriate to the site and development, as demonstrated through a transport assessment, and preferably to be provided on site.

2.22 No further comment.

l) Where it is demonstrated, through at least one year's marketing evidence, that there is no longer demand for existing visitor accommodation, change of use will be supported subject to the requirements of other development plan policies.

2.23 No further comment.

2.24 LHG welcomes the removal of the part (f) of Policy ED14 (Regulation 18 version) which contained an insistence that all proposed hotel bedrooms should be designed to ensure that they benefit from natural light, on the basis that it was not evidenced and was not a positive, justified or effective approach. Furthermore, it was considered that this would artificially limit visitor accommodation, contrary to the principles of sustainable development as set out in the NPPF (2019).

2.25 Overall, it is considered that Policy ED14, as it is currently worded, would fail all four tests of soundness as set out within paragraph 35 of the NPPF as summarised below:

- Positively prepared – Policy ED14 is not positively prepared on the basis that it will unnecessarily restrict development of hotel accommodation within the Borough which is inconsistent with achieving sustainable development;
- Justified – Policy ED14 is not justified as an appropriate strategy since it is not supported by clear and proportionate evidence;
- Effective – Policy ED14 is not effective as it does not take account of strategic policies matters in respect of hotel accommodation across London; and
- Consistent – Policy ED14 is inconsistent with national policy as explained previously within this document.

POLICY ED7

2.26 Our representations are set out below in respect Policy ED7 as drafted in the DLLP PSV 2020. LHG have no specific comments to make in respect of ED7 except to those components set out below.

c) Development in town centres will be supported if:

i) it is in scale and form appropriate to the size, role and function of the centre and its catchment;

2.27 As highlighted previously, the requirement for development to be of an “appropriate scale” is vague and unclear. Scale has not been a national policy test for main town centre uses since 2009. The re-introduction of the scale test for town centre development is not justified and there is no evidence that supports this.

2.28 It is also considered that Part c) of this policy should cross refer to Policy ED14 relating to visitor accommodation (which includes hotels) which are an appropriate town centre use as defined by the NPPF.

2.29 Overall, it is considered that Policy ED7, as it is currently worded, would fail the three tests of soundness as set out within paragraph 35 of the NPPF as summarised below:

- Positively prepared – Policy ED7 is not positively prepared on the basis that it will unnecessarily restrict development of hotel accommodation within the Borough which is inconsistent with achieving sustainable development;

- Justified – Policy ED7 is not justified as an appropriate strategy since it is not supported by clear and proportionate evidence; and
- Consistent – Policy ED7 is inconsistent with national policy as explained previously within this document.

POLICY Q27

2.30 In this section we review each separate component of Policy Q27 as drafted in the DLLP PSV and our representations are set out below each policy extract.

2.31 LHG has extensive experience in preparing and progressing subterranean planning applications. LHG has achieved planning permission for subterranean development at a least 10 properties across London and as such have worked within various planning policy contexts London wide.

a) The Council will support basement and associated development (light wells, basement area excavation, access ramps etc.) where applicants can demonstrate that no unacceptable impacts will result to:

- i. Subterranean ground water flow (ground water);*
- ii. Slope stability (land stability)*
- iii. Surface flow and flooding (see also Local Plan policy EN5 and Annex 5);*
- iv. The ability of trees and soft landscaping (existing and proposed) to thrive without irrigation;*
- v. Cumulative effects of basement development in locality;*
- vi. Waste to land fill and carbon emissions; and*
- vii. Designated and non-designated heritage assets*

2.32 It is recognised that there is a growing demand for basement development across London due to high levels of development pressure and high land values which has given rise to an increasing level of below ground development.

2.33 Basement development helps meet the needs of the Borough within the context of the above, in particular it assists in:

- The provision of additional floorspace (such as leisure space and habitable space where possible), which may not have been achievable above ground;
- The provision of much needed parking;
- The provision of space for plant machinery, as opposed to locating them outdoors where they have potential to cause noise disturbance;
- The ability to provide lateral spaces, particularly within listed buildings where it is difficult to provide these due to constraints on changes to plan form.

2.34 LHG therefore welcomes Part a) of the policy which recognises that basement development is a useful form of development that will be supported subject to demonstrating that no unacceptable impacts will arise.

b) Proposed basement accommodation will generally be expected to:

- i. Have external features and details that respond appropriately to the character and materials of the host building and cause no harm to the visual amenity of the wider context;*
- ii. Include a positive pumped device (or equivalent) to mitigate against the risk of sewer flooding;*
- iii. Fully integrate plant and machinery in order to minimise visual and noise impacts;*
- iv. Incorporate sustainable urban drainage measures or any other mitigation measures where required; and*
- v. Where possible be naturally ventilated.*

2.35 No further comment.

d) Full (as opposed to semi) basement extensions beyond the ground floor footprint of a building, and any associated basement level outdoor space and steps, will be supported where the proposal:

- i. Is limited to the rear;*
- ii. Has roof treatment level with ground level which allows it to continue to provide amenity space for the host building;*
- iii. Has a floor area that does not exceed that of the ground floor footprint of the host building (as originally built); and*

iv. Generally, threatens no less than 70 per cent of the rear garden area free of basement development and its original ground level.

- 2.36 As highlighted previously, basement development can assist in some cases with meeting need for additional floorspace as part of existing building which may have other site constraints above ground level which would otherwise prevent upward extensions to existing properties.
- 2.37 Notwithstanding the details that are required through Part a) of Policy Q27 (which requires specific details in order to demonstrate that there is no unacceptable impact), the requirements set out in Part d) set further onerous restrictions to basement development.
- 2.38 It is important to note that the supporting text to Policy D10 of the emerging Draft London Plan seeks to restrict basement development '*where this type of development is likely to cause unacceptable harm*'. The supporting text goes on to recommend that local authorities should consider, inter alia, any cumulative impacts, local ground conditions, flood risk, drainage impacts, land stability, landscaping, noise and vibration. Policy D10 does not support or recommend blanket restrictions on basement development.
- 2.39 A blanket approach preventing additional basement storeys below one storey or below existing basements is therefore inconsistent with the approach recommended through the emerging Draft London Plan.
- 2.40 It is noted that the Council's evidence base to support this policy position has been guided by the Lambeth Residential Basement Study (April 2016). At the time of preparing these representations, it is noted that this document is not accessible on the Council's website and so the evidence cannot be adequately scrutinised against the wording of Policy Q27. Notwithstanding this, the Study relates to **residential basements** rather than commercial basements and it is not clear what evidence the Council have to support this blanket approach to all basement development in the Borough.
- 2.41 It is therefore considered that Part d) is not justified or effective on the basis that a basement proposal should be considered on a site by site basis in light of the local context and other relevant site constraints. The acceptability of a basement

proposal should be assessed against supporting documentation which considers the potential impacts of the proposal, i.e. the criteria listed in the supporting text to Draft London Plan Policy D10 as well as the considerations set out in Part a) of Policy Q27.

e) In front and side gardens basement lightwell/basement area excavations (on existing buildings or with new build) should:

- i. Only be provided where required to for outlook and daylight for the accommodation they serve;***
- ii. Not entail the inappropriate alteration of existing basement areas and enclosures;***
- iii. Not result in the excavation or loss of front or side garden space which would harm the integrity of the host building of the character of the locality (especially on heritage assets);***
- iv. Minimise the visual impact through good design (in many cases, especially conservation areas, this is likely to mean lightwells with pavement grilles rather than open basement areas enclosed with balustrades); and***
- v. Ensure existing parking bays are not shortened to below the minimum standard (where this occurs the Council will seek the removal of the parking bay).***

f) For major new-build schemes it may be possible to have a non-residential basement greater than one storey in height if it can be robustly demonstrated that no unacceptable impacts will result.

2.42 There will be cases within the Borough where a basement to the front and / or side of a site has the potential to include accommodation (rather than just serve to provide outlook and daylight). These cases may be relevant where a basement extension is not possible to the rear of a site. The Council have not provided any evidence to justify why it is necessary to restrict basement development to the front and side of properties.

2.43 In respect of part f), LHG are supportive of the flexibility for new build schemes to include a non-residential basement greater than one storey albeit the statement that the proposals would need to robustly demonstrate that '*no unacceptable impacts will result*' is onerous and not justified. It would be appropriate for new-

build proposals to also be assessed against the criteria currently set out in part a) of the policy so to clearly justify what would constitute an unacceptable level of impact.

g) Applicants for basement proposals will generally be required to submit a Stage 1 (Screening) Basement Impact Assessment, undertaken by a qualified professional, which captures all issues relevant to the proposal including:

- i. Subterranean ground water flow (ground water);*
- ii. Slope stability (land stability);*
- iii. Surface flow and flooding (see also Local Plan policy EN5 and Annex 5);*
- iv. Cumulative effects of basement development in the area;*
- v. Waste to land fill and carbon emissions; and*
- vi. Designated and non-designated heritage assets.*

2.44 No further comment.

h) The Council may, upon review of Stage 1 (Screening) require further, more detailed Basement Impact Assessment (Stages 2-4. Applicants will be expected to carry the cost of any independent assessment on the Council's behalf of this further work.

2.45 No further comment.

2.46 Overall, it is considered that Policy Q27, as it is currently worded, would fail all four tests of soundness as set out within paragraph 35 of the NPPF as summarised below:

- Positively prepared – Policy Q27 is not positively prepared on the basis that it will unnecessarily restrict development of hotel accommodation within the Borough which is inconsistent with achieving sustainable development;
- Justified – Policy Q27 is not justified as an appropriate strategy since it is not supported by clear and proportionate evidence;
- Effective – Policy Q27 is not effective as it does not take account of strategic policies matters in respect of hotel accommodation across London; and
- Consistent – Policy Q27 is inconsistent with national policy as explained previously within this document.

2.47 In light of the above comments and concerns raised, it is requested that LHG are able to attend the Examination in Public in respect of the DRLLP in due course.

3.0 CONCLUSIONS

- 3.1 These representations have set out detailed reasons why the Council's approach to draft Policies ED14, ED7 and Q27 are not sound taking in to account the approach set out in paragraph 35 of NPPF. it is considered that Policies ED14, ED7 and Q27 require rewording.

- 3.2 For the reasons set out within this document, it is respectfully requested that the Council reword policies ED14, ED7 and Q27.

APPENDIX 1
PREVIOUS REPRESENTATIONS - DEC 2018



Representations to the Draft Revised Lambeth Local Plan

Final Representations

on behalf of: London Hotel Group

December 2018



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Appendix

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Appendix Four – 1-11 Elm Road, Wembley

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1 Introduction

- 1.1 Q+A Planning Ltd act on behalf of the London Hotel Group (LHG), who own and operate hotels within Lambeth and have several other property interests in the Borough. On behalf of our client, we wish to object to the wording of 'Policy ED14 Hotels and other visitor accommodation' on the basis that it is not a sound approach.
- 1.2 The timetable on the Council's website indicates that the Plan will not be submitted to the Secretary of State for examination until Winter 2019, thus after 24th January 2019. Therefore, the Plan falls to be examined under the new National Planning Policy Framework (NPPF) published in July 2018.
- 1.3 In addition, given the timetable, it is expected that the Plan will need to be in general conformity with the new London Plan, which is due for examination in early 2019.
- 1.4 Overall, we consider that policy ED14, as worded, is not sound and would fail all four of the soundness tests as set out in paragraph 35 of the NPPF (2018). The outline of our position on soundness is as follows:
 - a) Positively prepared – policy ED14 is not positively prepared on the basis it limits the development of hotel accommodation in the Borough and so is consistent with achieving sustainable development;
 - b) Justified – policy ED14 is not justified as an appropriate strategy since it is not supported by proportionate evidence;
 - c) Effective – the policy is not effective since it ignores strategic policy issues in respect of hotel accommodation across London; and
 - d) Consistent with national policy – as we explain in the remainder of this document, policy ED14 is plainly inconsistent with national policy
- 1.5 In the remainder of our document, we first set out in Section 2 how the Council have misapplied the evidence on need and demand for hotel uses, and then in Section 3 provide more detailed representations on the text adopted by the Council. In Section 4, we summarise our main concerns on the policy as drafted.

2 Evidence base

2.1 The evidence for the Council's approach to policy ED14 is set out in Topic Paper 2 - Hotels and other visitor accommodation (October 2018). This document references policy ED10 of the draft London Plan (2017), as amended in August 2018. It also refers to the following documents:

- GLA Working Paper 88 – Projections of demand and supply for visitor accommodation in London to 2050 (2017)
- Lambeth Hotels and Other Visitor Accommodation in Lambeth 2018

2.2 Overall, as we explain in the remainder of this section, we are concerned that the Council have applied too much weight to their quantitative requirements for hotel accommodation, which in turn has led to an unsound approach to policy, which artificially limit hotel accommodation coming forward in the Borough, contrary to the principles of sustainable development.

2.3 As a starting point, the NPPF (2018) sets out a presumption in favour of sustainable development where it states in paragraph 11 that *'plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change'*.

2.4 Hotel accommodation is a main town centre use as defined in Annex 2 of the NPPF (2018) and falls within the broader culture and tourism sub-category. When considering need for land uses, the NPPF (2018) in paragraph 85d states that planning policies should:

'allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least ten years ahead. Meeting anticipated needs for retail, leisure, office and other main town centre uses over this period should not be compromised by limited site availability, so town centre boundaries should be kept under review where necessary'

2.5 Paragraph 120 also states that *'Planning policies and decisions need to reflect changes in the demand for land'*.

2.6 The planning practice guidance also sets out advice on tourism (and hotel development would form part of the tourism use), explaining as follows:

'Tourism is extremely diverse and covers all activities of visitors. Local planning authorities, where appropriate, should articulate a vision for tourism in the Local Plan, including identifying optimal locations for tourism. When planning for tourism, local planning authorities should:

- *consider the specific needs of the tourist industry, including particular locational or operational requirements;*

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- *engage with representatives of the tourism industry;*
- *examine the broader social, economic, and environmental impacts of tourism;*
- *analyse the opportunities for tourism to support local services, vibrancy and enhance the built environment; and*
- *have regard to non-planning guidance produced by other government departments.'*

2.7 The starting point therefore is to consider the need for visitor accommodation, specifically considering the locational and operational requirements of the tourism industry (which ought to include hotel owners and operators, such as our client).

2.8 Our primary concern over the Council's approach is that it focuses on a rather narrow calculation of demand and supply. Firstly, a demand for a use is not necessarily equivalent to need. Secondly, focusing solely on quantitative calculation means that qualitative matters, such as distribution of facilities and consumer choice are inevitably not taken into account.

2.9 Our understanding of the quantitative position on need for hotel accommodation is as follows:

- Paragraph 6.10.2 of the draft London Plan states that *'It is estimated that London will need to build an additional 58,000 bedrooms of serviced accommodation by 2041, which is an average of 2,230 bedrooms per annum'*
- The origin of the 58,000 figure is the GLA Working Paper 88 – Projections of demand and supply for visitor accommodation in London to 2050 (2017), which in Table 13 finds that between 2015 and 2041 the net additional number of rooms required in London is 58,140. Based on an expected close rate of 0.4% per annum of stock, the gross figure in the same period is 77,019.
- Table 14 of the GLA Working Paper 18 divides the need by borough and for Lambeth the net number of rooms required is 3,051 and the gross figure is 4,042 rooms between 2015 and 2041

2.10 In terms of the supply, the Council have undertaken calculations in their Topic Paper 2 - Hotels and other visitor accommodation (October 2018) and find the following:

- In March 2015 there were 4,434 serviced rooms in Lambeth, and since April 2015, 1,009 net additional serviced rooms have been completed in Lambeth.
- In March 2018, there were 5,479 serviced rooms in the borough and another 909 rooms in the development pipeline (under construction or unimplemented planning permissions).
- If all of the hotels with planning permission are built, 1,918 net additional services rooms will have been provided in Lambeth since April 2015.

2.11 This means that compared to the demand figure, there is a quantitative need for approximately 1,133 additional hotel rooms within Lambeth until 2041.

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2.12 When considering the quantitative evidence, this is just part of the picture when planning for future hotel needs. We make the following further observations on the evidence and the situation in Lambeth:

- The GLA calculations on demand are based on the share of change in net room demand and for Lambeth this is 5.2%. If this share increases, which is entirely possible given the investment at Vauxhall and Waterloo, then in turn the demand will increase. For example, Lambeth's share of the pipeline of hotel accommodation is 6.7% and if this was applied to the need then the overall requirement would increase to 3,895 – an additional 844 rooms. This shows the sensitivity of the calculations.
- The GLA calculations on demand do not reflect differences in quality within each Borough.
- The GLA calculations, nor the Council's assessment of supply do not consider the implications of the distribution of hotel facilities within the Borough. The Council state *'As of March 2018, Bishop's ward, which includes the whole of the Waterloo Opportunity Area, contains the highest number of serviced rooms in the borough, with 3518 rooms (68% of total serviced rooms in the borough).'* This suggests a strong qualitative indicator that additional hotel accommodation should be encouraged elsewhere in the borough.

2.13 The purpose of the demand evidence is to assist plan making to give a broad indication of the level of additional hotel accommodation likely to be required in each borough. It should not be used as a cap when determining planning applications or draft policies and the NPPF states that policies should be flexible.

2.14 The pipeline of hotel accommodation in Lambeth is simply a corollary of the wider investment attracted to Lambeth and in the Waterloo area, given its accessibility and strategic function. It is not a reason to limit further hotel accommodation in the area, as we explain in further in the following section.

2.15 However, most of our client's interests in the borough are outside of the Waterloo area. There is a clear opportunity for Lambeth to provide further choice of hotel accommodation elsewhere in the borough. However, as we explain in the following Section, the wording of the policy would frustrate further hotel accommodation elsewhere in the borough.

3 Detailed representations on policy ED14

3.1 In this Section, we have reviewed each component of policy ED14 and our representations are set out below. The text of the draft policy is emboldened (with deleted elements of the previous policy removed). Our comments are set out below each policy extract.

a) In accordance with London Plan policy E10, strategically-significant serviced visitor accommodation (C1) will be supported in the Vauxhall Opportunity Area, and smaller scale provision will be supported in those parts of Vauxhall outside the Opportunity Area but within the Central Activities Zone, so long as the proposal would not:

i) result in the intensification of the provision of serviced accommodation;

ii) result in the loss of office space;

iii) be located in a wholly residential street or predominantly residential neighbourhood; and

iv) result in provision of more than 1282 net additional serviced bedspaces between 2019/20 and 2034/35.

3.2 In our view, this policy does not reflect policy E10 of the emerging London Plan, and is also inconsistent with the NPPF (2018).

3.3 At (i) the caveat that the proposal would not result in the intensification of the provision of serviced accommodation is not consistent with draft policy E10 of the emerging London Plan (with minor suggested changes). The policy itself only states that intensification should be resisted in circumstances where the proposal *'compromises local amenity or the balance of local land uses.'* Subject to satisfying such tests, the intensification of hotel would be acceptable and there is no justification to include such a blanket restriction.

3.4 At (ii) the caveat that the proposal would not result in the loss of office space is also inconsistent with draft policy E10, which concerns the impact on *'office space and other strategic functions'* rather than its loss. Indeed, the loss of office space would be a matter to be considered separately under draft Policy ED1c of the Lambeth Local Plan and therefore having a blanket restriction is neither justified or effective in the circumstances.

3.5 At (iii), whilst it is appreciated the language is consistent with the current version of policy E10, we are concerned at the practical implications, in particular for smaller hotels which are more likely to be attracted to areas of the CAZ with residential characteristics and are unlikely to cause any impact on amenity. There is also the question of how an area of *'predominantly residential character'* measured or judged, particularly in areas where there are surrounding mixed uses.

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- 3.6 In respect of (iv), it appears that the figure of 1,282 hotel room cap is effectively the balance between what has been built and in the pipeline since 2015 and the overall demand figure for Lambeth (although our calculations was that this was slightly different at 1,133, albeit this might be due to dates of data). Either way, this approach would be wholly inconsistent with the NPPF (2018) and would introduce an artificial barrier to the delivery of economic growth in the borough.
- 3.7 As we have explained at Section 2, the GLA's demand figures should be treated with a degree of caution. Notwithstanding this point, (iv) is essentially introducing a needs test for hotels in the CAZ. Need has not been a national planning policy test for main town centre uses in development management decisions for almost 10 years. This was because of its recognised failing that it presented a barrier to the entry of local markets from new operators, thus restricting competition. Introducing a cap on hotel accommodation in this manner is not effective, justified nor consistent with national policy.

b) No additional visitor accommodation will be supported in Waterloo within the boundary of the Central Activities Zone.

- 3.8 In our view, introducing a blanket ban on hotels in the Waterloo CAZ boundary would introduce a wholly inappropriate barrier to the market and would constrain economic growth. Inevitably in areas of tourist activity near to transport hubs, there will be demand for hotel accommodation and any proposals for additional hotels should be judged on their own merits taking into account the specific policy requirements of the site.
- 3.9 The justification given for this ban is explained within Topic Paper 2 at paragraph 5.4. The primary concern appears to be the concentration of hotels in the pipeline in the area, and the Council state that *'Respondents to the Issues consultation suggested that the character of Waterloo, particularly on Lower Marsh, is changing due to the concentration of hotels in this area and is negatively impacting on local services for residents'*. This is a rather limited evidence base on which to justify such a wholesale ban on new hotels.
- 3.10 The Council also seek to justify their position by reference to draft Policy E10 which states that *'intensification of the provision of serviced accommodation should be resisted where this compromises local amenity or the balance of local land uses'*. However, this draft policy does not help the Council justify its policy position. The key issue is that draft policy E10 would also be used for decision making and does not preclude hotels in the CAZ unless they compromise local amenity or the balance of land uses. In our view, a judgement on whether this requirement is satisfied can only be reached on a site by site basis.
- 3.11 Furthermore, when interpreting the policy E10 and the balance of land uses test, paragraph 6.10.3 of the draft London Plan states *'Concentrations of serviced accommodation within parts of the CAZ that might constrain other important strategic activities and land uses (for example offices and other commercial, cultural and leisure uses) or erode the mixed-use character of an area should be avoided.'* In our view, the Council's evidence falls well short of justifying that the concerns expressed would

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constrain important strategic activities and land uses to such an extent that all new hotels should be banned from the Waterloo CAZ area.

- 3.12 Therefore, simply because there is a strong pipeline of hotels in the Waterloo area is not a justified reason to resist further hotels, particularly if they introduce choice to the market and create economic growth.

c) Other visitor accommodation (C1) should be located in major and district town centres where they are well connected by public transport. In these locations visitor accommodation should be of an appropriate scale, make a positive contribution to townscape and should not unacceptably harm the balance and mix of uses in the area, including services for the local residential community. Visitor accommodation outside town centres will not be supported.

- 3.13 This requirement of the policy is entirely inconsistent with the NPPF (2018), is not in conformity with the London Plan (either draft or emerging) and is also inconsistent with the remainder of the draft Lambeth Local Plan. Our concerns are set out below.

- Firstly, the text of the policy appears to suggest that support will only be given to visitor accommodation in major and district town centres where they are well connected by public transport. If the centres are not well connected by public transport (which is likely to be a subjective test in itself), the support is not forthcoming in the policy. We cannot see how that is a justified or effective approach.
- Secondly, there is no justification to limit any support to major and district centres only and exclude local centres. Annex 2 of the NPPF states that references to town centres would also include local centres but not centres of a purely neighbourhood significance. There is no evidence to support a position that visitor accommodation should be directed to higher order centres only such as major or district centres and to ignore local centres.
- Thirdly, there is a suggestion that visitor accommodation should be of an appropriate scale. Scale has not been a national policy test for main town centre uses since 2009. Re-introducing the scale test for a specific main town centre use is not justified and there is no evidence that supports such a proposition.
- Fourthly, there is a complete failure to recognise the sequential test in decision making by stating that '*Visitor accommodation outside town centres will not be supported*'. NPPF (2018) allows for the development of main town centre uses (including visitor accommodation such as hotels) outside of town centres if a sequential test is applied and sequentially superior suitable sites are not available (or expected to become available within a reasonable period). Indeed, policy ED7d of the draft Lambeth Local Plan sets out a sequential test for main town centre uses.

- 3.14 We have no concern above the Council promoting a town centre first approach in policy. However, the approach taken is for a town centre only approach where in fact those town centres need to of a major and district level in the hierarchy, be '*well connected by public transport*' with the development of an appropriate scale. Such a highly restrictive approach finds no support in the NPPF (2018) and would not conform with the London Plan. Therefore, the policy as worded is not sound.

d) All new visitor accommodation should meet the highest standards of accessibility and inclusion, in accordance with the requirements set out in the London Plan policy E10. Applicants should submit an Inclusive Design Statement with their proposals.

3.15 We have no comment on this requirement.

e) New visitor accommodation should be of high quality design so that it may be accredited by the National Quality Assessment Scheme.

3.16 We have no comment on this requirement.

f) Hotel bedrooms should be designed to ensure they all benefit from natural daylight.

3.17 The insistence that all hotel bedrooms should be designed to ensure they benefit from natural light is not evidenced and is not a positive, justified or effective approach. Furthermore, it would artificially limit visitor accommodation, contrary to the principles of sustainable development as set out in the NPPF (2018).

3.18 Our client, like many other hotel owners and operators throughout London, operate some hotel rooms that do not benefit from natural light and expect to continue to promote such accommodation in the borough and elsewhere in the London. This includes basement accommodation. We have attached at **Appendix 1** some photographs of such accommodation. There are many measures which can be incorporated into the room design of windowless and subterranean guestrooms to ensure a high quality of accommodation, including the proposed use of mechanical ventilation, and innovative artificial lighting schemes.

3.19 The evidence to support a ban on hotel rooms without natural light is non-existent. Topic Paper 2 states in paragraph 5.10 that *'New visitor accommodation is often developed on prominent sites in the borough. It is therefore particularly important for visitor accommodation to make a positive contribution to the townscape and to ensure that all hotel bedrooms benefit from natural daylight.'* There is no connection between making a contribution to townscape and ensuring hotel bedrooms have natural light. For the most part, those bedrooms without natural light will either be internal or at basement level and thus would have no impact on townscape whatsoever.

3.20 As a point of principle, without evidence to the contrary, we can see no legitimate planning reasons why a hotel rooms without light should be precluded in the manner proposed by the Council. For example, we have attached an appeal decision at **Appendix 2** and the Inspector stated at paragraph 19 stated *"Visitors to London have a wide choice of hotel accommodation. Perhaps some would choose not to sleep in an underground room. However, others may well decide that the benefits of a highly accessible location, close to numerous visitor attractions, would outweigh the absence of a window. I can see no land use planning reason why that choice should be precluded."*

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3.21 The key issue highlighted by the Inspector is that there is no good land use planning reason to prevent hotel rooms without natural light. Indeed, our client has also secured a series of permissions across London that include subterranean hotel rooms, often without natural light. The following hotels are operational:

- Valiant House, 365 High Road, Wembley in LB Brent
- Queens Hotel, 122 Church Road in LB Croydon

3.22 The planning documents for the following hotels explain demonstrate permission being granted for hotels with windowless rooms:

- 585 - 603 London Road in LB Croydon (LPA Ref: 16/05526/FUL); planning permission and committee report attached at **Appendix 3**.
- 1 – 11 Elm Road, Wembley in LB Brent (LPA Ref: 18/1592): planning permission and committee report attached at **Appendix 4**.

3.23 In addition, we note the proposed Premier Inn in Victoria (including the Hub concept) benefits from approximately 90 windowless rooms. We have attached the committee report Westminster at **Appendix 5** which states *'The concept is to provide affordable, high quality accommodation and achieve a feeling of comfort within a limited floor area. The hotel bedrooms are of a compact size with approximately half of rooms without windows.'*

3.24 There is no evidence or justification for Lambeth to adopt such a highly restrictive alternative approach and would appear out of step with other London boroughs. High demand for visitor accommodation in London, as well as the constraints to achieve this in central and urban locations, means hotel operators have identified subterranean accommodation as the most effective means to respond to high demand. Examples of open hotels include the following:

- Z Hotel, Victoria - www.thezhotels.com
- Easy Hotel, Old Street - <https://www.easyhotel.com/hotels/united-kingdom/london/101870>
- Point A Hotel, Kings Cross St Pancras - www.pointahotels.com
- Britannia International Hotel Canary Wharf - www.britanniahotels.com
- Best Western Plus Vauxhall Hotel - <http://www.vauxhallhotel.co.uk/>

3.25 Overall, the insistence that all hotel rooms benefit from natural light is an onerous requirement not supported by any objective evidence, thus is not justified or effective. Therefore, this requirement ought to be deleted.

g) Proposals to extend existing visitor accommodation will only be supported in the locations set out above subject to the other requirements of this policy being met.

3.26 For the reasons explained above, we consider the locational limits set out on visitor accommodation are not sound. Accordingly, this element of the policy is redundant and not necessary.

h) Proposals for new or extended visitor accommodation should include an assessment of impact on neighbouring residential amenity, including cumulative impact taking account of existing hotels nearby. Where necessary, measures to mitigate harm to residential amenity will be secured through planning obligations.

3.27 Residential amenity is protected through Policy Q2 of the Lambeth Local Plan. We do not disagree with the requirement to assess the impact on residential amenity from a planning application for a hotel, much like the same would be expected for any other land use.

3.28 However, any approach that insists on considering the cumulative impact of each new hotel has numerous practical challenges. It would be impossible for a planning application for one hotel to mitigate the impact of another hotel, particularly if the existing hotel was causing a much greater impact on amenity. Therefore, any consideration of the impact on residential amenity ought to be focused only on an application proposal

i) Proposals for new or extended visitor accommodation should include a visitor management plan that assesses the impact of additional visitor numbers on the local area and sets out how this impact will be managed. Planning obligations will be sought to mitigate any negative impacts, including increased demand on local transport facilities and on public services to manage and maintain the public realm. Financial contributions towards management and maintenance will be calculated in accordance with the charging approach set out in Annex 10.

3.29 We have no comment on this requirement.

j) Where it is demonstrated, through at least one year's marketing evidence, that there is no longer demand for existing visitor accommodation, change of use will be supported subject to the requirements of other development plan policies.

3.30 We have no comment on this requirement.

4 Conclusions

4.1 In these representations, we have set out detailed reasons why the Council's approach to draft Policy ED14 Hotels and other visitor accommodation on the basis that it is not a sound approach taking into account paragraph 35 of the NPPF (2018). Our concerns can be summarised as follows:

- The Council have awarded too much weight to the GLA's demand calculations, which are necessarily only estimates and should not be used as a cap
- The GLA's demand calculations also do not reflect qualitative considerations, particularly in respect of the distribution of hotel facilities throughout the borough
- The policy as worded is not sound; in particular, we believe following elements of the policy require amending:
 - The approach to the Vauxhall Opportunity Area and the CAZ and the four policy caveats applied to proposals, none of which are sound
 - The ban on new hotel accommodation in the Waterloo CAZ area, which is not supported by policy or evidence
 - The introduction of out of date policy tests for hotel uses, such as need and scale, and the omission of the sequential test, which would allow for the development of hotel accommodation outside of centres should the sequential test be satisfied
 - The ban on hotel rooms without daylight, which is not supported by evidence and would run contrary to the principles of sustainable development.

4.2 Therefore, we request the Council reword the policy.

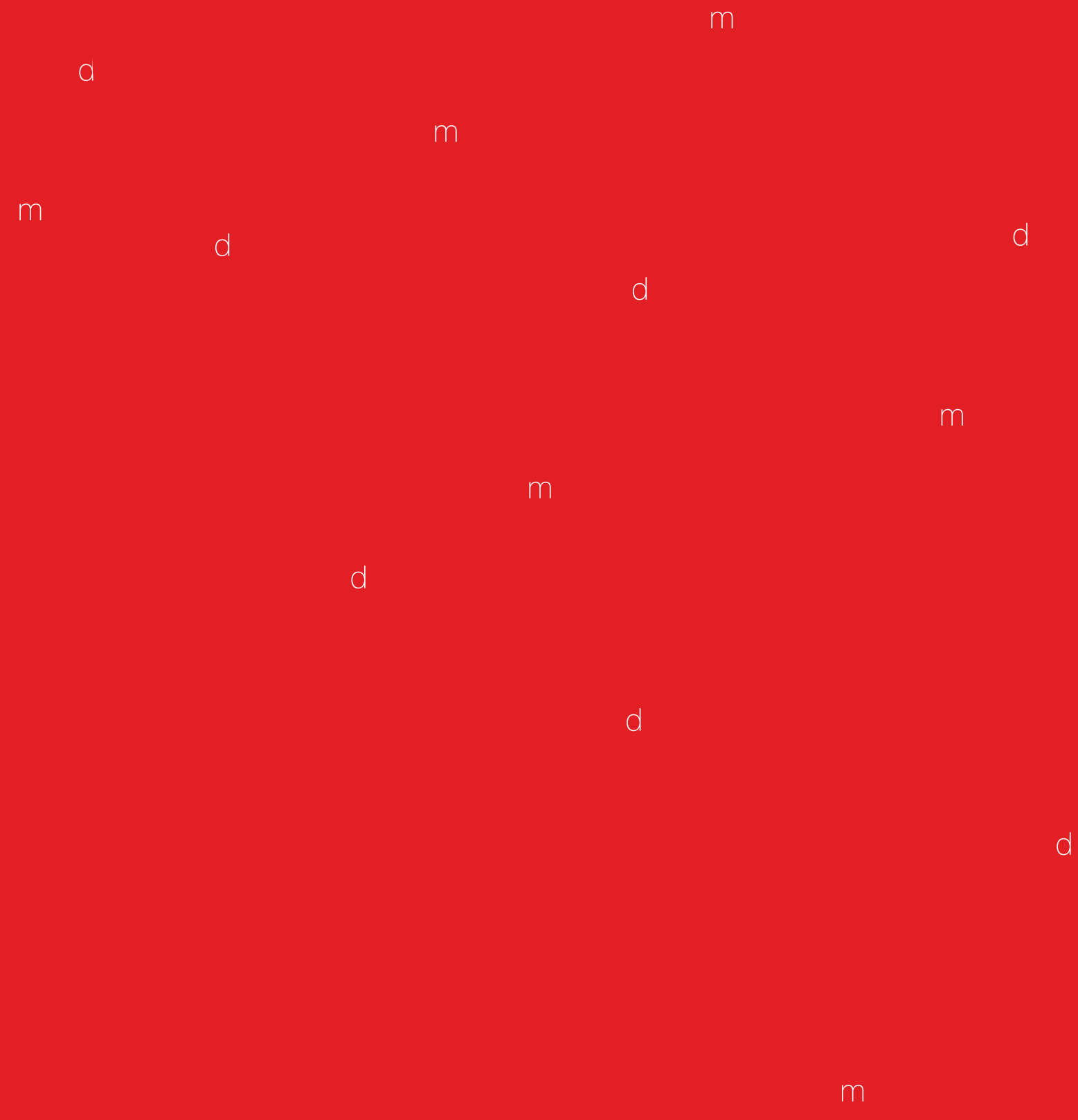
Representations to the Draft Revised Lambeth Local Plan
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Appendix One – Windowless hotel room examples

IBIS LEYTON
WINDOWLESS HOTEL
ROOM EXAMPLES
JUNE 2017



**WINDOWLESS HOTEL ROOM
PRECEDENTS**

**HUB BY PREMIER INN
SAVER ROOM**



COVENT GARDEN

**110 ST MARTIN'S LANE, COVENT GARDEN,
LONDON, WC2N 4BA**



BRICK LANE

**86 BRICK LANE, SPITALFIELDS, LONDON,
E1 6RL**

OTHER LOCATIONS

**GOUDGE STREET
TOWER BRIDGE
WESTMINSTER
ROYAL MILE (EDINBURGH)
ROSE STREET (EDINBURGH)**

**WINDOWLESS HOTEL ROOM
PRECEDENTS**

BLOC HOTEL

SLEEP ROOM

BIRMINGHAM

**77 CAROLINE STREET, BIRMINGHAM B3
1UG**



GATWICK

**GATWICK AIRPORT (LGW), SOUTH
TERMINAL, PERIMETER RD E, HORLEY,
GATWICK RH6 ONP**

**WINDOWLESS HOTEL ROOM
PRECEDENTS**

Z HOTEL

Z DOUBLE ROOM

SOHO

17 MOOR STREET, LONDON W1D 5AP



VICTORIA

**5 LOWER BELGRAVE STREET, LONDON
SW1W 0NR**

OTHER LOCATIONS

**PICCADILLY
SHOREDITCH
CITY
GLOUCESTER PLACE
LIVERPOOL (CITY)
GLASGOW**

dexter
moren
associates

architecture urban design
interior design creative media

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Appendix Two – Appeal decision

Appeal Decision

Hearing held on 4 October 2016

Site visit made on 4 October 2016

by David Prentis BA BPI MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 4 November 2016

Appeal Ref: APP/X5210/W/16/3147078

Quick Parking Car Park, 112A Great Russell Street, London WC1B 3NP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Central London Investments Limited against the decision of the Council of the London Borough of Camden.
 - The application Ref 2015/3605/P, dated 1 October 2015, was refused by notice dated 4 February 2016.
 - The development proposed is change of use of part ground floor and basement levels -4 and -5 from car park (sui generis) to 166 bedroom hotel (Class C1), including alterations to openings, walls and fascia on ground floor elevations on Great Russell Street and Adeline Place.
-

Decision

1. The appeal is allowed and planning permission is granted for change of use of part ground floor and basement levels -4 and -5 from car park (sui generis) to 166 bedroom hotel (Class C1), including alterations to openings, walls and fascia on ground floor elevations on Great Russell Street and Adeline Place at Quick Parking Car Park, 112A Great Russell Street, London WC1B 3NP in accordance with the terms of the application, Ref 2015/3605/P, dated 1 October 2015, subject to the conditions set out in the attached schedule.

Main issues

2. The main issues are:
 - whether the proposal would provide acceptable environmental conditions for future occupiers
 - the effect of the proposal on the living conditions of local residents and the amenity of users of the public realm

Preliminary matters

3. The appeal was initially submitted under the name of Criterion Capital, managing agent for Central London Investments Limited. Central London Investments Limited, the original applicant for planning permission, has since provided written confirmation that it is content for the appeal to proceed under its name. I have determined the appeal on that basis.
-

4. A unilateral undertaking (UU) under s106 of the Town and Country Planning Act was submitted at the hearing. This had not been signed due to the need for changes to the document shortly before the hearing. However, the document discussed at the hearing was complete in all respects other than the signatures. I therefore allowed a period following the hearing for a signed version to be submitted. The statement of common ground confirms that the Council is satisfied that the UU addresses all those matters referred to in its reasons for refusal numbered 3 – 12.
5. The Bloomsbury Association expressed concern that there are other occupiers of the building who are not party to the UU but who might be affected by it. The appeal relates to part of the ground floor and to basement levels -4 and -5 of a large multi-level building which has other occupiers, including the St Giles Hotel and the YMCA. It may be that there are some areas within the application red line boundary which are in the control of other parties. However, the Council's legal department is satisfied that the appellant has sufficient control over the parts of the building which are relevant to the development for the obligations to be effective. I share that view. Moreover, the UU does not introduce matters which have not previously been in the public domain. The heads of terms were set out in the committee report and the justification for the various obligations is given in the Council's appeal statement. The final UU is very similar to the draft submitted with the appeal. Consequently, I am satisfied that no party has been prejudiced by the process leading up to the completion of the UU.
6. The UU contains provisions relating to an employment and training plan, local employment and local procurement, a construction management plan, a highways contribution, a pedestrian/cycling and environmental improvements contribution, a sustainability plan, a hotel management plan, a public open space contribution, a travel plan, a Crossrail contribution, an energy efficiency and renewable energy plan, a cycle hire docking station, a servicing management plan and car-free development.
7. The Council provided a statement of compliance with the Community Infrastructure Levy (CIL) Regulations. This showed how the various obligations relate to provisions of the development plan and the Council's *CPG8 - Planning obligations*. Further detail was provided in answer to my questions. The Bloomsbury Association expressed concern that the UU leaves too much to be settled at a later date. I appreciate that a number of matters would require subsequent approval by the Council. However, the scope of the various plans required by the UU is set out within the definitions section of the UU. Although numerous, these are not novel or unusual provisions. I consider that the UU accords with the CIL Regulations and I have taken it into account in my decision. I comment further on some of the individual provisions below.

Reasons

Background and policy context

8. The appeal relates to parts of a large complex which occupies the street block bounded by Tottenham Court Road, Great Russell Street, Adeline Place and Bedford Avenue. Other occupiers of the complex include the St Giles Hotel, which is entered from Bedford Street, the YMCA, entered from Great Russell Street, the VQ restaurant, which is also on Great Russell Street, and the St Giles casino which is entered from Tottenham Court Road. There is residential

- accommodation nearby, including Bedford Court Mansions on the opposite sides of Adeline Place and Bedford Avenue respectively. There are two other hotels close by (the Cheshire and the Bloomsbury) on opposite sides of Great Russell Street.
9. The site is a little to the north of St Giles Circus, the intersection of Tottenham Court Road and Oxford Street. Tottenham Court Road underground station is currently being extended to accommodate Crossrail. The area is thus very well served by public transport and has the highest possible public transport accessibility level (PTAL) rating. It is close to many of central London's retail, entertainment and cultural attractions.
 10. The development plan includes the London Plan (LP), the Camden Core Strategy (CCS), the Camden Development Policies (CDP) and the Fitzrovia Area Action Plan (FAAP). LP Policy 4.5 identifies a need for 40,000 additional hotel rooms by 2031, with 2,500 additional rooms in Camden by 2026. The site is within the Central Activities Zone (CAZ) which, the CCS notes, comprises the core of the capital with a unique cluster of activities contributing to London's role as a world city. Policy CS9 seeks to support the Central London area of Camden as a successful and vibrant part of the capital and as a focus for growth in homes, offices, hotels and other uses. The policy also seeks to support residential communities in Central London by protecting amenity and supporting community facilities.
 11. Policy CS1 of the CSS seeks to focus growth in the most sustainable locations. The policy promotes a number of growth areas, including Tottenham Court Road. The officer's report describes the appeal site as being on the edge of this growth area. The policy also seeks to make efficient use of land and buildings, expecting high density development in Central London and locations well served by public transport. CDP Policy DP14 supports tourism development, expecting that large scale development will be located in the growth areas. This is subject to requirements that proposals for visitor accommodation should provide any necessary off-highway pickup and set down points for taxis and coaches and should not harm the balance of uses in the area, local character or residential amenity.

Environmental conditions for future occupiers

12. The main concerns of the Council and the Bloomsbury Association related to air quality (AQ). The whole of the Borough has been declared an Air Quality Management Zone. Being underground, the proposed hotel would be wholly reliant on mechanical ventilation. Such systems typically include an air intake located at high level, where air quality is likely to be better. In this case that option is not open to the appellant and the proposal is for the intake to be located at street level facing Adeline Place.
13. The application was supported by an AQ assessment, which set out the relevant AQ objectives for nitrogen dioxide (NO₂) and particulates. There was no dispute that the objective for particulates is unlikely to be exceeded so it is NO₂ which is the point at issue here. There are objectives for the annual average concentration of NO₂ and the one-hour average. The former is not directly applicable to hotels, unless used as a permanent residence. The relevant objective for hotels is a one-hour figure of 200 mg/m³, which is not to be exceeded more than 18 times per year.

14. Data from the nearest available monitoring stations shows that there has not been more than 18 incidences of NO₂ levels above the target (in one year) since 2010. However, as the annual average at Adeline Place is likely to be above the objective, the AQ assessment concluded that there is the potential for the one-hour objective to be exceeded in the vicinity of the proposed air intake. The recommended mitigation is that the intake be fitted with an NO₂ scrubber. Details of a system which could be used were included in the AQ assessment. These show that the interior of the hotel would meet the relevant AQ objective. A planning condition has been suggested which would require submission and approval of further details together with arrangements for maintenance.
15. The Council objected to the location of the intake at street level because this is where AQ is likely to be poorest. The appellant readily accepted that, given the choice, the intake would be better located at a higher level. However, as noted above, that option is not available. That said, street-level conditions are already reflected in the baseline on which the AQ assessment's recommendations are founded. The Council did not dispute the findings of the AQ assessment. Rather, it questioned whether the proposed scrubber would be effective in the event of very high levels of NO₂ being present, perhaps for short periods. Concerns were also raised about the possibility of system failure and the need to evacuate the hotel. The Bloomsbury Association was concerned that the system has not yet been proved to be effective because it has not been designed in detail.
16. Information has been provided regarding the efficiency of the system across a range of NO₂ concentrations. The suggested condition would enable the Council to seek further information should that be thought necessary. At the hearing the appellant's AQ consultant explained that the system has no mechanical parts so the risk of failure is low. Moreover, in the event of a failure it is most unlikely that the hotel would be evacuated because the AQ within the hotel would still be better than that outside at street level.
17. It is right to point out that the detailed design of the system has yet to take place. That in itself is not unusual in the context of planning decisions. The question for any decision maker is whether or not the potential impact and the potential means of mitigation have been sufficiently investigated and understood for further details to be made the subject of a condition. On that basis, I consider that it would be appropriate to impose the suggested condition, thereby satisfactorily mitigating the effect of the AQ in Adeline Place on occupiers of the proposed hotel.
18. Typical room layouts have been provided. Whilst the rooms would be compact, I see no reason to think that they would be unsuitable for short term use by visitors. Although the Council's first reason for refusal refers to the layout and design of the development, this was not a point supported by further evidence or analysis at the hearing.
19. Some of those who made written and/or oral representations were of the opinion that underground hotel rooms without windows are in principle an unsuitable way of accommodating visitors. Whilst that is a legitimate point of view, it does not find support in planning policy or guidance. Visitors to London have a wide choice of hotel accommodation. Perhaps some would choose not to sleep in an underground room. However, others may well decide that the

benefits of a highly accessible location, close to numerous visitor attractions, would outweigh the absence of a window. I can see no land use planning reason why that choice should be precluded.

20. To conclude, I consider that the proposal would provide adequate environmental conditions for future occupiers. I find no conflict with CCS Policy CS5, which seeks to protect the amenity of the occupiers of new development, or with Policy CS16 which seeks to improve health and well-being and to recognise the impact of poor air quality on health. Nor do I find conflict with CDP Policy DP26, which seeks to protect the quality of life of occupiers, or Policy DP32 which requires mitigation measures where developments are located in areas of poor air quality.

The living conditions of local residents and the amenity of users of the public realm

21. The scheme has the potential to generate noise from fixed plant including air handling equipment, air source heat pumps and an emergency generator. The entrance to the service ramp and the air intake and exhaust would be located on the Adeline Place elevation, directly opposite Bedford Court Mansions. The appellant's noise assessment found that the night-time noise from plant at Bedford Court Mansions would be 10 dB(A) below the background noise level. That would be in accordance with the noise and vibration threshold referred to in CPD Policy DP28.
22. In this case the Council promoted a criterion of 15 dB(A) below the background noise level. This significantly stricter criterion reflects an emerging policy position which is intended to guard against creeping increases in background noise levels. Following further discussions the appellant confirmed that it would be able to comply with the 15 dB(A) criterion. A condition to that effect was included in the Council's schedule of suggested conditions.
23. The Bloomsbury Association was concerned that there was a lack of detail in the proposals for fixed plant. For example, it was pointed out that the plans showing ductwork were preliminary and it was not clear how the effectiveness of any attenuation measures would be affected by the need to maintain access to the service ramp. As noted above, in relation to AQ, it is not unusual for planning conditions to be imposed in situations where mitigation measures have yet to be designed in detail. In this case, I am satisfied on the evidence before the hearing that this is a matter which can appropriately be controlled by a condition.
24. I am mindful of the potential for multiple sources of plant noise in this location and the close proximity of residential properties. I agree with the Council that, in the particular circumstances of this case, it would be appropriate to stipulate the criterion of 15 dB(A) below the background, notwithstanding that this is a stricter criterion than that set out in the development plan.
25. The proposal would also have the potential to cause noise and disturbance from the comings and goings of hotel guests and from service traffic. In assessing these impacts it is necessary to bear in mind that the appeal site is currently in use as a car park with entry and exit ramps on Adeline Place. Vehicular traffic associated with that use would be removed by the appeal scheme.
26. The appellant's traffic assessment (TA) considered the potential for trip generation and modal split by reference to a comparable hotel in Lambeth. On

that basis, it found that the proposed hotel would generate around 100 trips in the busiest hour (1800 – 1900). Of these, 90% would be on foot or via public transport. The assessment methodology appears to me to be reasonable and I accept these conclusions. Pedestrian movement would be focussed on Great Russell Street where the entrance to the hotel would be located. In the context of this busy central London location I consider that the additional footfall associated with the hotel is unlikely to be discernable.

27. The TA indicates that there would be 7 taxi trips in the busiest hour. There would be no off-street pickup/set down point. However, bearing in mind the location of the hotel entrance and the bus stands in Great Russell Street, it seems likely that taxis would stop in the section of the street closest to Tottenham Court Road where there are double yellow lines. Given the amount of taxi traffic anticipated, it seems unlikely that this would be problematic. I do not think that an off-street facility is strictly 'necessary' in the terms of Policy DP14.
28. At the hearing local residents and Councillors described the particular problems associated with the impact of coaches on the locality. This appears to be related in part to coaches bringing people to hotels but also to coaches bringing visitors to other destinations in the wider area. The appellant stated that the style of hotel envisaged would not be aimed at large groups. Consequently it would be unlikely to add to coach traffic. A condition was suggested which would limit the size of groups which could be booked in to the hotel to somewhere in the range 8 to 14¹, thereby making it unlikely that the hotel would be attractive to coach parties.
29. I note that this is a matter which could be considered within the ambit of a hotel management plan, submitted under the terms of the UU. However, I am also mindful of the fact that the hotel operator is not yet known. The suggested condition would clarify the position for the benefit of potential hotel operators and residents alike. In my view such a condition would be necessary in this case, to manage the potential impact from additional coach traffic.
30. The existing complex has an off-street loading bay but this is used by the St Giles Hotel. The proposed hotel would be reliant on on-street servicing. Clearly this is not an ideal situation, particularly in a busy location such as this where kerbside space is at a premium. Nevertheless, in assessing the degree of harm, there are a number of factors to take into account. First, the proposed hotel would not have any restaurants, bars or function suites. This would reduce the amount of service traffic required. The TA indicates that there would typically be one delivery van per day with a maximum of 3 vehicles on any day. Such vehicles would be able to stop on the double yellow lines in front of the service entrance for a short period whilst loading/unloading.
31. Second, the scheme would increase the length of kerbside available due to the removal of the vehicle crossovers to the two car park ramps. This would be a significant increase in the context of the short section of Adeline Place between Great Russell Street and Bedford Avenue. Third, the hours of servicing could be limited by a condition to avoid disturbance to residents at unsocial hours. Further measures, for example measures to avoid a number of delivery

¹ The appellant's position was that this matter could be addressed through the hotel management plan to be submitted pursuant to the UU. However, the appellant considered that, if found to be necessary, such a condition would be in accordance with the requirements of the National Planning Policy Framework.

- vehicles arriving at the same time, could be agreed through the servicing management plan to be submitted pursuant to the UU. Having regard to all of the above factors, and mindful of the existing use of the car park, I do not consider that the proposed servicing arrangements would result in significant harm to the amenity of the area or the living conditions of nearby residents.
32. The Bloomsbury Association and local residents raised concerns about the potential for disturbance from groups of hotel guests congregating on the pavements near the hotel and for anti-social behaviour. It is fair to point out that the scheme would do little to animate the frontage to Adeline Place at street level. However, this area is currently an unattractive under-croft dominated by the car park ramps. Enclosing the void spaces would be a modest improvement. The officer's report notes that the local policing team had no objection, commenting that any increase in footfall would tend to deter drug users from the area and that existing car parks tend to attract car crime. The hotel management plan, agreed under the UU, would cover matters such as staffing and security.
33. It is possible that a proportion of hotel staff and/or guests would use the public realm near the hotel for smoking. However, there is no reason to think that staff or guests of the proposed hotel would be any more likely to engage in antisocial behaviour than the users of other establishments in the locality. The Bloomsbury Association emphasised the cumulative effect of the proposal in combination with the many hotel bedrooms already present in the immediate vicinity of the site. Whilst I take account of that concern, it is also pertinent to note that the site is in a part of the CAZ which has a vibrant mix of land uses. On the evidence before the hearing, I do not think that the proposal would harm the balance and mix of uses in the area.
34. My overall assessment is that the proposal would not result in material harm to the living conditions of local residents or the amenity of users of the public realm. It would not conflict with CCS Policy CS5, with CDP Policies DP12, DP14 and DP26 or with FAAP Policy 9. Together these policies seek to manage the impact of development in Camden and to protect local character and residential amenity.

Other matters

35. The site is not within a conservation area but it adjoins the Bloomsbury Conservation Area to the north, east and south. The existing complex is an imposing 20th century structure in the Brutalist style. The strong horizontal elements of the first floor podium are a prominent feature in close-up views. The current street level elevation to Adeline Place has a utilitarian character and is visually dominated by the car park entrances. The enclosure of the voids beneath the podium would be an enhancement. Whilst the new elevation to Adeline Place would be visible in the view from Bedford Square, it would be a minor element in the view and would not materially change the way that the building as a whole is experienced in the townscape.
36. The character of a conservation area can also be affected by changes in land use, activities and patterns of movement. However, in this case I do not think there would be a significant change in the overall character of the area for the reasons given above. The character of the conservation area would therefore be preserved.

37. St Giles Casino raised a concern regarding the loss of the car park which, it was suggested, would have a harmful effect on the business. No doubt the existing car park is a convenient facility for some customers of the casino. However, the reduction of off-street parking is consistent with the general thrust of planning policy which is to encourage the use of sustainable modes of transport in this busy central area. The officer's report states that the average occupancy of the car park is 57% and that there are alternative facilities nearby. Given the highly accessible nature of the location there is no reason to think that the loss of the car park would result in a significant impact on local businesses.
38. At the hearing it was stated that a strip of land within the application site boundary, along the Adeline Place frontage, is not in the control of the appellant company. That is not a matter for me to determine. The grant of planning permission does not alter any interests in property which may exist. Any such matters would be for the parties concerned to resolve.
39. Turning to the overall sustainability of the proposal, the fact that the hotel would be permanently reliant on mechanical ventilation must be regarded as a disadvantage. On the other hand, the proposal would make effective use of an underused building in a highly accessible location. It would also support the economy of Camden and London by contributing to the stock of hotel accommodation. The various obligations in the UU would ensure that the scheme would contribute to the economic, social and environmental dimensions of sustainable development. Looked at in the round, I consider that the proposal would represent sustainable development.

Conclusions

40. In conclusion, the proposal would make effective use of an under-used part of an existing building. It would provide additional visitor accommodation in a highly accessible location, consistent with the objectives of the LP and CSS. The impact of air quality on future occupiers of the hotel, potential impacts on the living conditions of local residents and the effect on the amenity of users of the public realm can be managed adequately through planning conditions and the terms of the UU. The absence of off-street servicing is a disadvantage of the scheme. However, taking account of the removal of the existing car park and the closure of the related vehicle crossovers, I do not think that the proposed servicing arrangements would result in significant harm.
41. My overall assessment is that the proposal would accord with the development plan as a whole. I have not identified any considerations which indicate that the appeal should be determined other than in accordance with the development plan. The appeal should therefore be allowed.

Conditions

42. The Council has suggested conditions which I have considered in the light of Planning Practice Guidance. Condition 2 requires development to be in accordance with the plans, to reflect that guidance. Condition 3 requires details of an NO₂ scrubbing system in the interests of ensuring that environmental conditions within the development are suitable for future occupiers. Condition 4 controls hours of deliveries, condition 7 requires submission of a piling method statement and condition 9 sets limits for noise from plant and equipment, all in the interests of protecting the living conditions of nearby residents.

43. Condition 5 requires further information regarding various building details in the interests of the character and appearance of the area and the living conditions of nearby residents. Condition 6 requires the provision of cycle storage and condition 8 requires the provision of storage space for refuse and recycling in the interests of sustainable development. Condition 10 requires submission of a drainage strategy to manage risks of pollution. Conditions 6 and 10 require the approval of details before the commencement of development because these details could affect the design of the scheme.
44. Condition 11 requires the premises to be used as a single planning unit to avoid future subdivision which could have adverse effects on the locality in terms of traffic generation, servicing requirements and environmental conditions. Condition 12 requires details of any electrical plant in the basement to avoid the risk of harm to the underground railway system. Condition 13 restricts the size of group bookings in order to limit the impact of coach traffic in the locality.

David Prentis

Inspector

APPEARANCES

FOR THE APPELLANT:

Russell Harris	Queen's Counsel
Dr Claire Holman	Brook Cottage Consultants
Ian Cowley	Hoare Lea
Nick Hawkins	Hawkins Environmental
Julian Carter	Savills

FOR THE LOCAL PLANNING AUTHORITY:

Michael Cassidy	Planning Officer
Joanne Stowell	Environmental Health Officer
William Bartlett	Solicitor
Adam Webber	Air Quality Officer
Ana Lopez	Sustainability Officer
Steve Cardno	Transport Officer

INTERESTED PERSONS:

Roger Wilson	Bloomsbury Association
Jim Murray	Chairman, Bloomsbury Association
Stephen Heath	Bloomsbury Association
Mohsen Zikri	Former Director, Arup
Mohammad Tabarra	Associate Director, Arup
Jason Swan	Partner, Sandy Brown Associates
Andrew Dismore	Member of the Greater London Assembly
Cllr Sue Vincent	Member of Camden Council
Cllr Roberts	Member of Westminster Council
Charlotte Grant	Associate, MDA Planning
Stephen Gould	Bedford Estates
Stephen Johnson	St Giles Hotel
David Judd	Director, Bedford Court Mansions Ltd
Roger Myddelton	Director, Bedford Court Mansions Ltd
Chris Gardiner	Resident of Bedford Court Mansions
Peter Dayan	Resident of Bedford Court Mansions
Salwa Heath	Resident of Bedford Court Mansions
Alun Wood	YMCA

DOCUMENTS

- 1 Formalities bundle
- 2 Draft Unilateral Undertaking
- 3 Statement of common ground
- 4 Bundle of agreed plans
- 5 Appearances for the appellant
- 6 Appearances for the Bloomsbury Association
- 7 Draft Unilateral Undertaking (final)
- 8 Unilateral Undertaking dated 13 October 2016

Schedule of conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
2897/L/01, 2897/P/01B, 2897/P/02B, 2897/P/03B, 2897/P/04B, 2897/P/05B, 2897/P/06A, 2897/P/07, 2897/P/08A, 2897/P/11F, 2897/P/12C, 2897/P/13C, 2897/P/14D, 2897/P/15G, 2897/P/16G, 2897/P/17D, 2897/P/18C, 2897/P/19B, 2897/P/31, 2897/P/32, DMWR/A3/3233/PL-00300revP1,
- 3) Prior to first occupation of the development, an Air Quality Report shall be submitted to and approved in writing by the local planning authority. The report shall provide evidence that an appropriate NO₂ scrubbing system on the mechanical ventilation intake has been installed. The system shall be generally in accordance with the recommendations of the submitted Air Quality Assessment by Hoare Lea dated 22 May 2015. The report shall include a detailed maintenance plan for the system. The scrubbing system shall thereafter be operated and maintained in accordance with the approved report for the lifetime of the development.
- 4) Deliveries and collections (including waste collections) shall be taken at or despatched from the site only between 0900hrs and 2100hrs on any day.
- 5) Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:
 - a) manufacturer's specification and details of all facing materials including colour and samples of those materials.
 - b) plan, elevation and section drawings, including fascia, cornice, pilasters and glazing panels of the new hotel entrance at a scale of 1:10
 - c) details including sections at 1:10 of all windows (including jambs, head and cill details), ventilation grills and external doors
 - d) details of service ductsThe relevant parts of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.
- 6) Before the development commences, details for the provision of a minimum of 8 covered, secure and fully enclosed cycle storage/parking spaces for staff and 24 cycle parking spaces for visitors shall be submitted to and approved in writing by the local planning authority. The cycle parking facilities should be designed to Camden Council's design specifications as detailed in CPG7. The cycle parking facilities shall be provided as approved prior to the occupation of the development and shall thereafter be permanently retained as such.
- 7) No impact piling shall take place until a piling method statement has been submitted to and approved in writing by the local planning

- authority. The method statement should be prepared in consultation with Thames Water or the relevant statutory undertaker, detailing the depth and type of piling to be undertaken, the methodology by which such piling would be carried out, measures to minimise the potential for damage to subsurface water infrastructure and the programme for the works. Any piling must be undertaken in accordance with the approved piling method statement.
- 8) Prior to occupation of the development the refuse and recycling storage facilities intended for its occupiers shall be provided as shown on the drawings hereby approved. Thereafter the refuse and recycling storage facilities shall be permanently retained as such.
 - 9) Prior to the commencement of the authorised use, a written acoustic report detailing measures to control noise from fixed plant and equipment shall be submitted to and approved in writing by the local planning authority. The noise level from any plant and equipment, together with any associated ducting or vents, shall be 15 dB(A) or more below the lowest relevant measured LA90 (15min) at the nearest noise sensitive premises. The method of assessment is to be in accordance with BS4142:2014. The plant and equipment shall be installed and constructed in accordance with the approved scheme and shall be permanently maintained as such thereafter. Prior to the plant being used a validation test shall be carried out following completion of the development. The use hereby permitted shall not commence until a report of the validation test has been submitted to and approved in writing by the local planning authority.
 - 10) Development shall not commence until a drainage strategy has been and submitted to and approved in writing by the local planning authority. The strategy should be prepared in consultation with the sewerage undertaker and should demonstrate that the existing and proposed foul and surface water connection points and peak flow rates will have an acceptable impact on the public sewer system. The drainage strategy shall be implemented as approved before the first occupation of the development hereby permitted.
 - 11) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order, 1987, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, the premises shall not be used other than as a hotel within a single planning unit.
 - 12) Prior to the installation of any electrical plant or equipment in basement levels -4 or -5, details of the installation shall be submitted to and approved in writing by the local planning authority. The details should be prepared in consultation with Transport for London to ensure that the plant or equipment does not harm the operation of the transport system. Any plant equipment installed shall thereafter be operated and maintained in accordance with the approved details.
 - 13) The hotel hereby permitted shall not accept group bookings for parties of more than 8 people.



Appendix Three – 585-603, London Road

Development Management
Place Department
6th Floor, Bernard Weatherill House
8 Mint Walk
Croydon CR0 1EA

Mr Richard Quelch
Bilfinger GVA
65 Gresham Street
London
EC2V 7NQ

Please ask for/reply to: Matt Duigan
Tel/Typetalk: 0207 726 6000 Ext 88345
Minicom: 020 8760 5797
Email: development.management@croydon.gov.uk

Your ref:
Our ref: P/PC/North Area Team/DCMJD

Date: 20th December 2017

**Town and Country Planning Act 1990. Town and Country Planning
(Development Management Procedure) (England) Order 2015**

Application Number: 16/06526/FUL **Applicant:** Gilroy Court (Guernsey) Limited

Grant of planning permission

The Council of the London Borough of Croydon, as the Local Planning Authority, hereby grant planning permission for the following development, in accordance with the terms of the above mentioned application (which shall include the drawings and other documents submitted therewith) :-

Demolition of existing structures and buildings at 585-603 London Road, erection of 3 four/ five storey buildings with basements comprising 593 hotel (C1) and aparthotel rooms (C1) and ancillary services the formation of new vehicular accesses onto London Road and Dunheved Road North, new public realm, car, coach and cycle parking, landscaping and refuse and recycling facilities.

at:

585 - 603 London Road, Thornton Heath, CR7 6AY

Subject to the following condition(s) and reason(s) for condition(s) :-

- 1 Prior to above ground works taking place on each Phase, full details of the following for each Phase shall be submitted to and approved by the Local Planning Authority:
 - i) External facing materials including sample boards of all facing materials and finishes;
 - ii) Full scale (1:1) mock ups of:
 - * A typical panel of ceramic tiles
 - * A typical panel of principal elevation treatment including brickwork
 - * A typical panel of aluminium
 - * A typical black painted balustrade
 - iii) Sectional drawings at 1:5 (unless otherwise noted below) through all typical external elements/details of the facades including all openings in external walls

- including doors, the vehicular access and all window-type reveals, heads and cills;
- iv) full details of window design, including all materials, return depth, position of any proposed mullions and transoms and methods of opening
 - v) Details of junctions between external facing materials at 1:5;
 - vi) Typical details of all balconies;
 - vii) Roof details in plan and section showing the detail of and relationship between plant, extracts and parapets ;
 - viii) Plans of ground-floor residential entrance lobbies at 1:20, elevations of residential entrance doors at 1:10 and details of entrance-door thresholds;
 - ix) Details of mechanical ventilation systems (where they appear on any of the development's elevations)
 - x) Details of rainwater goods

Each phase of the development shall be undertaken in accordance with the approved details prior to the first occupation of the relevant phase.

Reason: To ensure that the appearance of the development is acceptable and to minimise the harm to the character of the surrounding area in accordance with London Plan Policies 7.4 and 7.6, Croydon Local Plan: Strategic Policies (2013) SP4.1 and Croydon Replacement Unitary Development Plan (2006) policies UD2 and UD3.

- 2 Notwithstanding anything contained in Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any amendment or replacement thereof), prior to the commencement of any demolition, building or engineering operations, a Construction Method Statement and a Construction Logistics Plan (which shall include a site waste management plan) shall be submitted to the Local Planning Authority for approval in consultation with Transport for London. The documents shall include the following information for all phases of the development, which shall only be implemented as approved:-
- 1) hours of construction deliveries,
 - 2) parking of vehicles associated with deliveries, site personnel, operatives and visitors,
 - 3) facilities for the loading and unloading of plant and materials,
 - 4) details of the precautions to guard against the deposit of mud and substances on the public highway, to include washing facilities by which vehicles will have their wheels, chassis and bodywork effectively cleaned and washed free of mud and similar substances prior to entering the highway.
 - 5) details outlining the proposed range of dust control methods and noise mitigation measures during the course of construction of the development, having regard to Croydon Councils 'Code of Practice on Control of Pollution and Noise from Construction sites', BS 5228, Section 61 consent under the Control of Pollution Act 1974, and the 'London Best Practice Guidance to Control Dust and Emissions from Construction and Demolition'.

Reason: To ensure that construction activities do not create unacceptable pollution or have an adverse impact on the Highway network, and to encourage the use of sustainable transport in accordance with Croydon Unitary Development Plan (The Croydon Plan) Saved Policies 2013 Policy EP1, The Croydon Local Plan: Strategic Policies (2013) policy SP8.4 and London Plan (Consolidated with alterations since (2011) Policy 6.3.

- 3 Prior to the installation of any external lighting, a scheme for the night time illumination of the exterior of the buildings, including details of fixtures, fittings and operation, shall be submitted to and approved by the Local Planning Authority in writing. Any night time illumination shall only be installed and completed in accordance with the details approved pursuant to this condition prior to first occupation, of the relevant phase of development and the night time illumination shall thereafter be retained in accordance with the details approved pursuant to this condition for the life of the development.

Reason: To ensure an acceptable standard of development and to enhance the appearance of the building in accordance with policy 7.6 of the London Plan (consolidated with amendments since 2011).

- 4 The development shall be constructed to achieve a reduction in carbon dioxide emissions of 35% over the Target Emission Rate (as outlined in the Building Regulations 2013) in accordance with the submitted Energy & Sustainability Statement. Prior to the first occupation of the development full details of the energy and sustainability strategy shall be submitted to and approved in writing by the Local Planning Authority. The approved details for each relevant phase shall be provided prior to the first occupation of the relevant phase of development. Within 3 months of the first occupation of Phase 2, development details confirming the carbon dioxide emissions reductions shall be submitted to and approved in writing by the Local Planning Authority and thereafter retained and used for energy supply for so long as the development remains in existence.

Reason: To provide a sustainable development in accordance with policy 5.2 of the London Plan (consolidated with amendments since 2011).

- 5 The development shall be constructed to achieve a BREEAM 'Excellent' rating in accordance with the submitted BREEAM pre-assessment. The approved scheme shall then be provided in accordance with these details. A certificated BREEAM Post Construction Review, or other verification process agreed with the Local Planning Authority, shall be provided, confirming that the agreed standards have been met, within three months of the first occupation of Phase 2.

Reason: To ensure a sustainable standard of development in accordance with policy SP6.3 of Croydon Local Plan: Strategic Policies (2013).

- 6 Prior to first occupation of each Phase, a Delivery and Servicing Plan for vehicles in relation to that Phase shall be submitted to and approved in writing by the Local Planning Authority in consultation with TfL. Vehicles servicing each Phase shall do so in accordance with the details approved pursuant to this condition, from first occupation in either Phase and shall continue to do so for the life of the development. The approved Servicing Plan may be revised with the written approval of the Local Planning

Authority in consultation with TfL and vehicles serving any Phase the subject of a revised Servicing Plan approved pursuant to this condition shall do so in accordance with the details approved pursuant to this condition.

Reason: To ensure that deliveries and servicing do not have an adverse impact on the Highway network in accordance with Croydon Unitary Development Plan (The Croydon Plan) Saved Policies 2013 Policy EP1. And London Plan 2011 Policy T2.

- 7 The noise level from any air handling units, mechanical plant, or other fixed external machinery on either Phase shall be at least 10dB below existing background noise levels.

Reason: To protect residential amenity in accordance with Policy EP1 of the Croydon Replacement Unitary Development Plan (The Croydon Plan) Saved Policies 2013, SP6.3 of the Croydon Local Plan Strategic Policies (2013) and Policy 5.3 of the London Plan (consolidated with amendments since 2011).

- 8 Prior to the first occupation of each phase, full details of both hard and soft landscape works comprising the public realm scheme shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include, but not be limited to:
- 1) Details of the proposed drop off area, and how pedestrian and cyclist safety will be protected in this area
 - 2) Full details of the proposed seating
 - 3) species, planting density and size of proposed new planting, including girth and clear stem dimensions of trees
 - 4) hard landscaping materials (which shall be permeable as appropriate), including dimensions, bond and pointing.
 - 5) all boundary treatments within and around the development.
 - 6) All roof treatments including green roofs

All landscaping works within the site shall be provided in accordance with the approved details on site before any part of the relevant phase of development is occupied or within such longer period or periods as the local planning authority may previously agree in writing. All planting shall be maintained for a period of fifteen years from the date of planting; any planting which dies or is severely damaged or becomes seriously diseased or is removed within that period shall be replaced by planting of similar size and species to that originally provided.

Reason: To enhance the appearance of the development, protect the visual amenities of the locality, and to ensure that the new planting becomes established in accordance with Croydon Local Plan: Strategic Policies (2013) Policy SP4.7 and Policies UD2, UD6 and UD14 of the Croydon Replacement Unitary Development Plan (The Croydon Plan) Saved Policies 2013.

- 9 Prior to the first occupation of the relevant phase of development, which the mosque plaza is located within (or within such other time period or periods as may be previously agreed in writing by the Local Planning Authority) access to the "mosque plaza" for the general public for use as a public gardens shall be provided and thereafter maintained

in perpetuity for 24 hours a day on every day of the year. For the purposes of this condition Mosque Plaza is defined as the area of land in the South Eastern Corner of the development site adjacent to the existing Mosque and the areas of open space as set out in the plans hereby approved.

Reason: To ensure that the proposed public realm is publicly accessible and provides a better quality provision than existing in accordance with policy 5.10 and 7.5 of the London Plan (consolidated with amendments since 2011) and policy SP4.1, SP4.7, SP4.8 of the Croydon Local Plan: Strategic Policies (2013).

- 10 Prior to the first occupation of the development a scheme for the provision of CCTV and security measures to cover all of the immediate environments of the buildings, including public spaces, access to basement and internal access from basement shall be submitted to and approved in writing by the Local Planning Authority. The CCTV and other required security measures for each relevant phase shall be provided prior to the first occupation of the relevant phase of development.

Reason: To provide a safe and secure environment for future users of the hotel in accordance with policy UD6 of the Croydon Unitary Development Plan (2006) Saved Policies 2013.

- 11 The gym, restaurant and bar facilities hereby permitted shall be ancillary to the main hotel use (although members of the public may also use these facilities).

Reason: To allow assessment of the impacts of use by the public should this be sought in the future in accordance with the Policies 2.7 and 4.7 of the London Plan (Consolidated with alterations since 2011) and Policy LR2 of the Croydon Replacement Unitary Development Plan (The Croydon Plan) Saved Policies 2013.

- 12 The function spaces bars shall not be open to the public (or hotel residents) except between 08.00 and 00.00 hours and the restaurant shall not be open to the public (or hotel residents) excepts between 06:00 and 00:00 hours.

Reason: To protect the amenities of adjoining occupiers in accordance with policy EP1 of the Croydon Unitary Development Plan (2006) Saved Policies 2013.

- 13 Prior to the first occupation of each Phase, a car park management plan ("CPMP") shall be submitted to and approved in writing by the Local Planning Authority in consultation with TfL. The CPMP shall include details as to how the car park will be managed to ensure that only hotel guests and mosque users are able to access and use the car park. The operation of the car park shall be carried out in accordance with the details approved pursuant to this condition for the lifetime of the development.

The approved CPMP may be updated from time to time provided the revised CPMP has been approved in writing by the Local Planning Authority in consultation with TfL and the car parks shall be operated in accordance with any revised plan approved

pursuant to this condition.

Reason: To ensure that cars parking in the Development do so safely and that it does not interfere with the free flow of the highway in accordance with policy SP8.17 of the Croydon Local Plan: Strategic Policies (2013).

- 14 Prior to the commencement of the development details of a phasing plan shall be submitted to and agreed in writing with the Local Planning Authority. The plan shall include details of the treatment to temporarily external elevations until later phases are developed and temporary landscaping or uses for cleared areas. The agreed details shall be implemented as such.

Reason: To ensure a high quality sustainable development in accordance with Policies UD1, UD2 and UD3 of the Croydon Replacement Unitary Development Plan (The Croydon Plan) 2006 Saved Policies and policy SP4.2 of the Croydon Local Plan: Strategic Policies (2013).

- 15 Prior to commencement of development, in accordance with the submitted SuDS and FRA Assessment Report (XCO2 Energy, 8th May 2017) detailed designs of a whole site surface water drainage scheme, including incorporation of the following measures, shall be submitted to and agreed with the Local Planning Authority in consultation with the Lead Local Flood Authority. The approved site surface water drainage scheme relating to each phase shall be implemented prior to the first occupation of the relevant phase of development. The scheme shall address the following matters:

a) A detailed drainage layout detailing pipe sizing and dimensions and volumes of attenuation features, demonstrating storage requirements outlined in Appendix C of the updated DS and FRA can be accommodated on site. The layout should include any proposed onsite piped network and offsite network in sufficient detail to allow feasibility of connection points to be confirmed. Should the proposed drainage strategy as detailed within the SuDS and FRA Assessment Report not be feasible within the proposed Site layout, it must be amended as necessary.

b) Ground Investigation to confirm ground conditions onsite, infiltration rates (in accordance with BRE Digest 365) and investigation into risk posed by soakaways on ground stability; and,

c) Written confirmation from Thames Water that the site has an agreed point of discharge and discharge rate.

d) Site specific details of the management and maintenance for all SuDS and how they will be secured for the lifetime of the development (maintenance plan).

Reason: To protect the surrounding area from increased flood risk in accordance with police SP6.5 of the Croydon Local Plan: Strategic Policies (2013). The condition must be discharged prior to the commencement of development in order to ensure the project will not result in flooding and that early works do not preclude necessary mitigation measures.

- 16 Following the demolition of the existing buildings on each phase, an intrusive site investigation and assessment into the possibility of soil, water and gaseous contamination must be carried out to the approval of the Local Planning Authority, prior to the commencement of any above or below ground development.

Remedial works which are shown to be required must be approved by the Local Planning Authority before any such works are carried out and completed prior to the occupation of any building.

A validation report detailing evidence of all remedial work carried out must be submitted to and approved in writing by the Local Planning Authority.

The developer shall notify the Local Planning Authority of any on site contamination not initially identified by the site investigation so that an officer of the Council may attend the site and agree any appropriate remedial action.

Reason: To ensure the safe development and ensure that human health is protected before any contaminants of potentially contaminated land are exposed in accordance with Policy EP3 of the Croydon Replacement Unitary Development Plan (The Croydon Plan) 2006 Saved Policies 2013.

- 17 No demolition or development below ground level shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development below ground level shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works. If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development below ground level shall take place other than in accordance with the agreed stage 2 WSI which shall include:

A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Informative

Written schemes of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

Reason: to protect the historic environment in accordance with Policy 7.8 of the London Plan (consolidated with amendments since 2011).

- 18 The development shall be carried out entirely in accordance with the recommendations made within the Noise Impact Assessment by XCO2 dated March 2017.

Reason: To ensure that a satisfactory internal noise environment is provided for future and adjoining residents in accordance with Policy EP1 of the Croydon Replacement Unitary Development Plan (The Croydon Plan) Saved Policies 2013, SP6.3 of the Croydon Local Plan Strategic Policies (2013) and Policy 5.3 of the London Plan (consolidated with amendments since 2011).

- 19 Prior to the first occupation on each phase of the development (or within such other time period or periods as has been previously agreed in writing by the Local Planning Authority) the following matters shall be submitted for approval by the Local Planning authority and subsequently provided prior to the occupation of the related phase: Phase

1

- 1) Vehicle access and egress arrangements.
- 2) Car parking spaces
- 3) Refuse storage arrangements
- 4) Courtyards and communal areas

Phase 2

- 1) Vehicle access and egress arrangements.
- 2) Car and mini bus parking spaces
- 3) Refuse storage arrangements
- 4) Terraces/courtyards and communal areas

Reason: To ensure a satisfactory standard of development is provided and to ensure sustainable transport is promoted and to provide adequate supporting infrastructure for future occupiers in accordance with London Plan (Consolidated with alterations since 2011) Policies 6.3, 6.9 and 6.13 and the Croydon Replacement Unitary Development Plan (The Croydon Plan) Saved Policies 2013 Policies T2 and T8.

- 20 Prior to the first occupation of each Phase a travel plan (TP) in relation to the occupiers of both Phases to encourage sustainable modes of transport, including a cycle strategy, shall be submitted to and approved in writing by the Local Planning Authority in consultation with TfL. The TP shall be in accordance with TfL best practice guidance at the time. The TP shall be implemented fully in accordance with the details approved pursuant to this condition prior to first occupation of each Phase and shall thereafter continue to be implemented in full in accordance with the details approved pursuant to this condition for the life of the development. The TP may be revised with the written approval of the Local Planning Authority in consultation with TfL and any revised TP approved pursuant to this condition shall be implemented in full in accordance with the details approved pursuant to this condition.

Reason: To encourage sustainable modes of transport and reduce reliance on the car.

- 21 The development shall be carried out entirely in accordance with the documents and approved drawings A-000-001 P0, A-000-002 P0, A-050-010 P0, A-050-011 P0, A-110-001 P0, A-110-002 P0, A-110-003 P0, A-100-017 P0, A-025-010 P0, A-025-002 P0, A-100-016 P0, A-100-015 P0, A-100-014 P0, A-100- 013 P1, A-100-012 P0, A- 0-011 P0, A-100-010 P0, L-100 P0,as listed on this decision notice.

Reason: To ensure an acceptable standard of development.

- 22 The development hereby approved shall not commence (other than site clearance and preparation, relocation of services, utilities and public infrastructure and demolition) until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the Council prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To protect the surrounding area from increased flood risk in accordance with police SP6.5 of the Croydon Local Plan: Strategic Policies (2013). The condition must be discharged prior to the commencement of development in order to ensure the project will not result in flooding and that early works do not preclude necessary mitigation measures.

- 23 The development shall be begun within three years of the date of the permission.

Reason: To comply with the provisions of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

In reaching this decision the Local Planning Authority has sought to work in a positive and pro-active manner based on seeking solutions to problems in the following way:

To assist applicants the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website and which offers a pre planning application advice service. The scheme was submitted in accordance with guidance following pre application discussions.

Informative(s):

- 1 In order to give Publicity to this planning application the Council displayed a total of 7 site notice(s) in the locality of the application site. The notices are displayed as follows:

1 in Launceston Court, 2 in London road, 2 in Dunheved Road South and 2 in Dunheved Road North

Please make arrangements for these notices to be removed.

2 IMPORTANT

Community Infrastructure Levy.

A. You are advised that under the Community Infrastructure Levy Regulations 2010 on commencement of the development a financial payment will be required to Croydon Council and the Mayor of London. In relation to retrospective applications where the development has already taken place, the financial payment is due immediately on the grant of planning permission. The payment to the Mayor of London will be forwarded by Croydon Council.

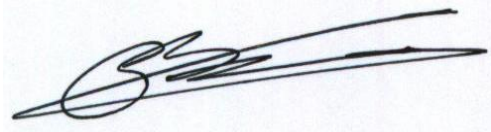
B. A separate Liability Notice will be issued to any person who has assumed liability for the payment. If no person or body has already assumed liability then within 14 days of this permission the names and addresses of the person(s) responsible for the CIL payment should be forwarded to the Council using the agreed forms which can be obtained from the planning portal from the link below.

www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

C. If no person or body has assumed liability, payment will be required from the owner of the land at the time of commencement of works. It should be noted that for the purpose of the above regulations commencement of the development will comprise any works of demolition necessary to implement the planning permission.

D. For further information please visit the Croydon Council's website at:
www.croydon.gov.uk/cil

Yours faithfully,



Pete Smith
Head of Development Management

Notes: This is a planning permission only. It does not convey any approval or consent which may be required under the Building Regulations or any other enactment.

Appeals to the Secretary of State - Notes for applicants

Applicants for Planning Permission.

(A) If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

(B) If you want to appeal against your local planning authority's decision, then you must do so within six months of the date of this notice, using a form which you can obtain from the Planning Inspectorate.

The Planning Inspectorate has introduced an online appeals service that you can use to make your appeal online. You can find the service through the Appeals area of the Planning Portal - see www.planningportal.gov.uk/pcs. The Inspectorate will publish details of the appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only supply information, including personal information belonging to you, that you are happy will be made available in this way. If you supply personal information belonging to someone else, please ensure that you have their permission. More detailed information about data protection and privacy matters is available in the Planning Portal.

Forms are also available from the Planning Inspectorate at Room 315A(E), Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.gov.uk/government/organisations/planning-inspectorate.

(C) The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

(D) The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

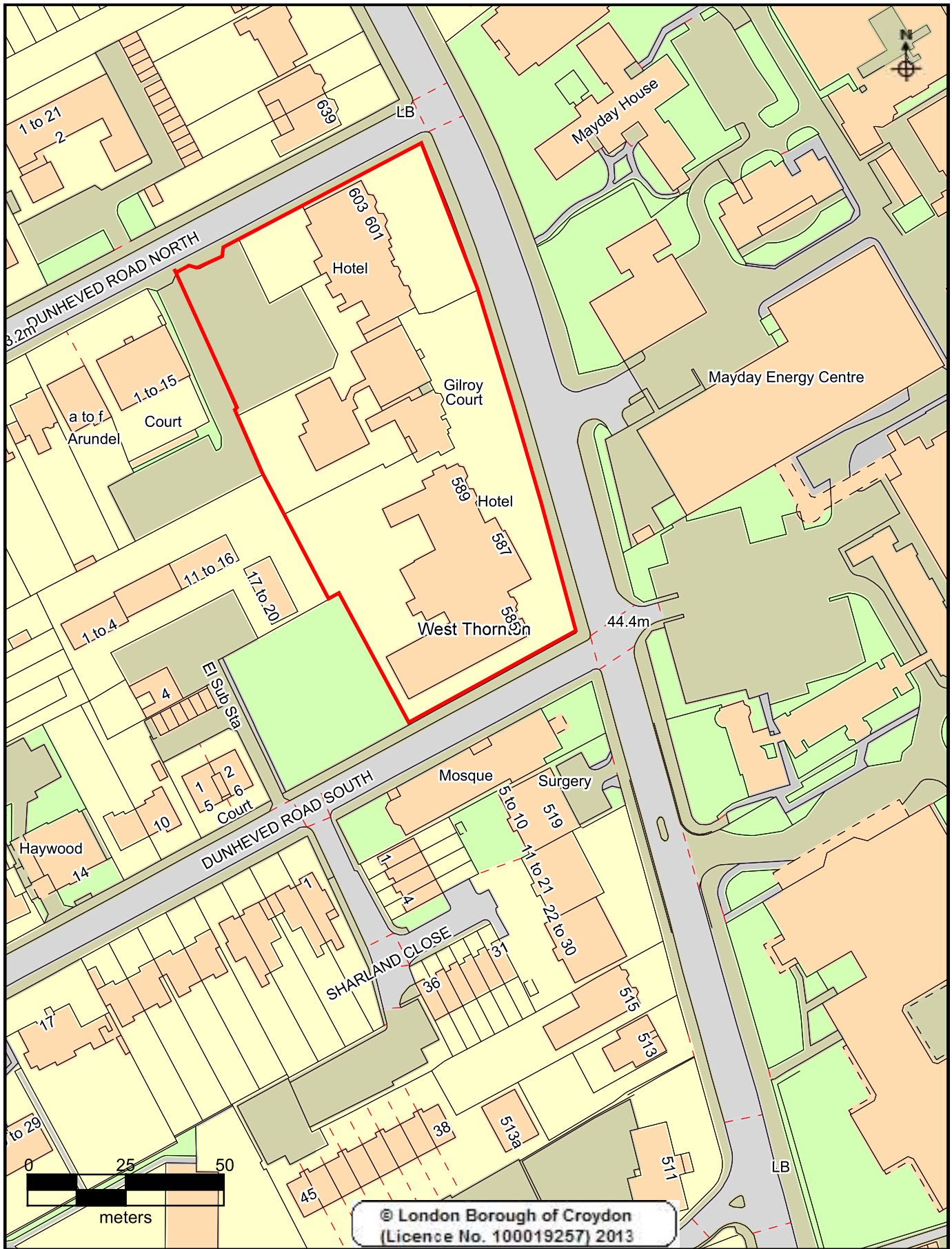
(E) In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by the Secretary of State.

Purchase Notices.

(A) If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that the owner can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by carrying out any

development which has been or would be permitted.

(B) In these circumstances, the owner may serve a purchase notice on the London Borough Council in whose area the land is situated. This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter I of Part 6 of the Town and Country Planning Act 1990.



PART 7: Planning Applications for Decision

Item 7.4

1 SUMMARY OF APPLICATION DETAILS

Ref: [16/06526/FUL](#) *(Link to associated documents on the Planning Register)*
 Location: 585 – 603 London Road, Thornton Heath, CR7 6AY
 Ward: West Thornton
 Description: Demolition of existing structures and buildings at 585-603 London Road, erection of 3 four/ five storey buildings comprising 593 hotel (C1) and aparthotel rooms (C1) and ancillary services the formation of new vehicular accesses onto London Road and Dunheved Road North, new public realm, car, coach and cycle parking, landscaping and refuse and recycling facilities.
 Drawing Nos: A-000-001 P0, A-000-002 P0, A-050-010 P0, A-050-011 P0, A-110-001 P0, A-110-002 P0, A-110-003 P0, A-100-017 P0, A-025-010 P0, A-025-002 P0, A-100-016 P0, A-100-015 P0, A-100-014 P0, A-100-013 P0, A-100-012 P0, A-100-011 P0, A-100-010 P0, L-100 P0,
 Applicant: C/O Agent
 Agent: Mr Richard Quelch, 65 Gresham Street, London, EC2V 7NQ
 Case Officer: Emily Napier

Type of floorspace	Amount proposed	Amount retained	Amount lost
Hotel (C1)	32,833 Sq m	0 Sq m	6,853 Sq m

Type of floorspace	Rooms to be lost	Rooms proposed	Net additional Rooms
Hotel C1	256	593	337

Number of car parking spaces	Number of cycle parking spaces	Number of coach parking spaces
238 (net increase of 148)	80 (net increase of 70)	4 (net increase of 3)

Disability spaces (WCH)	43
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1.1 This application is being reported to Planning Committee because the Development is a Large Major Development in accordance with the Committee Consideration Criteria.

2 RECOMMENDATION

- 2.1 That the Planning Committee resolve to GRANT planning permission subject to:
- A. Any direction by the London Mayor pursuant to the Mayor of London Order
 - B. The prior completion of a legal agreement to secure the following planning obligations:

- a) Employment and Training Strategy
- b) Travel Plan
- c) Coach Management Plan
- d) Car Park Management Plan
- e) Restriction of occupation 90 days
- f) Reinstate footpaths and highways
- f) Any other planning obligation(s) considered necessary by the Director of Planning and Strategic Transport

2.2 That the Director of Planning and Strategic Transport has delegated authority to negotiate the legal agreement indicated above.

2.3 That the Director of Planning and Strategic Transport has delegated authority to issue the planning permission and impose conditions [and informatives] to secure the following matters:

Conditions

- 1) Development to commence within 3 years of the date of permission
- 2) In accordance with submitted plans and documents.
- 3) Submission of details of external facing materials, including details of ceramic tiles as proposed in Design and Access statement.
- 4) Submission of details of lighting assessment.
- 5) Submission of details of balconies.
- 6) Submission of details of landscaping, green roofs, boundary treatment and public realm.
- 7) Public realm to be open to the public and maintained for the duration.
- 8) Submission of details relating to security measures including access to basement parking and CCTV to public areas and basement.
- 9) Hours of use for function spaces and restaurant bars limited to 8am-11pm.
- 10) Use of gym, restaurants and bars by hotel residents only.
- 11) Submission of details of parking.
- 12) Submission of car parking management plan – including details of how parking will be restricted to members of the public.
- 12) Submission of Delivery servicing plan prior to occupation.
- 13) Submission of Construction Logistics and Demolition Plan (which shall include a site waste management plan).
- 14) Archaeology condition.
- 15) In accordance with Sustainability and Energy assessment 35% betterment of building regulations in accordance with the submitted assessment.
- 16) Built to BREEAM.
- 17) In accordance with Noise Assessment – Environmental Noise and Impact Assessment by XCO2 (March 2017).
- 18) Limiting noise from air conditioning units.
- 19) Details of car parking arrangements.
- 20) Submission of details of phasing plan to detail phasing and timings of development.
- 21) Sustainable Urban Drainage Systems.
- 22) Basement Impact Assessment
- 22) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport, and

Informatives

- 1) CIL
- 2) Removal of site notices
- 3) Contact Network Management prior to commencement of development.
- 4) Any [other] informative(s) considered necessary by the Director of Planning

2.4 That, if by 18th August 2017 the legal agreement has not been completed, the Director of Planning and Strategic Transport has delegated authority to refuse planning permission.

PROPOSAL AND LOCATION DETAILS

Proposal

2.5 The application comprises the following:

- Demolition of existing buildings, including The Croydon Court Hotel (595-603 London Road), Gilroy Court Hotel (591-597 London Road) and Norfolk House Hotel (585-589 London Road). These currently comprise a total 256 rooms.
- Erection of two buildings:
 - Hotel containing:
 - 435 bedrooms, of which 44 are wheelchair accessible, 191 are in the basement (including some windowless rooms).
 - Reception and lobby at groundfloor
 - Restaurant and bar at groundfloor
 - Gym and Pool at basement level
 - Function room and bar at basement level (511sqm)
 - Apart-hotel containing:
 - 158 apart-hotel bedrooms (all ground floor and above), of which 18 are accessible.
 - Reception Lobby and restaurant at ground level
- Provision of landscaping, including a public realm area adjacent to the Croydon Mosque (detailed 'mosque plaza' on submitted plans) which proposes a water feature and seating. Landscaping to front of hotel and apart hotel addressing London road providing active focal point to announce hotel entrance.
- Internal court yard areas with seating.
- The proposed massing increases from four storeys adjacent to Dunheved Road North and South increasing to 5 storey's in the central aspect of the site, which addresses London Road.

A material pallet to include a mixture of traditionally inspired materials including ceramic tiling and brick, juxtaposed with dark grey metallic frame windows and dark grey metal cladding.

- Provision of servicing, coach park and parking access towards the rear of the site, accessed via the one way system on Dunheved Road North.

2.6 During the course of the application minor amendments were received to the landscaping strategy to improve the overall approach to the hierarchy of materials used across the scheme.

Site and Surroundings

2.7 The site is located on the western side of London Road, between the Broad Green and Thornton Heath District Centres.

2.8 The site is relatively level and has an area of approximately 9415sqm (0.94 ha). It is currently occupied by a complex of 3-4 storey buildings in use as three hotels (Ibis Styles, Gilroy Court Hotel and Croydon Court Hotel) with approximately 256 rooms that span the site from 585-603 London Road. The parcel of land at 2 Dunheved Road South has recently been completed as a hotel.

2.9 The surrounding area is mixed in character, including low-rise residential development to the west, a mosque to the south and Croydon University Hospital opposite the site on the eastern side of London Road.

2.10 Designations:

- Archaeological Priority Zone
- London Road is London Distributor Road
- Surface water flood risk area (30 year, 100 year and 1000 year)

Planning History

2.11 The following planning decisions are relevant to the proposal:

2.12 07/04960/P – planning permission refused for the demolition of existing buildings and erection of five/six/seven storey building with basement comprising 79 two bedroom, 46 one bedroom, 7 three bedroom and 3 four bedroom flats, at 585 to 589 London Road. An appeal against this decision was dismissed on grounds of:

- Scale and height of proposed building (at five/ six/ seven storeys) being out of scale in the context and would have a harmful appearance on the character of the area.
- Visual intrusion and dominance having a detrimental impact upon the outlook and amenity of adjoining occupiers
- Poor amenity for future occupiers (note: application was related to residential units under C3 not Hotel occupation)

- It is worth noting that this application related to the south aspect of the site only with 600-603 London Road not being included within the application. The inspector noted that the scale and massing of the building would also dominate the form of the adjoining building.

2.13 13/04518/PRE – Redevelopment of site. Mixed use development with retail/ community/ hotel and residential uses. Low rise podium with 5 taller blocks above.

Concern was raised with regards to the use, layout, height and massing. – This scheme related to the whole site also considered under this application.

2.14 The following pre-applications are of relevance to the proposals:

2.15 15/03625/PRE – Development Team Service application was submitted in September 2015 and has under gone a number of meeting and workshops, and has attended two planning committees.

2.16 The main issues raised at the first meeting (March 2016) were as follows:

2.17 Design and massing:

- During the early stages of the pre-application focus was on the proposed massing. Concerns were expressed about the quality, height and massing of the proposed development and its relationship to neighbouring buildings.
- The applicant was advised to ensure the proposal reflects the quality of existing buildings of character in the surrounding area.

2.18 Accommodation

- A good quality hotel would be welcomed in this location.
- There was interest in a good sized function room at ground floor level
- There was interest and some concern about the basement bedrooms and whether they would be fit for purpose (with only limited/no light to these rooms)

2.19 Civic Space

- The idea of the public square was welcomed, opening views for the mosque.

2.20 Parking and transport

- The potential for the proposed hotel parking to deal with some local parking issues was supported
- Questions were raised in relation to the location of ground level disabled bays and clarity was sought in terms of the way parking would be paid for.

2.21 Informed by the above feedback and following discussions with officers, the scheme was further developed and a number of additional meetings were held. The scheme was the presented to Planning Committee (September 2016) the key changes included:

- Reduction in massing of central the block to 5 storeys, and reduction of the massing of the apart-hotel block addressing Dunheved Road North.
- The design was refined, including finer details and material palette.

- Highways and transport proposals revised, notably there was an increase in parking spaces including disabled parking spaces with lift access from the basement into the apart-hotel and hotel.
- Landscaping scheme developed.
- Inclusion of an additional basement level taking provision of basements to three levels.
- Further work to travel plan and transport assessment in evidence of required parking numbers.

2.22 The Planning committee made the following observations in respect of the revised proposals:

2.23 Design & Massing:

- Encouraged greater use of set-backs and articulation of facades to reduce dominance of form.
- Highlighted the importance of using the highest quality of design due to the scale. Wanted the proposals to take more inspiration of the surrounding Victorian context.
- More individuality and texture wanted, encouraged the scheme to be more creative.

2.24 Parking & Transport:

- Coach parking - only 4 spaces on site so a robust coach parking management strategy needed to resolve the issues.
- Area is heavily parked Councillors expressed the importance of not creating any further parking stress.

2.25 Other issues:

- Concern about possible use for temporary accommodation - to be covered in Section 106
- Employment and training strategy to be included in section106

2 Dunheved Road South

2.26 03/00023/P Permission granted for the erection of a four storey hotel comprising 13 hotel apartments, 37 double bedrooms, bar, restaurant, function suite, associated facilities and parking at basement level. – This application relates to land at 2 Dunheved road, which adjoins the site considered under this report.

2.27 05/03732/P – Permission granted for the erection of a four storey hotel extension comprising 60 double bedrooms and 3 accessible bedrooms with function suite and associated facilities on the ground floor and parking at basement and lower basement levels. – This application relates to land at 2 Dunheved Road South, which adjoins the site considered under this report.

- 2.28 14/01570/DT – Non Material amendment to application ref. 03/00023/P granted which sought to amend the description of development to remove the reference to the number of bedrooms and to add two additional conditions to the original planning permission (03/00023/P). The additional conditions are 1) seeking to list the originally approved plans and 2) seeking to list the number of bedrooms to be provided.
- 2.29 14/03259/P - planning permission refused for the erection of a four storey hotel, comprising hotel apartments, double bedrooms , bar and restaurant , function suites, associated facilities and parking at basement level. This was to vary conditions 8 and 9 of permission ref. 14/01570/DT. An appeal against this decision was allowed with the effect of increasing the permitted number of rooms from 50 to 80. – This application relates to land at 2 Dunheved Road South which adjoins the site considered within this report, the development is referred to as phase 1 below.

3 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 3.1 The application is acceptable in principle, a view which has been confirmed by the Greater London Authority.
- 3.2 The proposed development is considered to represent an opportunity to regenerate a prominent area along London Road. The overall design successfully integrates the building within the wider context, ensuring that it respects the general character of the area through the use of high quality materials which respond to the Victorian context. The approach to massing ensures that the four/ five storey buildings do not appear overly dominant. The appearance of the massing is softened by the use of set-backs which add visual interest and help to break down the upper storeys of the apart hotel.
- 3.3 The application has demonstrated that the proposed buildings would not have a detrimental impact upon the amenity of adjoining occupiers (specifically those at Irvine Court and 17-20 Launceston Court)
- 3.4 The need for the proposed parking at a provision of 0.4 has been evidenced by through the submission of a Transport Assessment. This shows (given the PTAL and scale of the proposals) demand for the parking.

4 CONSULTATION RESPONSE

- 4.1 The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.
- 4.2 The following external consultees were notified of the application:
- Greater London Authority (Statutory Consultee)**
- 4.3 The GLA were consulted were consulted on the 9th January 2017. In the response the GLA noted that:
- 4.4 Hotel and apart-hotel on the site is compliant with the London Plan (no objection in principle). From a design perspective it was the building design and landscaping is of a good quality and has benefited from the pre-application process.

- 4.5 The GLA advised that the applicant should provide the verification information relating to carbon reduction before stage 2 referral.
- 4.6 The key concern raised was the provision of car parking which the Greater London Authority advised should be reduced. The overall car parking provision is reduced, the number of Blue Badge spaces should be secured, along with EVCPs. The travel plan and other operational plans should be secured through the section 106 or by condition.

Transport for London (Statutory Consultee)

- 4.7 Consulted 9th January 2017. Response received 6th April 2017.
- 4.8 *Access:* The existing three vehicle access points will be consolidated and a one way system put in place with entry off Dunheved Road North and the exit onto London Road. Pedestrian access to the site will also be directly from London Road, all welcomed by TfL.
- 4.9 *Parking:* The application proposes to increase the parking provision to 238 spaces for the 593 rooms, equivalent to 0.4 per room. TfL requests this figure is significantly reduced.
- 4.10 The applicant's commitment to provide 20% of the spaces with Electric Vehicle Charging Points and Blue Badge parking is welcomed. The exact number of Blue Badge spaces should be clarified, with both secured by condition.
- 4.11 Long and short stay cycle parking is provided in excess of the standards, which is welcomed. Sufficient shower and changing facilities are also provided at the site for employees, all in line with the London Plans aspirations to encourage sustainable travel.
- 4.12 *Coach and Taxi Provision:* The application proposes four coach parking spaces. Although this is below the London Plan requirement of one space per 50 hotel rooms, given the site constraints, existing usage and Coach Parking Management Plan submitted in support of the application, it is considered acceptable.
- 4.13 The coach booking system should be put in place to ensure there is always sufficient parking space available. Visitors should be asked when booking groups, so plans can be put in place ahead of their arrival.
- 4.14 Two taxi parking spaces will be provided to the front of the site which is also welcomed.

Historic England (Greater London Archaeological Advisory Service)

- 4.15 Consulted 6th January.
- 4.16 The GLAAS have reviewed the submitted Archaeological Desk Based Assessment (RSK 2016) and recommended a condition to be implemented should the application be Granted.

London Borough of Croydon – Transportation

- 4.17 Creation of one way system by opening access from Dunheved Road North with egress onto London Road is considered acceptable.
- 4.18 The overall level of parking is 238 spaces, which equates to 0.4 spaces per room. This is an increase over the parking provision of the current hotel use of 0.35 spaces

per room and is based on the recognition of the pressures in regard to the high levels of on-street parking in the area and is considered acceptable.

- 4.19 Provision is made for 40 long stay and 28 short stay cycle parking spaces, which exceeds the London plan Standards and is therefore considered acceptable.
- 4.20 The TA includes an assessment of the trip rates and modes of travel to the development, which were agreed as part of the pre-application discussions. The traffic generated has been used to assess the junctions of London Road with both Dunheved Road North and the new vehicular egress onto London Road and the results indicate that both junctions will operate well within capacity.
- 4.21 It is therefore considered that the proposed development will not have a significant impact on the transport network.
- 4.22 The CPMP provides details in regard to how entry to the car park will be managed in terms of a barrier controlled access with the issue of tokens that can then be handed in at the hotel reception. There will also be signage to indicate that the car park is for hotel and mosque use only.
- 4.23 It is also proposed that up to 80 tokens will be issued to the adjacent Mosque on a weekly basis, which assists in alleviating the pressures on on-street parking currently experienced on the Mosque's busiest days.
- 4.24 An assessment of the car park accumulation for hotel guests has been made based on another site owned by the applicant in Church Road, Upper Norwood. This assessment indicates that whilst the car park is close to capacity overnight and early morning/evening, there is sufficient spare capacity during the day when parking is required for the Mosque.
- 4.25 This arrangement is therefore considered acceptable.

London Borough of Croydon – Lead Local Flood Authority

- 4.26 The Lead Local Flood Authority were consulted. As part of the application a SuDS and Flood Risk Assessment Report (FRA) containing the surface water management proposal (XC02 Energy, November 2016 (Rev. January 2017)). The LLFA had initially raised concerns with the proposals due to the level of detail that had been submitted. The applicant submitted additional information on the 24th April 2017 and the 8th May 2017, the LLFA have reviewed the submitted information and the objection has been removed subject to the inclusion of conditions.

London Borough of Croydon – Environmental Health

- 4.27 The Council's Pollution Consultant has reviewed the amended Environmental Noise and Impact Assessment prepared by XC02 Energy (March 2017). It is considered that the Assessment is satisfactory in reducing the impact of noise from proposed air conditioning equipment.

5 LOCAL REPRESENTATION

- 5.1 The application has been publicised by way of site notices displayed in the vicinity of the application site. The application has also been publicised in the local press. The

number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

No of individual responses: 6 Objecting: 4 Supporting: 2

No of petitions received: 0

5.2 Representations have been made from the following local groups/societies:

- Croydon Mosque (support)
- Croydon University Hospital (support)

5.3 The following issues were raised in representations. Those that are material to the determination of the application, are addressed in substance in the MATERIAL PLANNING CONSIDERATIONS section of this report:

Summary of objections	Response
<i>Scale and massing</i>	
Not in keeping with the surrounding context, the design will be obtrusive and represent overdevelopment.	The proposed development has sought to reduce the visual bulk by introducing set-backs, and uses a variety of materials to help breakdown the overall appearance of the buildings. Officers consider that the proposal in terms of scale, massing and external appearance creates an acceptable transition in scale between the more prominent buildings to the south along London Road and lower scale residential development to the north and rear of the site. Refer to paragraph 8.9 of this report.
<i>Daylight and sunlight</i>	
Will overlook bedroom and will impact upon outlook.	The proposed development will sit approximately 20-28 metres from the rear elevations of adjoining properties. It is considered that the separation distances are acceptable to ensure that there will be no loss of privacy to existing occupiers. See paragraph 5.18 for more details.
<i>Parking</i>	
The roads don't have the capacity for the amount of parking required for this development.	Paragraph 8.23 onwards sets out the transportation considerations. It has been evidenced that the provision of 0.4 spaces per room is satisfactory to meet the parking demands of the proposal and subsequently it is not considered that the proposed development will have an unacceptable impact upon the surrounding area in terms of parking.
<i>Non-material issues</i>	
Developer should pay for resident only parking permits	Not a material planning consideration. It would be unreasonable to expect the

	developer to contribute to this. Such an obligation would not meet the test of soundness set out with the National Planning Practice Guidance.
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6 RELEVANT PLANNING POLICIES AND GUIDANCE

6.1 In determining any planning application, the Council is required to have regard to the provisions of its Development Plan so far as is material to the application and to any other material considerations and the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The Council's adopted Development Plan consists of the Consolidated London Plan 2015, the Croydon Local Plan: Strategic Policies 2013 (CLP1), the Croydon Replacement Unitary Development Plan 2006 Saved Policies 2013 (UDP) and the South London Waste Plan 2012.

6.2 Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in March 2012. The NPPF sets out a presumption in favour of sustainable development, requiring that development which accords with an up-to-date local plan should be approved without delay. The NPPF identifies a number of key issues for the delivery of sustainable development, those most relevant to this case are:

- Building a strong, competitive economy
- Ensuring the vitality of town centres and requiring sequential tests
- Promoting sustainable transport and requiring transport assessments
- Requiring good design.
- Meeting the challenge of climate change, flooding and coastal change
- Conserving and enhancing the historic environment

6.3 The main policy considerations raised by the application that the Committee are required to consider are:

6.4 Consolidated London Plan 2015 (LP):

- 4.5 London's visitor infrastructure
- 5.1 Climate Change Mitigation
- 5.2 Minimising Carbon Dioxide emissions
- 5.3 Sustainable design and construction
- 5.4A Electricity and gas supply
- 5.5 Decentralised energy networks
- 5.6 Decentralised energy
- 5.7 Renewable Energy
- 5.8 Innovative energy technologies
- 5.9 Overheating and cooling
- 5.10 Urban Greening
- 5.11 Green roofs and development site environs
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 5.18 Construction, excavation and demolition waste
- 6.8 Coaches

- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking
- 7.1 Lifetime neighbourhoods
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.5 Public realm
- 7.6 Architecture
- 7.14 Improving air quality
- 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
- 8.3 Community Infrastructure Levy

6.5 Croydon Local Plan: Strategic Policies 2013 (CLP1):

- SP1.2 Place making
- SP3.8 Employment – Development of visitor accommodation within Croydon Metropolitan Centre, District Centres and Local Centres.
- SP4.1 High quality development
- SP4.2 Development informed by distinctive qualities of relevant places of Croydon
- SP6.2 Energy and Carbon dioxide reduction
- SP6.3 Sustainable design and construction
- SP6.4 Surface water drainage, flood risk and SUDs
- SP6.5 Urban blue corridors
- SP6.6 Sustainable waste management
- SP8 Transport and communication

6.6 Croydon Replacement Unitary Development Plan 2006 Saved Policies 2013 (UDP):

- UD1 High quality and sustainable design
- UD2 Layout and siting of new development
- UD3 Scale and design of new buildings
- UD6 Safety and security
- UD8 Protecting residential amenity
- UD12 New street design and layout
- UD13 Parking design and layout
- UD14 Landscape design
- UC11 Development proposals on Archaeological sites
- EP16 Energy
- T8 Parking

6.7 CLP1.1 & CLP2

6.8 The Partial Review of Croydon Local Plan: Strategic Policies (CLP1.1) and the Croydon Local Plan: Detailed Policies and Proposals (CLP2) have been approved by Full Council on 5 December 2016 and was submitted to the Planning Inspectorate on behalf of the Secretary of State on 3 February 2017. Policies which have not been objected to can be given some weight in the decision making process. However at

this stage in the process no policies are considered to outweigh the adopted policies listed here to the extent that they would lead to a different recommendation.

6.9 There are relevant adopted Other Guidance as follows:

- Public Realm Design Guide (2012)

7 MATERIAL PLANNING CONSIDERATIONS

7.1 The main planning issues raised by the application that the committee must consider are:

1. Principle of development
2. Townscape and visual impact and consideration of density
3. Residential amenity/Daylight & Sunlight for neighbours
4. Transport
5. Sustainability
6. Environment
7. Archaeology

Principle

7.2 The current use of the site is as a hotel and subsequently it is considered that the retention of this land use is acceptable, subject to the application demonstrating acceptability against other policies.

7.3 As the proposed hotel and apart-hotel is a main town centre use and is greater than 50 bedrooms policy HT1 applies. The policy requires that a sequential test be undertaken to demonstrate that there are no town centre locations where the development could be located. This has been submitted with the application to demonstrate there are no edge of centre or town centre sites which can accommodate the proposal. In order to demonstrate flexibility of scale and format, the applicant has assessed 28 sites including a range of site sizes and provided justification for this range.

7.4 The sequential assessment has demonstrated that of the 28 sites considered none are suitable or available. The reasons the sites were not suitable include that the sites are subject to a planning consent, construction is underway, the site is allocated for a mixed use development, the site has been sold recently and is occupied (and therefore considered unlikely to be vacant in the near future), the site is of insufficient size for the proposals or the site has significant development constraints which make the proposed scheme unviable. Officers and The Greater London Authority (GLA) consider the testing to be robust and accurate.

7.5 The application has also submitted a needs assessment in accordance with policy HT1 of the Croydon Plan 2006 Saved Policies 2013. The needs assessment demonstrates that the hotel in its current capacity has high occupancy levels around 85% to 95% across the three hotels on average on a monthly basis. The assessment cites the expansion of Croydon University Hospital as a likely contributor to increased demand from the hotel, it is worth noting that the Director of Estate and Facilities at Croydon NHS Trust has written in support of the proposals, citing a likely demand for hotel accommodation for patients and visitors to the hospital.

7.6 London Plan policy 4.5 on Visitor Infrastructure states that across London there is demand for an additional 40,000 hotel rooms through to 2036 and requires at least 10% of rooms to be accessible. The application has demonstrated that 10% of rooms will be wheelchair accessible and the assessments submitted evidence that there are no sequentially preferable locations in Croydon that can accommodate the development and subsequently it is considered that the development complies with policy 4.5 of the London Plan.

Design and townscape

Layout

- 7.7 The front building line set by the proposed buildings has reduced in complexity to produce a better relationship between the development and the geometry of London Road. Further work has been undertaken to develop meaningful public spaces including:
- a square to the south which complements and builds upon the setting of the Mosque,
 - a pocket park to the north,
 - a series of internal courtyards and;
 - a set back of the building line which allows for a positive public realm to the front of the building which reflects the exiting building lines.
- 7.8 The more challenging aspect of the layout is found in the middle section of the site frontage, where there is a need to provide for pedestrians and a comfortable driveway for the cars and buses, whilst also linking the hotel and apart hotel entrances to help secure the relationship of these buildings as a whole. The buildings have allowed for a strong pedestrian environment to the front of the site ensuring that the different spaces are legible as one coherent space, whilst a landscaping hierarchy has been proposed utilising high quality materials to demonstrate the key points within the frontage, a stronger identity the hotel entrances and build a relationship between the two buildings.
- 7.9 The scheme as proposed contains three basements, with two basement levels providing 191 hotel rooms, of which several will be windowless, the remaining 163 rooms at basement level will be served by light wells. The use of light wells will require safety measures to prevent any falls and the submitted landscaping strategy provides details as to how the light wells will be designed to ensure minimal visual impact upon the overall design and aesthetic of the scheme. The siting of light wells has been carefully considered to reduce the necessity for light wells in prominent street frontage locations to ensure that the appearance within the street scene is minimised. The landscaping proposals have integrated the light wells within the strategy utilising soft landscaping to provide a visual and physical barrier between public spaces and light wells.
- 7.10 Height Scale and massing
- 7.11 The massing, bulk and height of the proposals has developed positively following a series of design workshops with officers to address key issues including the transition

from the site to a low level Victorian era residential area, varied identities between the hotel and aparthotel, prominent entrances into the two blocks, and resolving the bulky nature of the two large blocks of development. It is considered that these issues have been addressed successfully and officers are satisfied with the massing and heights – particularly the way in which they address the neighbouring buildings to ensure that there is a clear relationship and appropriate set-backs between the development and surrounding townscape.

- 7.12 The use of setbacks not only helps to relate the building to the finer grain of the surrounding residential contexts but also helps to add interest to the roof form. The submitted CGI views help to demonstrate how the approach to the form and massing of the building respects the existing form of development within the area. It is subsequently considered that the proposed form and massing of the buildings are have a positive contribution to the overall street scene and are not overly dominant in scale.

Design

- 7.13 The current approach to design is one that seeks to reflect the commercial hotel use of the building whilst ensuring that the building responds well to the finer grain residential context. The scheme is seeking to differentiate between each separate building frontage whilst ensuring that a distinguishable relationship is held so that the buildings blocks successfully coalesce as one family. The two blocks also needed to respond well to each other and reflect the varied offer that they provided. Through design development workshops, the scheme has evolved to a stage where these objectives are being achieved well. This is particularly evident in how the design of the apart hotel has developed, in that the use of balconies and set-backs, adds to its distinctiveness as a separate building with a more domestic character whilst ensuring that it responds to the finer grain of the area. The use of set-backs helps to ensure the fourth storey massing does not result in the building appearing visually prominent or overbearing along Dunheved Road North.

Materials

- 7.14 The submitted documents indicate that the proposed materials have been chosen to reflect the surrounding context. The primary material being brick (indicative details within the Design and Access Statement and on elevation drawings) indicate that the bricks used will be Ibstock Ivanhoe Cream on upper floors combined with a darker Kingscote Grey (Ibstock) for ground and setback levels. The Design and Access statement further sets out that the principal material being by virtue of brick provides a durable and robust material for a development along London Road. The Design and Access Statement also sets out that strategically positioned Ceramic tiles will be introduced to add relief and interest for the fenestration pattern and rhythm. Precedents are included within the Design and Access Statement of the detailed ceramic tiling at Berwick Street (a building by Squire and Partners), the ceramic tiles used in this precedent are Pyrolave glazed volcanic lava tiles. Details of ceramic tiles for the proposed scheme have not been secured during the consideration of the application and it is considered necessary that an appropriately worded condition is included requiring submission of details prior to the commencement of above ground works.
- 7.15 In principle the proposed approach to materials is supported. The material palette submitted in support of the application evidences that a simple palette with an

emphasis on high quality materials and detailing will be utilised. This will ensure that the building, although distinctive in scale and massing will sympathetically integrate with the character of the surrounding area. The proposals utilise a brick frame which has been characterised and broken down through the use of windows, recesses and balconies, utilising deep recesses to add articulation. The use of bricks and subtly patterned tiling ensures that the building retains much of the character of the area whilst remaining distinctive in its form and style.

Quality of accommodation

- 7.16 The scheme as proposed contains two basement levels with hotel accommodation in, providing 182 hotel rooms, of which 30 (15 per floor) will be windowless (an increase of two from the previous scheme considered by Planning Committee), the other 152 rooms will be served by light-wells. It must be noted that there are currently no policies that seek to protect amenity of occupiers in hotel accommodation, and as there would only be a modest number of windowless rooms it is not considered that this presents poor quality design. The use of light-wells will also require safety barriers, which if poorly designed could appear visually intrusive within the street scene, would prevent active frontages and could subsequently conflict with Saved Policy UD2 of the Croydon Plan.
- 7.17 During the pre-application the applicant provided officers and Members of Planning Committee the opportunity to view windowless rooms of a similar size in existing hotels that were successful.

Residential amenity/ daylight and sunlight for adjoining occupiers

- 7.18 The application has submitted a daylight, sunlight and overshadowing assessment. The assessment demonstrates that the proposed hotel will not have a significant impact upon adjoining occupiers through loss of light.
- 7.19 The Daylight Impact Assessment shows that of the windows assessed which would not have a VSC which exceeds 27% would retain at least 80% of VSC when calculated against the BRE's "*Site layout planning for daylight and sunlight, A guide to good practice*" by PJ Littlefair (2011). This means that the change in sunlight available will not exceed 20% in any windows affected by the development, and thus it is not considered that there would be a noticeable change in availability of light over the existing situation.
- 7.20 The sunlight Assessment demonstrates that there would be no windows which would not receive an adequate degree of sunlight as a result of the development (in accordance with BRE, 2011)
- 7.21 The proposed development is sited 28metres from the rear elevation of 16 Dunheved Road South and 20 metres from the flank elevation of Irvine Court (Dunheved Road North). There are a number of windows proposed in the hotel that would have views towards the residential units towards the rear. Given the distances between the buildings it is not considered that there would be a detrimental impact on the privacy of existing occupiers as a result of the proposals. Notwithstanding this, it is also considered that the use of a hotel room would generally be less intense (i.e the rooms would not be used for day to day living) than the use of a residential unit and subsequently there would be a lower risk of overlooking from the new hotel rooms.

- 7.22 The current use of the site is as a hotel, with deliveries and servicing largely occurring to the rear of the site. There will be an intensification of such activities with the intensification of the site, a delivery and servicing plan (DSP) should be secured by way of condition on any consent. A DSP will ensure that deliveries and servicing are undertaken at hours that are not detrimental to the amenities of adjoining occupiers. It is not considered that the intensification and alterations to the layout of the site would result in any unacceptable detriment to the amenities of adjoining occupiers.
- 7.23 The noise level from any air handling units, mechanical plant, or other fixed external machinery should not increase the background noise level when measured at the nearest sensitive residential premises. In effect, this means the noise level from any new units should be at least 10db below existing background noise levels.
- 7.24 The lowest background sound was measured and found to be 39 dB LA90,T. The sound levels of any air handling units, mechanical plant, or other fixed external machinery should not exceed a maximum of 29 dB LAeq,T when measured at the nearest sensitive residential premises to satisfy this requirement. It is therefore considered that the proposed development at 583-603 London Road will not have an adverse impact on the surrounding residents.

Transport

- 7.25 The site lies within an area with a PTAL of 3, which is moderate.
- 7.26 The proposal will provide a 593 room hotel/aparthotel with basement parking for 238 cars and 68 cycles, and surface level parking for 4 coaches. The hotel will have a restaurant and function room that are only open to guests.
- 7.27 The application is supported by a Transport Assessment, Servicing Plan, Car Park Management Plan, Coach Management Plan, Framework Travel Plan, and Preliminary Construction Management Plan.

Transport Assessment:

- 7.28 It is proposed to close the existing vehicular accesses onto London Road and create a new vehicular access from Dunheved Road North with a one-way system operating within the site and a new vehicular egress onto London Road. This arrangement is considered acceptable and all existing redundant vehicular crossovers will need to be reinstated to footway at the applicant's expense. This can be secured by legal agreement.
- 7.29 The TA identifies that creating the vehicle access from Dunheved Road North will require some alteration to the parking spaces and yellow line waiting restrictions on the road to cater for the swept path of coaches and larger delivery/service vehicles entering the site. This will need to be agreed with the Council's Parking Services Team and will require Traffic Management Orders to be made. All costs associated with this will be at the applicant's expense and can be secured by Legal Agreement.
- 7.30 The overall level of parking is 238 spaces, which equates to 0.4 spaces per room. This is an increase over the parking provision of the current hotel use of 0.36 spaces per room and is based on the recognition of the pressures in regard to the high levels of on-street parking in the area and on these grounds the proposed provision is considered acceptable.

- 7.31 It is proposed to provide Electric Vehicle Charging points in accordance with the London plan Standards. No details of the location of these are provided and it should be ensured that provision is included for some of the disabled parking spaces. Details of this can be conditioned.
- 7.32 Provision is made for 40 long stay and 28 short stay cycle parking spaces, which exceeds the London plan Standards and is therefore considered acceptable.
- 7.33 The TA includes an assessment of the trip rates and modes of travel to the development, which were agreed as part of the pre-application discussions. The traffic generated has been used to assess the junctions of London Road with both Dunheved Road North and the new vehicular egress onto London Road and the results indicate that both junctions will operate well within capacity.
- 7.34 It is therefore considered that the proposed development will not have a significant impact on the transport network.

Delivery and Servicing Plan

- 7.35 All service and delivery vehicles including refuse vehicles will access the site from the new access onto Dunheved Road North. A service yard area is located to the rear of the site and vehicle swept path analysis has been undertaken to show that all vehicles can turn within the service area before exiting onto London Road via the internal one-way system.
- 7.36 An assessment has been made of the likely trip rates for delivery and service vehicles to the site and indicates that there is sufficient capacity within the site to ensure that vehicles do not overspill onto the public highway.
- 7.37 It is proposed that a full DSP be submitted within 8 months of completion once surveys have been undertaken. This should be secured by condition or legal agreement.

Car Park Management Plan

- 7.38 The CPMP provides details in regard to how entry to the car park will be managed in terms of a barrier controlled access with the issue of tokens that can then be handed in at the hotel reception. There will also be signage to indicate that the car park is for hotel and mosque use only.
- 7.39 It is also proposed that up to 80 tokens will be issued to the adjacent Mosque on a weekly basis, which assists in alleviating the pressures on on-street parking currently experienced on the Mosque's busiest days.
- 7.40 An assessment of the car park accumulation for hotel guests has been made based on another site owned by the applicant in Church Road, Upper Norwood. This assessment indicates that whilst the car park is close to capacity overnight and early morning/evening, there is sufficient spare capacity during the day when parking is required for the Mosque.
- 7.41 TFL and the GLA has requested a reduction in the number of parking spaces provided. The Local Planning Authority acknowledges the London Plan targets to reduce parking provision. However, the information submitted is considered to justify the level of provision provided, in terms of the expected capacity. The area

surrounding the hotel sees a heavy reliance on parking, with the adjacent Mosque and visitors to the hospital. Submitted comments have indicated that the area which is currently not controlled by a CPZ is under significant pressure in terms of parking. The parking provided will help to reduce this pressure through providing parking for hotel guests and also support for visitors to the Mosque during off-peak hours for the hotel. This arrangement is therefore considered acceptable, subject to further details relating to car parking management being submitted to the Local Planning Authority.

Coach Management Plan

- 7.42 The development proposes the provision of 4 coach parking bays and provides data to show that this should be adequate to cater for the needs of the hotel. A pre-booking system will be put in place to ensure that no more than 4 coaches are on-site at any one time.
- 7.43 Sites have been identified off-site where coaches can park once passengers have been dropped off should the capacity be exceeded. This is considered acceptable.

Framework Travel Plan

- 7.44 This is considered acceptable and a full Travel Plan should be secured by a legal agreement.

Preliminary Construction Management Plan

- 7.45 The information set out in this document is considered acceptable in term of an indication of what is proposed and a full Demolition/Construction Management Plan should be secured by condition to ensure the detailed plan is acceptable.
- 7.46 It is noted that as part of the works various traffic management proposals are included for both Dunheved Road North and South, including closing footways, banning parking, and making sections of both roads two-way. These arrangements will need to be agreed with the Council's Network Management Team and will require temporary traffic management orders, which take a minimum of 6 weeks to make. It is therefore considered that an informative to this effect is included in any decision notice recommending that they make early contact with the NMT if planning permission is granted.

Sustainability

- 7.47 The application has submitted an energy assessment which evidences that the development follows the Energy Hierarchy (Be Lean, Be Clean, Be Green). The resultant expected savings equate to an on-site reduction of 616 tonnes of Carbon Dioxide per annum, this equates to 40% savings over a 2013 Building Regulations compliant scheme. This presents an acceptable approach to carbon reduction, and is compliant with the London Plan. Notwithstanding this, it is considered appropriate to include conditions that will require the submission of a report showing the target has been met together with the SAP and EPC Certificate(s), detailed evidence of the CHP installed and any evidence of renewables installed. Prior to the first occupation of the building a report and certification will also be required to be submitted confirming that the standard has been achieved in construction.

Environment and flooding

7.48 As the application relates to a major application a Flood Risk Assessment and Surface water Management Plan is required under Local Plan policy SP6.4 and London Plan Policy 5.12 and 5.13. SuDS and an FRA have been submitted with the application and reviewed by the Lead Local Flood Authority. The Lead Local Flood Authority have considered the information and found it to be acceptable subject to the inclusion of pre-commencement conditions which require the submission of detailed drainage information.

Archaeology

7.49 Historic England (The Greater London Archaeological Advisory Service, GLAAS) were consulted on the application given the site is within an archaeological priority zone. Historic England reviewed the archaeological desk-based assessment (DBA) submitted as part of the planning application. Appraisal of this application using the Greater London Historic Environment Record and information submitted with the application indicates the need for field evaluation to determine appropriate mitigation and subsequently it is recommended that conditions are included requiring a two stage process of investigation comprising first, evaluation to clarify the nature and extent of surviving remains, followed, if necessary, by a full investigation.

Conclusions

7.50 It is considered that the proposed development complies with the relevant Planning Policies and subsequently it is recommended that planning permission be Granted.

7.51 All other relevant policies and considerations, including equalities, have been taken into account.



Appendix Four – 1-11 Elm Road, Wembley



BRENT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 18/1592

To: Miss Jones
GVA
G V A Grimley Ltd
65 Gresham Street
LONDON
EC2V 7NQ

I refer to your application dated **27/04/2018** proposing the following:

Demolition of existing hotel buildings and erection of a part 3, part 4 and part 5 storey 226 bed aparthotel plus basement accommodation comprising guestrooms and ancillary facilities within a 5-storey basement (situated below the part-basement lower ground floor), together with soft and hard landscaping, servicing, cycle storage and refuse and recycling facilities, subject to a Deed of Agreement dated 15 October 2018 under Section 106 of the Town and Country Planning Act 1990, as amended.

and accompanied by plans or documents listed here:
Refer to condition 2.

at **1-7, 9, 11 & 11A Elm Road, Wembley, HA9 7JA**

The Council of the London Borough of Brent, the Local Planning Authority, hereby **GRANT** permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date: 17/10/2018

Signature:

Alice Lester
Head of Planning, Transport and Licensing

Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SCHEDULE 'A'

Appeals to the Secretary of State

The applicant may appeal to the Secretary of State if he or she is aggrieved by the decision of the local planning authority in respect of:

- (1) Refusal of a planning, Permission in Principle, Technical Details Consent, listed building consent or conservation area consent application, including refusal to vary or discharge conditions.
- (2) The conditions attached to a planning, Technical Details Consent, listed building consent or conservation area consent application.
- (3) Refusal, partial refusal or deemed refusal of a lawful development certificate.

The correct form must be used to appeal – Planning; Permission in Principle, Householder Planning; Listed Building Consent; Conservation Area Consent or Certificate of Lawful Use or Development Appeal Forms. Please specify form required, if requesting from Inspectorate. The time period to do this will vary depending on the application type or development type. An appeal must be made within the following time periods of the decision date:

- (1) An advertisement application must be made within 8 weeks
- (2) A full application, removal or variation of condition for a householder* development must be made within 12 weeks. (See below for definition of householder)
- (3) All other application types or development types must be made within 6 months

However, different timescales apply where the development is also the subject of an enforcement notice. If an enforcement notice has been served within two years of an application being submitted or is served before the time period for determining the application has expired, the time limit to appeal is 28 days from date of refusal or the date of determination. If an enforcement notice is served after the application's decision date or date for determination, the time limit is 28 days from the enforcement notice served date, unless this would extend the period beyond the usual time limit for cases not involving an enforcement notice.

- The Secretary of State can allow a longer period for giving notice of an appeal but he/she will not normally be prepared to use this power unless there are special circumstances which excuse the delay. Appeals must be made on a form obtainable from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at www.planningportal.gov.uk/pcs.
- The Secretary of State need not consider an appeal if it seems to him/her that the local planning authority would not have been able to have granted planning permission for the development or would not have been able to have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practise, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him/her.

Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim he can neither put the land to a reasonably beneficial use in its existing state, nor render the land capable of a reasonably beneficial use, either carrying out any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his/her interest in the land, in accordance with the provisions of Part V1 of the Town and Country Planning Act 1990.

*For the purposes of an appeal, a householder development is development in the boundary of, or to an existing dwellinghouse for purposes incidental to the enjoyment of the dwellinghouse, that does not involve change of use or a change to the number of dwellings. Please note, this does not include development in the boundary of, or to an existing flat or maisonette.

FOR OTHER INFORMATION OR ADVICE ON THIS NOTICE PLEASE CONTACT:

Planning and Regeneration Service
Brent Civic Centre
Engineers Way
Wembley, Middlesex, HA9 0FJ
Telephone: 020 8937 5210

Document Imaged

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Ref: 18/1592 Page 3 of 10

SUMMARY OF REASONS FOR APPROVAL

- 1 The proposed development is in general accordance with policies contained in the:-

National Planning Policy Framework 2018
London Plan 2015
Brent Core Strategy 2010
Brent Development Management Policies 2016
Council's SPD 2 "Residential Extensions and Alterations" 2018
Council's SPG17 "Design Guide for New Development" 2001
Council's Draft Supplementary Planning Document 1 (SPD1) 2017

CONDITIONS

- 1 The development to which this permission relates must be begun not later than the expiration of three years beginning on the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall be carried out in accordance with the following approved drawing(s) and/or document(s):

A-000-001 Rev P0

A-025-001 Rev P1
A-025-002 Rev P1
A-025-003 Rev P1
A-025-110 Rev P0
A-025-111 Rev P0

A-100-001 Rev P2
A-100-002 Rev P2
A-100-003 Rev P2
A-100-004 Rev P2
A-100-005 Rev P2
A-100-006 Rev P2
A-100-007 Rev P2
A-100-010 Rev P2
A-100-012 Rev P2

A-110-001 Rev P1
A-110-002 Rev P1

A-120-001 Rev P1

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

- 3 No guest or customer of the aparthotel hereby permitted may occupy any part of the accommodation for a period exceeding ninety days in any continuous period of six months. The operator of the hotel shall at all times maintain an accurate register of the full names and permanent addresses of all guests and of the dates of their occupancy of the accommodation. These registers shall be kept for not less than two years from the date of the last entry and shall be made available to be inspected by the Local Planning Authority upon reasonable demand.

Reason: To ensure the development provides an adequate standard of accommodation for guests and fulfils the role of temporary (hotel) accommodation, as required by policy DMP6.

- 4 The premises shall not be used other than for the purpose of apart-hotel and for no other purpose (including any other purpose in Use Class C1 specified in the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) without the prior written permission of the Local Planning Authority with the exception of the ancillary use of the areas as shown in the drawings hereby approved as a restaurant which may be used for those purposes.

Reason: To ensure that no other use commences without the prior permission of the Local Planning Authority and to enable other uses to be considered on their merits.

- 5 The windows on the upper ground and first floors of the eastern face of the building shall be constructed with obscure glazing and non-opening or with openings at high level only (not less than 1.8m above floor level) and shall be permanently returned and maintained in that condition thereafter unless the prior written consent of the Local Planning Authority is obtained.

Reason: To minimise interference with the privacy of the adjoining occupier(s).

- 6 The 24 aparthotel rooms which are Wheelchair Accessible shall be maintained with this level of accessibility throughout the lifetime of the development, unless an alternative arrangement is first agreed in writing by the Local Planning Authority.

Reason: To ensure a sufficiently accessible development that complies with the London Plan 2011 and Brent Policy DMP6.

- 7 All provisions and details contained within the Accessibility Management Plan contained within the submitted Design and Access Statement shall be implemented from first occupation of the development hereby approved and shall thereafter be implemented and adhered to throughout the lifetime of the development, unless an alternative arrangement is first submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a sufficiently accessible development that complies with the London Plan 2011 and Brent Policy DMP6.

- 8 The development shall not be occupied unless the servicing area has been provided and is available for use and the details contained within the Coach Management Plan (prepared by RGP, dated April 2018) and the Servicing and Delivery Plan (prepared by RGP, dated April 2018) hereby approved shall be fully implemented from first occupation of the development and adhered to in full throughout the lifetime of the development unless alternative details are first agreed in writing by the Local Planning Authority.

Reason: To ensure that the development will not prejudice the safe and free flow of vehicles along the highways

- 9 The development hereby approved shall not be occupied unless the two proposed crossovers along St John's Road have been constructed in accordance with the plans hereby approved.

Reason: To ensure that the development is fit for purpose and will not prejudice the safe and free flow of vehicles along the highways

- 10 The developer or constructor shall join the Considerate Constructors Scheme prior to commencement of works and the developer or constructor shall thereafter adhere to the requirements of the Scheme for the period of construction.

Reason: In the interest of the amenities of the adjoining and nearby owners and occupiers.

- 11 The approved cycle storage facilities shall be installed prior to first occupation of the development hereby approved and thereafter retained and maintained for the life of the development and not used other than for purposes ancillary to the occupation of the apart-hotel hereby approved.

Reason: To encourage sustainable forms of transportation in the interest of highway flow and safety.

- 12 Any plant shall be installed, together with any associated ancillary equipment, so as to prevent the transmission of noise and vibration into neighbouring premises. The rated noise level from all plant and ancillary equipment shall be 10dB(A) below the measured background noise level when measured at the nearest noise sensitive premises.

Reason: To protect acceptable local noise levels.

- 13 The tree protection proposals as contained within the Arboricultural Report prepared by ACS Consulting (dated October 2017), shall be adhered to in full throughout for the full period of construction of the development hereby approved. Two separate meetings shall be arranged between the site manager and Brent's tree protection officer to enable the tree protection officer to observe (1) the erection of the protective fencing and (2) the dismantlement of the protective fencing at the relevant points during construction.

Reason: For assurance that trees are to be protected to minimise negative external impacts of the development.

- 14 The development shall be carried out in full accordance with the details of the submitted sustainable drainage strategy (prepared by RPS, dated June 2018, ref: RCEF64714-002R) The approved strategy shall be implemented in full prior to first occupation of the development hereby approved.

Reason: The development may lead to sewage flooding ; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

- 15 Prior to the commencement of the development (including demolition of the existing building) a Construction and Demolition Method Statement shall be submitted to and approved in writing by the Local Planning Authority outlining measures that will be taken to control dust, noise, construction traffic and other environmental impacts of the development. The approved statement shall be implemented throughout the duration of construction.

Reason: To safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance. As this condition seeks to enforce aspects of the development's construction, it requires details to be submitted and approved prior to commencement of such construction works and is therefore considered to be necessary, in planning terms, as a pre-commencement conditions.

- 16 Prior to the commencement of works (including the demolition of the existing building), an Air Quality Neutral Assessment shall be submitted to and approved in writing by the Local Planning Authority. The report must be undertaken in accordance with guidance published by the Greater London Authority (GLA). The assessment shall include mitigation proposals should it be found that the development is not air quality neutral. The measures within the approved assessment shall thereafter be implemented in full throughout the construction and prior to first occupation of the development (where relevant).

Reason: To ensure that the development would not result in a detrimental impact on local air quality. Much of the development that could impact local air quality includes the construction processes. As this condition seeks to enforce aspects of the development's construction, it requires details to be submitted and approved prior to commencement of such construction works and is therefore considered to be necessary, in planning terms, as a pre-commencement

conditions.

- 17 Prior to the commencement of piling, a piling method statement detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, measures to prevent and minimise the potential to disturb the amenities of nearby occupiers, and the programme for the works shall be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

- 18 Details of materials for all external work, including samples which shall be made available for viewing on site or within another location as agreed, shall be submitted to and approved in writing by the Local Planning Authority before any above ground level works are commenced (excluding demolition). The work shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality.

- 19 All planting shown on the landscaping strategy, as detailed on drawing J180161-GC-L-DR-2 Rev B, shall be fully implemented and completed prior to first occupation of the development hereby approved and thereafter maintained.

Any trees and shrubs planted in accordance with the landscaping scheme which within 5 years of planting, are removed, dying, seriously damaged or become diseased, shall be replaced to the satisfaction of the Local Planning Authority, by trees and shrubs of similar species and size to those originally planted within the next available planting season.

Reason: To ensure a satisfactory standard of appearance and to ensure that the proposed development enhances the visual amenity of the locality.

- 20 Prior to the use of external lighting, revised details of the building's external lighting shall be submitted to and approved in writing by the Local Planning Authority. The revised details shall include a proposal to reduce the lux of external lighting near to the building entrance to minimise the risk of glare, a lighting spillage plan showing the lighting levels (in vertical illuminance) at the nearest residential premises to the building and details of external lighting of the building's light wells, central courtyard and basement hotel suites.

Following approval in writing by the Local Planning Authority of the revised details of external lighting, external lighting shall not be used except when in accordance with the approved details.

Reason: In the interests of safety and the amenities of the area.

- 21 Prior to the operation of a commercial kitchen within the development, details of the kitchen extract system shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the following:
- Plans showing the route the extract duct will take through the building and associated layout of rooms and showing that the flue will terminate at least 1m above the roof height of the building
 - Details of the odour abatement equipment to be installed;
 - Calculation showing that acceptable noise levels (i.e. Good resting conditions) will be achieved in the most affected hotel rooms and specifications of any noise abatement equipment needed to achieve these conditions.

The kitchen extract shall be installed and operated in accordance with the approved details prior to first operation of a commercial kitchen and thereafter maintained in accordance with the manufacturer's specifications.

Reason: To protect the amenity of neighbouring residents if cooking processes are to be carried out within the proposed ancillary cafe.

- 22 Within 6 months of the first occupation of the development, a Post Construction Stage Review BRE Certificate shall be submitted to and approved in writing by the Local Planning Authority. The certificate shall demonstrate that the Development has achieved BREEAM "Excellent" unless otherwise agreed in writing by the Local Planning Authority. The Development shall be maintained so that it continues to comply for the lifetime of the Development.

Reason: to ensure the Development is designed and constructed to improve environmental performance and adapt to the effects of climate change over time.

INFORMATIVES

- 1 The applicant is advised to review the Council's Code of Construction Practice. Noisy works are permitted:
- Mon-Fri 0800-1800
- Sat 0800-1300
- Audible works should not be carried out at any time on Sundays and Bank Holidays.
- 2 The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read Thames Water guide 'working near our assets' to ensure works are in line with the necessary processes required to be followed if working above or near Thames Water pipes or other structures
- [https://urldefense.proofpoint.com/v2/url?u=https-3A__developers.thameswater.co.uk_Developing-2Da-2Dlarge-2Dsite_Planning-2Dyour-2Ddevelopment_Working-2Dnear-2Dor-2Ddiverting-2Dour-2Dpipes&d=DwIFAw&c=OMjwGp47Ad5otWI0__lpOg&r=G_hzVySAkixNxE_J_EjNJR_FDWFjexJLES8DRQ06qKk&m=jtx127Pni3LvproHc4qhZJC3hVRmsiWhPbq-ouUTguo&s=-7m-Kfa-tNF2PxzxaORnER5FY6ltFTutt9PPvqeYes&e=.](https://urldefense.proofpoint.com/v2/url?u=https-3A__developers.thameswater.co.uk_Developing-2Da-2Dlarge-2Dsite_Planning-2Dyour-2Ddevelopment_Working-2Dnear-2Dor-2Ddiverting-2Dour-2Dpipes&d=DwIFAw&c=OMjwGp47Ad5otWI0__lpOg&r=G_hzVySAkixNxE_J_EjNJR_FDWFjexJLES8DRQ06qKk&m=jtx127Pni3LvproHc4qhZJC3hVRmsiWhPbq-ouUTguo&s=-7m-Kfa-tNF2PxzxaORnER5FY6ltFTutt9PPvqeYes&e=)
- Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB
- 3 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwgriskmanagement@thameswater.co.uk. Application forms should be completed on line via <http://www.thameswater.co.uk/wastewaterquality>
- 4 Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing a positive pumped device (or equivalent reflecting technological advances) to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions. Fitting only a non-return valve could result

in flooding to the property
should there be prolonged surcharge in the public sewer.

- 5 The applicant is advised that any hotel signage to be erected requires separate advertisement consent.
- 6 The applicant is advised by the applicant to contact the Head of Highways & Infrastructure to arrange for the crossover works to be undertaken. Such works are undertaken by the Council at the applicant's expense.
- 7 The applicant is advised to notify the Council's Highways and Infrastructure Service of the intention to commence works prior to commencement and include photographs showing the condition of highway along the site boundaries. The Highways and Infrastructure Service will require that any damage to the adopted highway associated with the works is made good at the expense of the developer.
- 8 The applicant is advised to contact the Council's tree protection officer, Lawrence Usherwood, on 020 8937 5247 in respect of meeting the requirements for the condition relating to tree protections.
- 9 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 10 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.
- 11 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 12 Given the age of the building to be refurbished it is possible that asbestos may be present. The applicant should be reminded of their duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to carry out an asbestos survey and where necessary remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials.
- 13 The applicant is advised that they will require approval in principle (AIP) for the retaining structures around the site perimeter from the Local Highway Authority (i.e. Brent's Highways & Infrastructure Service) prior to the commencement of works. A time period of 8-12 weeks should be allowed to obtain approval and further information can be provided upon request.

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

15 August, 2018
05
18/1592

SITE INFORMATION

RECEIVED	27 April, 2018
WARD	Wembley Central
PLANNING AREA	
LOCATION	1-7, 9, 11 & 11A Elm Road, Wembley, HA9 7JA
PROPOSAL	Demolition of existing hotel buildings and erection of a part 3, part 4 and part 5 storey 226 bed aparthotel plus basement accommodation comprising guestrooms and ancillary facilities within a 5-storey basement (situated below the part-basement lower ground floor), together with soft and hard landscaping, servicing, cycle storage and refuse and recycling facilities
PLAN NO'S	Refer to condition 2.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_139684</p> <p><u>When viewing this as a Hard Copy</u> .</p> <p>Please use the following steps</p> <ol style="list-style-type: none">1. Please go to pa.brent.gov.uk2. Select Planning and conduct a search tying "18/1592" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

Resolve to grant planning permission subject to conditions and the completion of a satisfactory Section 106 or other legal agreement.

Section 106 Heads of Terms

1. Payment of legal and professional costs;
2. Notification of commencement;
3. Training and employment plan targeting Brent residents;
4. A financial contribution of £10,000 towards the planting of street trees along the frontage of the development
5. Submission and approval of a full operational Travel Plan based upon the submitted Framework Travel Plan within six months of the aparthotel opening and the implementation and monitoring of the travel plan;
6. Any other planning obligation(s) considered necessary by the Head of Planning

That the Head of Planning is delegated authority to negotiate the legal agreement indicated above.

That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

1. Time Limit for commencement
2. Approved drawings/documents
3. Restriction on occupancy length
4. Building use restriction
5. Specific windows to be obscure glazed for privacy of neighbours
6. 10% accessible bedrooms to be provided and maintained
7. Tree protection measures
8. Accessibility Management Plan to be adhered to
9. Service bay provided and Coach Management Plan and Delivery and Servicing Management Plan to be adhered to
10. Crossover works to be completed prior to occupation
11. Considerate Constructors' Scheme membership
12. Cycle Parking to be installed prior to occupation
13. Plant Noise
14. Sustainable drainage strategy
15. Construction and Demolition Method Statement
15. Air quality neutral assessment
16. Piling Statement
17. Approval of materials
18. Landscaping details
19. External lighting details
20. Odour extract
21. BREEAM post construction stage review


Informatives

1. Construction Hours
2. Guidance notes from Thames Water (1)
3. Guidance notes from Thames Water (2)
4. Guidance notes from Thames Water (3)
5. Advertisement Consent
6. Contact highways for crossover works
7. Notify highways service of intent to commence works
8. Tree protection informative
9. CIL liability informative
10. London Living Wage informative
11. Fire safety informative
12. Asbestos informative
13. Approval in principle for retaining structures around the site perimeter

That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.

That, if by 3 months of the committee date the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.

SITE MAP

	<p>Planning Committee Map</p> <p>Site address: 1-7, 9, 11 & 11A Elm Road, Wembley, HA9 7JA</p> <p>© Crown copyright and database rights 2011 Ordnance Survey 100025260</p>
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This map is indicative only.

PROPOSAL IN DETAIL

The proposal seeks to demolish the five existing terrace house buildings that comprise the current hotel. A replacement aparthotel building of a more modern character is proposed in its place. The new aparthotel will accommodate 226 bedrooms/suites, an ancillary café and associated back of house and staff areas. These facilities will be contained across five storeys above ground and across one semi-basement level and four basement levels.

An off-street taxi drop-off area as well as access to the aparthotel's internal service bay are proposed along the St John's Road frontage.

Six short stay cycle spaces are proposed along the Elm Road frontage, close to the edge of the site.

EXISTING

The subject site is situated on the north-east corner of the junction of Elm Road and St John's Road in Wembley, approximately 100m from Wembley High Road and 200m from Wembley Central railway and tube station. It comprises a set of five Edwardian terrace houses that have long been repurposed for use as a hotel containing 61 bedrooms and associated car parking space. The existing hotel is situated just outside of the designated Wembley Town Centre boundary, with the buildings just across the road (on the south side of Elm Road) being within the boundary of the town centre. The site is within the Wembley Growth Area.

The subject site is not within a Conservation Area, nor is the building listed.

SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. 4 objections have been received regarding some of these matters. Members will need to balance all of the planning issues and the objectives of relevant planning policies when making a decision on the application:

- **Representations received:** 329 neighbouring occupiers were consulted on the application. One objection was received raising concerns with nuisance and disturbance during construction works and an over concentration of hotels within the Wembley area.
- **Intensification of use:** The proposal will result in a significant intensification of an existing hotel use and also an intensification of a previously approved hotel redevelopment proposal. Your officers consider this to be acceptable given that it is an existing hotel adjacent to the Town Centre boundary and within the Wembley Growth Area, and the proposal continues to demonstrate that it is an appropriate addition in terms of its visual design, massing, highway impacts and amenity impacts to neighbours.
- **Design:** The design of the building is considered to be acceptable and the height and massing is in keeping with the local context.
- **Neighbouring amenity:** The relationship with most neighbouring buildings complies with relevant Brent guidance for protecting visual amenity. Situations where guidance is breached are very minor in nature. The applicant's daylight and sunlight analysis confirms that whilst some small losses of light will be experienced, all nearby properties will retain suitable daylight and sunlight to their windows in line with BRE standards.
- **Highways and transportation:** The submission demonstrates that the proposal is unlikely to have a significant impact on local street given the high level of public transport accessibility of the site.
- **Environmental considerations:** A number of conditions are recommended regarding the potential will require the environmental health impacts, in particular construction management, to be fully considered and mitigated prior to commencement of the development.
- **Trees, landscaping and public realm:** The proposal will deliver new street trees outside the development as part of a S106 contribution, which is strongly supported by your officers. Railing planting will mask the light well and make for a positive street frontage relationship.
- **Sustainability and energy:** The measures proposed by the applicant achieve the required improvements in terms of achieving a BREEAM rating of 'Excellent'. Conditions will ensure that further information to demonstrate this will be provided as the development proceeds.

MONITORING

The table(s) below indicate the existing and proposed uses at the site and their respective floorspace and a breakdown of any dwellings proposed at the site.

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Assembly and leisure	0		0	0	
Businesses / research and development	0		0	0	
Businesses and light industry	0		0	0	
Businesses and offices	0		0	0	
Drinking establishments (2004)	0		0	0	
Financial and professional services	0		0	0	
General industrial	0		0	0	
Hot food take away (2004)	0		0	0	
Hotels	1230		1230	6092	
Non-residential institutions	0		0	0	
Residential institutions	0		0	0	
Restaurants and cafes	0		0	0	
Shops	0		0	0	
Storage and distribution	0		0	0	

Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
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RELEVANT SITE HISTORY

Relevant planning history

17/3188: Full Planning Permission sought for demolition of existing hotel buildings and erection of a part 3, part 4 and part 5 storey 128 bed aparthotel plus basement accommodation comprising guestrooms and ancillary facilities within a 4-storey basement (situated below the part-basement lower ground floor), together with soft and hard landscaping, servicing, cycle storage and refuse and recycling facilities (revised description), subject to a Deed of Agreement dated 8 January 2018 under Section 106 of the Town and Country Planning Act 1990, as amended - **Granted, 12/01/2018.**

CONSULTATIONS

Letters to 329 adjoining and nearby owners and occupiers sent on 17th May 2018.

Press notice printed on 24th May 2018.

Site notice displayed from 5th July 2018.

One letter of objection was received.

The grounds of objection are listed below:

Grounds of Objection	Officer Response
Construction will disturb residents by resulting in noise, dust and carbon emissions.	Construction will only be temporary and is a reality of any development. Legislation exists to limit the impact of construction on neighbouring amenity and a construction management plan will be required to confirm means by which disturbance will be minimised prior to construction starting.

	The applicant's submissions indicates that the proposal is capable of achieving a BREEAM sustainability rating of 'Excellent' which means that the development will be taking a high number of measures to reduce its carbon emissions, which is welcomed.
There are enough hotels in the area to serve the neighbourhood and visitors.	There is no planning policy that limits the number of hotels in this area. It is up to the owner to consider if suitable demand exists for the proposed aparthotel.

Internal Consultees

Environmental Health: No objection to the proposal subject to conditions. Please see Environmental Health discussion below for further details.

Local Lead Flood Authority: No objection to the proposal subject to conditions. Please see discussion below for further details.

External Consultees

Thames Water: No objection subject to conditions. Please see discussion below for further details.

POLICY CONSIDERATIONS

NATIONAL

National Planning Policy Framework (July 2018)

Paragraph 11 of the NPPF states that planning decisions should apply a presumption in favour of sustainable development, whereby development proposals should be approved that accord with an up-to-date development plan without delay.

REGIONAL

Further alterations to the London Plan (consolidated with alterations since 2011)

Policy 4.5 - London's Visitor Infrastructure

Policy 5.3 - Sustainable Drainage

Policy 7.6 - Architecture

Policy 7.14 - Improving air quality

Policy 7.15 - Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes

Policy 8.3 - Community Infrastructure Levy

LOCAL

Brent Local Development Framework Core Strategy 2010

CP1 Spatial Development Strategy

CP5 Placemaking

CP7 Wembley Growth Area

CP19 Brent Strategic Climate Change Mitigation and Adaptation Measures

Brent Development Management Policies 2016

DMP 1 –Development Management General Policy

DMP 6 – Visitor Accommodation and Attractions

DMP 11 – Forming an Access on to a Road

DMP 12 – Parking
DMP 13 – Movement of Goods and Materials

Wembley Area Action Plan 2015

WEM1 Urban Form
WEM15 Car Parking Standards
WEM16 Walking and Cycling
WEM30 Decentralised Energy

Brent Council Supplementary Planning Guidance and Documents

SPG17 Design Guide for New Development 2001
Draft SPD1 Design Guide for New Development 2017
SPD2 Residential Extensions and Alterations 2018

DETAILED CONSIDERATIONS

Background and relevant planning permission

1. This application is very similar to an application that was previously approved by the committee (17/3188) which was the proposal of a near identical building containing an aparthotel formed of 128 bedrooms/suites, associated back of house and staff areas as well as a restaurant, gym and leisure centre for the use of guests. These facilities were approved across five storeys above ground and across one semi-basement level, two basement levels and a third double height basement level. This application was approved by the planning committee in November 2017 and formally approved subject to a S106 agreement in January 2018.
2. The key difference between the current proposal and that which was previously granted consent is the significant uplift in proposed bedrooms/suites (an increase of 98 from 128 to 226), much of which has been achieved through a loss of the ancillary parts of the hotel, with the restaurant, gym and leisure centre no longer proposed within the revised development and the double height space that these facilities occupied has been subdivided to create two normal height basement levels of aparthotel accommodation.
3. Beyond this main change there have been a number of minor alterations to the proposal (mostly internal), which will be discussed below in the 'detailed considerations' section.
4. Whilst the intensity of the hotel use proposed has increased significantly, the above ground footprint of the building, as well as the building's maximum height and minimum height below ground level remain the same as that which was previously approved by committee under application 17/3188.
5. The content of the following sections is substantially similar and for many passages, identical, to that of the committee report for 17/3188. This reflects the similarities between the two developments, however appropriate changes to the report have been made where necessary and an additional section has been added to clearly set out all of the differences between the previous application (17/3188) and the subject application.

Principle of use

6. There is no objection to the principle of redeveloping the existing hotel for a new hotel facility. No change of use will occur.
7. The use of the site would intensify as a result of the proposed development, with an increase from the 61 bedroom hotel to a 226 bedroom aparthotel. Given the excellent public transport accessibility level (PTAL of 6) and the location being immediately adjacent to a major town centre, it would not be considered that the intensification of the use would reflect an overdevelopment, subject to demonstration that the proposal is acceptable on visual design, massing, highways and amenity impact grounds.
8. The hotel will include a substantial part-basement level and four full basement levels (with a small fifth basement level for plant). There is no objection in principle to the excavation and use of basement levels,

however there are certainly considerations to be made about whether the aparthotel would become overly reliant on basement floor space for its primary functions, as this could represent an unacceptable intensification of use which would not appropriately reflect the capacity of the site. In paragraph 1.3 of the committee report for the previously approved development (PAD), officers noted that the basement accommodation was ancillary in nature because it comprised a low percentage of the primary hotel accommodation (20% in terms of room numbers and 36% in terms of room floor space). The basement accommodation now clearly provides a substantially larger amount of the accommodation proposed and could certainly not be considered ancillary or auxiliary in nature. Nonetheless, when assessing this scheme on its own merits, officers do not consider that there is any direct harm in planning terms as a result of the reliance on basement accommodation, nor any specific planning policies which this aspect would contravene. The nature of the use (hotel use for temporary periods of occupancy) would not necessitate the achievement of high quality outlook and levels of internal daylight that would be expected in a residential development; in addition, compared to the PAD, the building will not be materially different as seen from the street nor will it incur any additional impact on adjoining neighbours' amenities in accordance with the parameters set out within the Council's guidance. The hotel is also continued to be proposed to operate entirely car free, as supported by its excellent public transport accessibility level which would not raise material highways considerations in terms of increased visitor numbers. Finally, the above ground footprint, maximum height and minimum height of the building below ground level remain identical to the PAD. Taking the above into account, officers, on balance, consider that it is not reasonable to resist the proposal in planning terms.

9. The principle of acceptable hotel or aparthotel accommodation relies on assurance that the aparthotel will not be occupied by permanent residents, in accordance with the requirements of policy DMP 6. A condition will be applied to require this.

Scale, Design and Massing

10. Design is an important consideration, and buildings need to be high quality. This is promoted within the NPPF, and by policy 7.6 of the London Plan, CP6 and CP8 of the Core Strategy.
11. The site is not within or close to a conservation area and does not contain listed buildings. The proposal would result in the loss of the existing Edwardian terraced buildings, however, much of the wider character of this part of Wembley, including the buildings on the southern side of Elm Road are generally more modern in comparison and the loss is not considered contrary to planning policy providing a high quality design solution being provided in its place.
12. The proposal is for an orthogonal building to replace the five terrace houses, whose massing would range from 3 storeys on the northern and eastern sides to 4 and 5 storeys on the central and southwestern sides of the building, at the central part of the corner plot. The 3 storey parts of the building would accord with the height of the surrounding buildings, including the terraces along Elm Road (9.7m high), whilst the higher central section would increase the height by an additional 5.5m resulting in a prominent building in relation to its immediate neighbours. Given the corner plot location, it is considered that this is an acceptable arrangement which would not detract from the established character of the shortened, but otherwise unaffected, row of terrace houses to the east.
13. The buildings on the south side of Elm Road include the Job Centre, which is a flat roofed 3 storey building immediately across from the hotel and the adjoining block of flats at 10 and 12 Elm Road, which reaches a height of 5 storeys, with a set in sixth. Unlike the hotel, these buildings are within the Wembley Town Centre boundary and result in an urban context along Elm Road when compared to the surrounding residential roads. Whilst the hotel is marginally outside of the town centre boundary, the use of the building as a hotel is already established and it is considered that the denser, urban character proposed would respond to the immediate context across the road junction well, whilst being limited enough in height to minimise disturbance of the suburban residential character that prevails to the north of the site. The proposal is therefore considered to be a comfortable addition in terms of general massing, given its surrounding context on the south side of Elm Road.
14. The building has been designed to follow the established front building line of Elm Road. The building will have a clean straight façade but will have variation in heights (as detailed above) which creates different volumes on the upper floors, breaking down the massing of the building. The building is also articulated through variations in façade treatment, with red brick being used on lower flower floors and white brick being used on the upper most floors to give a lighter-weight appearance to the tallest parts of the building. Tall window openings framed in PPC aluminium are to repeat frequently along the façade and

are to be arranged in clean stacks up the building to provide a strong vertical emphasis. A larger gap between windows is to be articulated with brickwork inset panels to provide some additional interest within the frontage. By virtue of the significant headroom height within the servicing entrance, some of the windows on the northern part of the building fronting St John's Road will not align with their adjacent windows – this results in a break in design rhythm. However, the architects have sought to differentiate this particular section of the façade by using white brick entirely and providing additional sections of brickwork detailing panels to achieve an appropriate and deliberate variation in the design.

15. The building will be fronted at ground level by metal railings with landscaping planters along the base of the railings. The railings will be placed 2m in front of the edge of the building itself. The established window rhythms along the visible façade extend downward into a light well. The light well provides some of the basement's light source and also provides defensible space for the bedrooms whose windows face out onto the street at ground floor level, however the light well has the potential to result in an awkward relationship between the building and the street. The planters within the railings will help to screen this relationship from view and contributions to be made to street tree planting (see paragraphs 63 and 64 below) will provide further environmental mitigation which will work to mask the visibility of the light well from the street. The guest entrance to the hotel is located centrally, on the corner of the building. It is a prominent entrance which makes use of tall glazed panels to provide additional activation and improve the relationship with the street. The northern edge of the building, along St Johns Road, is to be equipped with a large sliding vehicular entrance door comprised of a PPC aluminium roller shutter. The entrance is 4.5m high, which will allow deliveries and collections from the largest vehicles.
16. The building is to occupy most of the plot and will not include the 10m space buffers which would normally be required to preserve outlook to neighbouring development sites. Nonetheless, two of the elevations (south and west) are highway facing whilst the other two (north and east) do not provide any forms of outlook. As such, the development is not relying on another land parcel to achieve outlook.
17. Overall, the building's design and appearance is considered acceptable. The building would be notably larger than its immediate surroundings but the focus of it on the main road junction, and the light materials as well as the similarly tall established buildings across the road are considered to fully justify the building design proposed.

Hotel Layout

18. The proposed aparthotel includes 226 rooms overall with various ancillary rooms and functions. Behind the entrance at street level, guests proceed down a short flight of stairs to the lower ground floor where the reception and café is located. A disabled lift to reach the LG floor is provided immediately within the entrance. From the main reception/café area there is access to the service bay, deliveries/storage/refuse and 'back of house' area with laundry rooms and admin offices. Finally, corridor access to eleven of the aparthotel rooms located on this floor is possible. From these corridors it is also possible to access the main guest stairwell and the three guest lifts for access to other floors.
19. The upper ground floor occupies a similar footprint to the lower ground, however the north eastern section of the building tapers in to protect the rear garden amenities of no. 13 Elm Road, resulting in a slightly smaller floor. This floor provides access to 21 of the aparthotel rooms and includes a small laundry room for the ease of servicing rooms.
20. The first floor occupies the same footprint as the upper ground floor and provides access to 25 of the aparthotel rooms. A laundry room is provided in amongst the rooms for the ease of servicing rooms.
21. The second floor tapers in further on the north eastern corner to provide further mitigation of amenity impact on no. 13 Elm Road. The footprint therefore reduces in size again. Access to 22 of the aparthotel rooms plus another laundry room is made from this floor.
22. The third floor sees substantial reductions in footprint as more of the north-eastern corner is reduced as well as the northern and eastern extremities of the façade; this retains a smaller central section forming the high level part of the building. The floor provides access to 16 of the aparthotel rooms, and one laundry room is provided centrally.
23. The fourth (and top) has the smallest footprint, occupying just the central section of the main building footprint. Access to 11 of the aparthotel rooms is on this floor along with one laundry room.
24. Each of the four basement levels has the same layout with 30 aparthotel rooms and one laundry room on

each floor. The basement floors sit within a larger space within the full footprint of the building and can therefore accommodate additional rooms compared to the upper level floors. One of the rooms in the fourth basement level has a door allowing maintenance access to the ground level of the central light well. Finally, a fifth basement level occupies a small section of floor space at the bottom of the building. The edge light wells do not extend down to this floor and no natural light is provided. The fifth basement floor provides space for additional plant only – no guest accessible space is to be provided on this floor and staff would only need to enter for maintenance purposes.

25. A key feature of the internal layout is a central light well, which is approximately 7m x 9m in size, which allows light into the rear parts of the hotel. The light well provides light to all floors of the hotel running from the roof of the building down to basement level 4. Across all floors the light well provides light and outlook to bedrooms.

Internal Accommodation

26. The Council does not have policies regarding the quality of hotel or aparthotel rooms. However, the layouts proposed appear to be typical of such uses. Despite much of the accommodation being subterranean, it is noted that most rooms will still have access to natural light through a window onto one of the light wells of the building. It is noted that 2 rooms on each of the 4 basement levels (a total of 8 rooms (3.5%)) will not have access to any natural light. The light and outlook to the basement/subterranean rooms is clearly likely to be substantially less compared to those above ground, however the Council does not have policies regarding the quality of hotel or aparthotel rooms and it is not considered that this should form a reasonable means of refusing the application.
27. Inclusive access is to be integral to the design of the hotel. London Plan policy 4.5 requires at least 10% of hotel rooms to be wheelchair accessible and the aparthotel will provide 24 such rooms (10.6%) to achieve this requirement. The floorplans confirm that the accessible bedrooms are generally those which are closest to the lift accesses and are shown to include appropriate wheelchair turning spaces within bedrooms and their en-suites. None of the accessible bedrooms are to be subterranean or duplex in design and will all be contained within the Ground and above floors. In accordance with Brent Policy DMP6, the application has been accompanied by an Accessibility Management Plan (AMP) within the D&S statement to demonstrate that the management and operation of accessible rooms is integral to the hotel's design. The AMP confirms that accessibility and inclusion will be monitored throughout the life of the development and that revisions will be made post-planning to reflect the operators operational and management policies.
28. The AMP is considered to be thorough and it will be necessary for the aparthotel to operate in strict accordance with the AMP for the development to be acceptable. This will be conditioned to any forthcoming consent.

Sustainability Assessment

29. The main consideration in respect of this development's sustainability requirements is the BREEAM rating of the development whereby Brent's local policy CP19 within the Core Strategy requires all non-residential major developments to achieve a sustainability rating of 'Excellent' in accordance with BREEAM criteria.
30. A BREEAM pre-assessment has been carried out and indicates that the development is capable of achieving an 'Excellent' rating (72.52%) which is welcomed. A condition is however recommended that requires the applicant to submit a Post Construction Stage Review BRE Certificate demonstrating that the Development has achieved BREEAM 'Excellent'.
31. In addition to this, the applicant's reports include small sections where it is explained how land use, impacts on neighbours from demolition and construction, surface water flooding, biodiversity, reuse of buildings, daylight and sunlight impacts and micro-climate will be managed to ensure the development maximises its sustainability. The sustainability report also confirms that the water efficiency of the development is in line with recommended BREEAM targets, through the use of water efficiency fittings resulting in a reduced water consumption. The report also refers to materials and waste, whereby 100% of timber used will be sourced from accredited Forest Stewardship Council (FSC) sources of Programme for the Endorsement of Forestry Certification (PEFC) source. Product holding responsible sourcing certifications will be specified for the main building elements (walls, floors, roof).
32. Major non-residential developments are not required to achieve carbon savings as set out within Policy

5.9 of the London Plan that would otherwise always be applied to major residential schemes. However, the applicant has included an Energy and Sustainability Statement indicating that the development can achieve a 42.4% saving on carbon emissions when compared against the benchmark for carbon savings within the 2013 Building Regulations which is 7.4% higher than the expected benchmark for residential developments (35%). The sustainable design approach beyond policy requirements is strongly welcomed.

Amenity Impact

33. The Council's SPG17 and draft SPD1 guidance includes parameters for suitable impact on the amenity of neighbouring occupiers. The western and southern edges of the development border with the public highway and will therefore not affect private amenity spaces. The building's northern edge sits along the boundary with 10-12 St John's Road. This site accommodates a church. Whilst the development will impose a large built form of three storeys directly alongside the southern boundary of the site, the aparthotel has been designed without north elevation windows and the aparthotel will not rely on the outlook of the neighbouring church site. Given the lack of residential uses on the adjoining site, it is not considered that the presence of the new hotel building will incur an unduly detrimental impact on the church site.
34. Residential properties along St John's Close adjoin the church site to the north. St John's Close tapers in to the south, to the point where the back edge of the garden at no. 4 St John's Close comes within 4m of the proposed north-eastern corner of the aparthotel. For the extent of no. 4 St John's Gardens width, the aparthotel has a reduced massing (one storey only on the far eastern edge and two storeys further west). When applying SPG17's degree rule guidance, this property passes the tests by virtue of the reduced massing directly behind the garden; this includes the 45 degree test, taken at a height of 2m from the back edge of the garden and the 30 degree test, taken at a height of 2m from the back edge of the dwellinghouse. The house adjacent to this (no. 3) which is the next closest at 9.5m from the edge of the aparthotel building, passes the 30 and 45 degree tests for the entirety of the building.
35. The most sensitive adjoining relationship is with no. 13 Elm Road to the east. The applicants have designed the building so as to reasonably reduce the impact to the view from the rear windows and rear garden of this property. The building does not extend alongside the garden immediately against the boundary, except below a height of 2m on the lower ground floor. The upper ground floor and first floor are set in from the eastern boundary to soften the impact with the neighbouring property. This includes a 1.4m set in from the boundary for the first 1.7m of the garden depth, which then steps out to a 3.25m set in, which then continually splays away from the boundary to a maximum set in of 5.3m from the boundary at the rear edge of the neighbouring garden. The second floor is set in by 6.5m from the boundary and has a wall which splays away from the garden boundary to 8.9m by the rear edge of the neighbouring garden. The third and fourth floors are set in substantially from the shared boundary with no. 13 (by more than 18m). The development complies with SPD2's 1:2 guidance for the first 2.75m of projection depth beyond the rear wall of the neighbouring property. The Design and Access statement also demonstrates the development's 45 degree relationship with the garden (as measured by drawing a 45 degree line from the shared boundary towards the development at a height of 2m, as seen from a rear elevation). The development does not fall entirely underneath the line until the rearmost part of the garden, however all breaches of the line are only marginal: generally only parapets breach the line. Whilst there will be an acknowledged loss of light and amenity to the garden of no. 13 Elm Road and the nearest houses further to the east it is not considered that these will be unduly detrimental given the small scale breaches of guidance in the context of the large scale of this development. It is also acknowledged that the applicant has made significant design concessions to soften the impact on the neighbouring properties.
36. The upper ground, first and third floors will all have east facing windows that would allow overlooking of the private garden space at the rear of the properties to the east. A condition will require that these windows are obscure glazed and non-opening at low level in respect of the upper ground and first floors, however the third floor is sufficiently set back from the boundary with no. 13 Elm Road (>18m) to alleviate concerns that privacy of residents may be compromised. Furthermore, at this height, it is unlikely that hotel guests will have a direct line of sight to the nearest garden spaces given the expanse of roof that is between the windows and the garden.
37. The relationship on the south and west elevations is less sensitive given the wide expanse of highway separating the hotel from existing properties. Nonetheless, the applicants have shown 30 degree line relationships between the lowest front facing windows and the development to demonstrate compliance with SPG17 guidelines in relation to overbearing impact. The development sits under the 30 degree line when measured from the lowest windows of the nearest properties along St John's Road and Elm Road.

This also takes account of the taller central elements of the building.

38. Where developments do not fully comply with SPG17 guidelines (as is the case with the relationship on the east boundary), it is often requested that applicants provide a professional daylight and sunlight analysis of surrounding properties to consider whether any nearby properties will be unduly affected in accordance with established BRE criteria. The applicant has provided a daylight and sunlight analysis in accordance with BRE standards. The report concluded that none of the affected properties will be affected to the point where any nearby windows fail the relevant BRE standards. Perhaps most critically, the two rear facing windows within no. 13 Elm Roads outrigger projection and two side facing windows within no. 15 Elm Road's outrigger projection will all retain a Vertical Sky Component (VSC) of at least 80% of their existing value, thus meeting BRE criteria. The overall results of the Daylight and Sunlight survey are considered to be positive, particularly given the relatively dense, town centre fringe location.

Transport

39. This application is similar to the previous proposal for the site that was approved in January for a 128-bedroom apart-hotel, but with 98 additional bedrooms added within the basement levels through the conversion of the previously approved duplex rooms into separate rooms over two floors and the restaurant and gym into further rooms. The scale of this proposal is again such that it could have a significant impact on local transport networks. An amended Transport Statement and Travel Plan have therefore been prepared by RGP Consultants and submitted to quantify and then mitigate any impact.
40. As before, car parking standards set out in Appendix 1 of the adopted DMP apply and these allow only disabled and operational parking to be provided for hotels with good access to public transport services. The absence of any proposed parking for the apart-hotel therefore accords with standards and disabled Blue Badge holders would again be able to use nearby on- and off-street parking bays in the area. The operation of a CPZ in the area would again deter car-borne guests from parking in nearby residential streets and encourage them to use nearby public off-street car parks in the area instead, such as St. John's Road, Elm Road or Wembley Central car parks. The excellent access to public transport services will again also help to minimise car trips to the site.
41. As previously discussed, one coach parking space should also be provided for every 50 bedrooms, giving an increased requirement for four spaces for this extended hotel. The applicant has stated that surveys of the nearby Best Western hotel in Wembley High Road suggest that coaches do not visit that site. However, this is not correct and the Best Western hotel is regularly seen to have two or three coaches standing on the highway outside the premises to pick up passengers during the morning peak hour, despite a Coach Management Plan being in place that should corral all coaches into the rear car/coach park and service yard when visiting the premises. As such, there is likely to be high demand for coaches to visit a hotel of this size and a Coach Management Plan would only be likely to have a limited effect in terms of restricting numbers of coaches or dictating where they would stand. However, this proposal is again for an apart-hotel, which includes larger rooms with cooking facilities intended to attract longer-stay customers such as families or long-stay business trips. The applicant states that such visitors are therefore less likely to be arriving in large groups by coach. As before, there is little data on the TRICS national database on apart-hotels, but a review of other apart-hotels in London by Brent's Transport officers suggests that there is very little, if any, demand for coach parking for such businesses.
42. A coach management strategy has again been submitted setting out the policy towards coach bookings (i.e. they will not be accepted and any web-based booking system will limit guest numbers for group bookings). In the unlikely event that a coach does require parking for the hotel, staff will direct them to alternative locations in the area. Although this is not ideal, as the coach would still wish to stand at the site when dropping off and collecting passengers, it is noted that there would be sufficient space within the service yard to accommodate a coach (or two at a push) if required, as long as this area is managed and tracking has now been provided to demonstrate that a coach could reverse into the service yard from St. John's Road and turn around if necessary. As such, the coach parking requirements can again be relaxed, as long as a planning condition is applied to the consent to limit its use to an apart-hotel only (and not a general hotel) and as long as the future operation and regular review (which is set out within the management plan) of the submitted Coach Management Plan is secured.
43. Taxis can also be expected to set down and collect visitors and as before, a carriage driveway on the western side of the site is proposed for this purpose, accessed via two crossovers onto St. John's Road. The width of this driveway has now been reduced to 2.4m to accommodate a wider light well to the

basement, but tracking has been provided to show that it would still be accessible by taxis (although the space available for passengers to manoeuvre around the vehicle with luggage will be more restricted). As before, the new and widened crossovers will need to be provided by the Highway & Infrastructure Service at the developer's expense, including the removal of guard railing.

44. For the enlarged hotel, the London Plan now requires five short-stay bicycle parking spaces for guests and twelve long-stay spaces for staff. The proposed provision of six and eleven spaces in suitable areas respectively is sufficient to satisfy overall requirements.
45. Servicing by 8m rigid vehicles is again required for the hotel under the standards set out in Appendix 2 of the DMP and the provision of a service yard at the northern end of the building accessed from St. John's Road is again sufficient to satisfy this requirement. As before, vehicles will be required to reverse into the service yard, which suits the fact that the width and height restrictions on St. John's Road to the north of the site mean that many delivery vehicles could only approach and leave the site from the south, so will need to turn within the service yard entrance. Tracking has again been provided to demonstrate that the access arrangements can accommodate large refuse vehicles. As before, a Delivery & Servicing Management Plan has also been submitted with the application to help to manage future deliveries. Eight weekly deliveries are anticipated, with the largest being refuse collection vehicles, with three linen collections per week in box vans. These delivery vehicle movements will be pre-planned, with the aim of avoiding peak hours and ensuring that no more than one vehicle needs to use the service yard at any time. These measures are supported.
46. Pedestrian access is proposed directly from the corner of St. John's Road and Elm Road, which is fine. For the previous application, data from the TRICS database for three other hotels in outer London was used to estimate future trips. However, to provide more localised data, multi-modal surveys have been undertaken by the applicant at the nearby Best Western hotel in Wembley High Road for a Saturday and Tuesday in February 2018. The Best Western hotel also has very little on-site parking, so is suitably comparable with this proposal, albeit it is a standard hotel rather than an apart-hotel. As the Best Western hotel was at the time of the survey still relatively new, the average room occupancy rate for each night preceding and following the survey was used to calculate trip rates, which is considered to be a robust approach. Applying the results to the proposed 226-bed hotel suggests that this proposed apart-hotel would generate 15 two-way vehicle movements in the morning peak hour (8-9am) and 10 two-way movements in the evening peak hour (5-6pm). Daily vehicle movements have been estimated at 114 movements on a weekday and 97 movements on a Saturday. The results are reasonably comparable with previous estimates from the TRICS database for outer London hotels and as previously noted, the absence of parking within the site means that many of these trips would be dispersed across nearby off-street car parks and on-street parking bays. The impact of predicted additional trips on any one junction or road link in the area is therefore again not considered likely to be significant enough to require any further analysis.
47. In terms of modal share, car driver/passenger trips accounted for 13% of trips and taxi journeys for 8%. For other modes, about 65% of trips were by public transport and 11% by foot. For the public transport trips, this would equate to 31 trips by rail/Underground in the morning peak hour (8-9am) and 85 trips in the evening peak hour (5-6pm). This would amount to an average of three extra passengers per rail/Underground service through Wembley Central and Wembley Stadium stations, which is not considered significant enough to have any noticeable impact on capacity. Similarly, the estimated number of journeys by bus (4 in the morning peak hour and 11 in the evening peak hour) would be insignificant. As before though, a "Framework" Travel Plan has been submitted for the hotel, which now includes a firmer action plan.
48. The submitted plan sets out a range of measures to be implemented by a Travel Plan Co-ordinator for both staff and guests (travel information on noticeboards, website etc., marketing and promotion, loans for cycle & season ticket purchase, promotion of car sharing, Car Clubs etc.), with the aim of increasing walking, cycling and public transport use amongst staff and guests over 3-5 years, based initially on the survey results obtained above from the nearby Best Western hotel. Progress towards meeting these targets will be monitored on a biennial basis over five years, with more regular surveys of bicycle parking usage and guest comments. The proposed framework travel plan is supported and development into a full operational Travel Plan within six months of the hotel opening should be secured through a S106 Agreement.
49. Finally, the development includes a deep basement close to the highway boundary. An informative is

therefore recommended advising the applicant that they will require approval in principle (AIP) for the retaining structures around the site perimeter from the Local Highway Authority (i.e. Brent's Highways & Infrastructure Service) prior to the commencement of works. A time period of 8-12 weeks should be allowed to obtain approval and further information can be provided upon request.

50. In conclusion, the development is supported by highways subject to the abovementioned planning conditions and obligations.

Environmental Health

51. The Council's Regulatory Services team have considered the proposals and the technical supporting reports.

Noise, Vibration and Insulation

52. The development proposes the erection of a hotel within a residential/commercial area. Officers in Environmental Health have reviewed the applicant's noise assessment dated April 2018. The methodology of the assessment is acceptable however there are no specifics on noise from plant and noise mitigation measures recommended for the building. In addition there is no information on the proposed delivery hours attending the service bay. Therefore in order to ensure that the internal noise levels within the bedrooms of the hotel are in line with BS8233:2014 officers would recommend a condition requiring the British Standard for sound insulation and noise reduction to be achieved. Whilst the developer would be encouraged to achieve such standards, given that there are no policies governing the internal living standards for hotel rooms it is not considered reasonable to impose this condition on the developer – this was the same approach as taken during the previous application.

53. Plant equipment will be required for the proposed building, which has the potential to result in noise and disturbance of surrounding sensitive uses. Details of plant equipment, including projected noise levels are accordingly recommended to be secured through condition.

Demolition and Construction

54. In line with other Major development proposals, it is recommended that a demolition and construction management statement is secured through condition to promote best practice in the construction in the interest of limiting noise, dust and other disturbance associated with development.

Deliveries and Opening Hours

55. The subject site is accessed via residential streets and Environmental Health have recommended that conditions should be attached restricting the hours of servicing. However, servicing is to be undertaken within a dedicated internal servicing bay and recent TfL initiatives have promoted servicing outside of peak hours where traffic levels are less (and thus the servicing does not contribute excessively to road congestion or adverse air quality). As such, on balance it is considered appropriate to not restrict the hours of servicing.

Asbestos

56. Given the age of the building to be demolished it is possible that asbestos may be present. The applicant should be reminded of their duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials. An informative will remind the applicant of this.

Air Quality

57. The proposed site is within an air quality management area and therefore due to the size of the development the applicant is required to carry out an air quality impact assessment that should consider the potential emissions to the area associated with the development as well as the potential impact on receptors to the development. In addition to an air quality impact assessment officers in Environmental Health have recommended that an air quality neutral assessment is also submitted in relation to transport emissions and building emissions. This is recommended to be secured by condition.

Odour

58. The proposed use will have a small café area and this could cause issues with odour to surrounding

premises if a commercial kitchen were to operate and odour extraction is inappropriately installed. As such, a condition will require that details of external ducting must be submitted if a commercial kitchen will operate within the hotel.

Flooding and Drainage

59. The applicants have submitted a sustainable drainage strategy for the site which Brent's Local Lead Flood Authority supports, the Local Lead Flood Authority is reassured that surface water attenuation has been appropriately mitigated. In addition there are no historical records of flooding affecting this area. A condition is recommended requiring the applicant to develop the scheme in accordance with the submitted sustainable drainage strategy.
60. Thames Water have provided comments on the application. They have confirmed that with regards to both surface water infrastructure capacity and foul water sewerage infrastructure capacity, that they wish to raise no objections. As the scheme involves a basement construction, Thames Water have recommended an informative to be added requiring the applicant to provide details on what measures will be undertaken to minimise groundwater discharges into the public sewer.

Landscaping and Trees

61. Landscaping will be incorporated into two parts of the proposal, firstly along the proposed frontage where planters will be incorporated along the base of the light well railings. This will improve the appearance of the proposal whilst providing screening of the light well which will immediately abut the footway. Further details of the planting, including species and density will be required by condition to ensure the railing planters are likely to be effective in their improvement of visual amenity.
62. The second landscaping proposal is in the form of tree planting to the enclosed courtyard, at the base of the internal light well at basement level 4. The Courtyard will be not accessible to guests but one of the hotel rooms will have a door that enables access to the courtyard for maintenance purposes only. The courtyard will be the central visible feature for suites located centrally in the aparthotel. The plans provide basic detail, indicating the planting of four small trees within the courtyard and confirmation of a 'landscaped' arrangement. The tree officer has indicated that it is likely to be difficult to cultivate trees in an enclosed light well within a deep basement. Nonetheless, considering that the landscaping will not be visible to the public and that there are no policies or guidance with which hotel accommodation can be assessed, it is not considered necessary to request further information on this aspect. It will therefore be left to the hotel management to consider appropriate courtyard landscaping.
63. A tree plan has been submitted by the applicant and has been reviewed by Brent's tree officer. The plan identifies existing tree locations in and around the site. It is shown that 11 low grade C and U trees are located around the northern and eastern edges of the site. A grade B Hornbeam and a grade C Alder tree front the development on the south side and are located within Council land on the public footway. Furthermore, a grade B sycamore tree is present to the north of the site forming part of the neighbouring property's backland. The arboricultural report submitted confirms that all 11 low grade trees will be removed. Most of these trees are not visible from the public realm and offer limited visual improvement at present. The report also confirms that the two Grade B trees as well as the publicly owned Cat C tree will be retained. Their retention will be assured through a tree protection plan which proposes to erect protective fencing around these two street trees. The report confirms that the protective fencing will be type BS grade tree protection fencing. The full tree survey and protection plan has been reviewed by Brent's tree officer and it is confirmed that the methodology and protection plan proposed are acceptable and that the protection plan should be secured by condition.
64. The applicants only own a thin strip of footway at the front of the development, with the remainder of the footway in public ownership. Brent's tree officer has requested a contribution of £10,000 to enable the planting and maintenance of 7 street trees in front of the hotel, within Council land. This is considered important in improving the landscaping amenity offer at the front of the hotel and to further mitigate any detriment imposed by the visibility of the basement light well. The payment of this contribution has been agreed with the applicant and will be secured through the S106 agreement.

Differences between the previously approved development (17/3188) and the subject proposal

65. A table is provided below setting out the differences between the previous approved scheme and the current proposal.

Aspect of proposal	Approved development (17/3188)	Proposed development (18/1592)
Number and location of aparthotel rooms/suites	128 across fourth, third, second, first, upper ground, lower ground and basements 1 & 2	226 across fourth, third, second, first, upper ground, lower ground and basements 1, 2, 3 and 4
Footprint of the building	As approved.	Increased footprint of the building towards St John's Road at basement levels 1 – 4 only. Increase in depth is by 1.2m towards St John's Road. Footprint of the building is same as approved for all elements above ground level.
Light well and railings along St John's Road	The light well and its railing lined edge sit 3.5m from the boundary with the footway of St John's Road.	<p>The light well and its railing lined edge sit 2.6m from the boundary with the footway of St John's Road.</p> <p>The light well to be extended further north along the full extent of the St John's Road elevation to provide light to basement rooms in the NW corner of the building. The extended part of the light well sits below the vehicular access to the service bay and so is covered by a metal grille that can be driven over by service vehicles. There will therefore be no additional railings alongside the extended light well.</p>
Light well and railings along Elm Road	The light well and its railing lined edge sit 1.45m from the boundary with the footway of Elm Road.	The light well and its railing lined edge sit 0.35m from the boundary with the footway of Elm Road.
Lift shafts and stairwells	<p>There are two lift shafts serving all of the floors located in the centre of the building. A third lift shaft is located by the main entrance and allows immediate access to the leisure facilities.</p> <p>There are two stairwells serving the building.</p>	<p>The third lift shaft near the main entrance is removed and repositioned with the main central cluster – the central cluster has been reoriented and repositioned slightly.</p> <p>One of the stairwells has moved and been reoriented to sit immediately behind the new row of three lifts.</p> <p>The three lifts and two stairwells serve all floors between basement 4 and floor 2. Only two</p>

		of the lifts and one of the stairwells serves floors 3 and 4.
Access arrangement for vehicle drop-off area	As approved.	A tighter turn into the drop off area but with a wider entrance. The drop off area for vehicles has been reduced in width from 3.75m to 2.4m as a result of the repositioned light well and railings along St John's Road.
Lower Ground floor layout	As approved with 4 visitor cycle stands at eastern edge of building fronting Elm Road. Main reception area includes a guest lounge.	A number of internal reconfigurations: The 'back of house' area has been moved from the centre to the north east corner and suites/rooms have now been provided that overlook the central light well. There has been a plant room added in amongst the deliveries/storage area along the north side. Addition of two visitor's cycle stands for a total of six on eastern edge of building along Elm Road. A secondary pedestrian access/exit for emergencies has been created at the eastern end of the building onto Elm Road between the Elm Road light well and the cycle storage space. Main reception area's guest lounge removed and a café proposed instead.
Upper Ground, first and second floor layout	As approved.	Two of the rooms on each floor have been increased in size as a result of the relocation of the western stairwell
Third floor layout	As approved.	The same two rooms across floors increased in size as above. Externally, the eastern edge of the third and fourth floor (as seen from Elm Road) has been extended slightly further east by an additional 1.05m since this part of the building now accommodates a suite/room rather than a stairwell. The projection out from the main massing of the building has increased from 1.35m to 2.4m. However the projection is only present from a depth of 7.55m back from the main front wall of

		the building.
Fourth floor layout	As approved.	The same as above. The loss of a small projecting element on the north side of the fourth floor following removal of stairwell from this location. This projection was never visible from street level so will not affect the external appearance of the building as seen from the street.
Roof layout	Included an extractor for kitchen effluvia.	Has removed the extractor for kitchen effluvia since a restaurant is no longer proposed.
Basement levels 1 and 2 layout	These levels form duplex aparthotel rooms – i.e. one aparthotel room across two levels, which provides each aparthotel room with two windows and more space than the normal rooms.	These levels form two levels of single level aparthotel rooms.
Basement levels 3 and 4 layout	Forms a double height space containing a restaurant, gym and leisure centre.	Forms two normal height floors containing single level aparthotel rooms.
Basement level 5 layout	Forms a 165sqm plant room only.	Forms a 170sqm plant room only.
Elm Road elevation	As approved, the railings along St John's Road are set 0.1m away from the building as seen from Elm Road.	The increased width of the railings and associated landscaping along St John's Road is visible from the Elm Road elevation – the railings are now set 1m away from the building. The top part of the emergency exit door in the Elm Road elevation is visible as it protrudes above street level The additional 1.05m of width of the built form at levels 3 and 4 is visible – however this is set back from the front elevation by 7.55m and will likely only be noticeable from the south side of Elm Road. The additional width of this part of the building decreases the set in to no. 13 Elm Road from 5.75m to 4.7m as seen from the street.
St John's Road elevation	As approved, the railing along	The railing along the St John's

	<p>the St John's Road frontage sits 1.85m from the shutter forming the service bay access.</p>	<p>Road frontage extends 0.2m further north, now sitting 1.65m from the shutter forming the service bay access.</p> <p>The railing along the Elm Road frontage sits closer to Elm Road and this is visible from the side profile as seen along St John's Road.</p>
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Conclusions

66. To conclude, the physical building as proposed (except for very minor external changes) has already been approved by the planning committee in recent months and the policy position governing the acceptability of the development remains the same. Members are therefore advised to consider this application on the basis of the changes made between the previously approved application (17/3188) and the current application, with those changes being listed in full above.
67. Your officers consider that the proposed development is acceptable for the reasons discussed above and your officers recommend that planning permission is granted.

CIL DETAILS

This application is liable to pay **£1,105,516.14*** under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

Total amount of eligible** floorspace which on completion is to be demolished (E): 1230 sq. m.

Total amount of floorspace on completion (G): 7084 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
Hotels	7084		5854	£100.00	£35.15	£817,991.96	£287,524.18

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	313	
Total chargeable amount	£817,991.96	£287,524.18

*All figures are calculated using the formula under Regulation 40(6) and all figures are subject to index linking as per Regulation 40(5). The index linking will be reviewed when a Demand Notice is issued.

****Eligible** means the building contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development.

Please Note : CIL liability is calculated at the time at which planning permission first permits development. As such, the CIL liability specified within this report is based on current levels of indexation and is provided for indicative purposes only. It also does not take account of development that may benefit from relief, such as Affordable Housing.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 18/1592

I refer to your application dated **27/04/2018** proposing the following:

Demolition of existing hotel buildings and erection of a part 3, part 4 and part 5 storey 226 bed aparthotel plus basement accommodation comprising guestrooms and ancillary facilities within a 5-storey basement (situated below the part-basement lower ground floor), together with soft and hard landscaping, servicing, cycle storage and refuse and recycling facilities

and accompanied by plans or documents listed here:
Refer to condition 2.

at **1-7, 9, 11 & 11A Elm Road, Wembley, HA9 7JA**

The Council of the London Borough of Brent, the Local Planning Authority, hereby **GRANT** permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date: 03/08/2018

Signature:

Alice Lester
Head of Planning, Transport and Licensing

Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

- 1 The proposed development is in general accordance with policies contained in the:-

National Planning Policy Framework 2018
London Plan 2015
Brent Core Strategy 2010
Brent Development Management Policies 2016
Council's SPD 2 "Residential Extensions and Alterations" 2018
Council's SPG17 "Design Guide for New Development" 2001
Council's Draft Supplementary Planning Document 1 (SPD1) 2017

- 1 The development to which this permission relates must be begun not later than the expiration of three years beginning on the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall be carried out in accordance with the following approved drawing(s) and/or document(s):

A-000-001 Rev P0

A-025-001 Rev P1
A-025-002 Rev P1
A-025-003 Rev P1
A-025-110 Rev P0
A-025-111 Rev P0

A-100-001 Rev P2
A-100-002 Rev P2
A-100-003 Rev P2
A-100-004 Rev P2
A-100-005 Rev P2
A-100-006 Rev P2
A-100-007 Rev P2
A-100-010 Rev P2
A-100-012 Rev P2

A-110-001 Rev P1
A-110-002 Rev P1

A-120-001 Rev P1

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

- 3 No guest or customer of the aparthotel hereby permitted may occupy any part of the accommodation for a period exceeding ninety days in any continuous period of six months. The operator of the hotel shall at all times maintain an accurate register of the full names and permanent addresses of all guests and of the dates of their occupancy of the accommodation. These registers shall be kept for not less than two years from the date of the last entry and shall be made available to be inspected by the Local Planning Authority upon reasonable demand.

Reason: To ensure the development provides an adequate standard of accommodation for guests and fulfils the role of temporary (hotel) accommodation, as required by policy DMP6.

- 4 The premises shall not be used other than for the purpose of apart-hotel and for no other purpose (including any other purpose in Use Class C1 specified in the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) without the prior written permission of the Local Planning Authority with the exception of the ancillary use of the areas as shown in the drawings hereby approved as a restaurant and gym/swimming pool/changing facilities which may be used for those purposes.

Reason: To ensure that no other use commences without the prior permission of the Local Planning Authority and to enable other uses to be considered on their merits.

- 5 The windows on the upper ground and first floors of the eastern face of the building shall be constructed with obscure glazing and non-opening or with openings at high level only (not less than 1.8m above floor level) and shall be permanently returned and maintained in that condition thereafter unless the prior written consent of the Local Planning Authority is obtained.

Reason: To minimise interference with the privacy of the adjoining occupier(s).

- 6 The 24 aparthotel rooms which are Wheelchair Accessible shall be maintained with this level of accessibility throughout the lifetime of the development, unless an alternative arrangement is first agreed in writing by the Local Planning Authority.

Reason: To ensure a sufficiently accessible development that complies with the London Plan 2011 and Brent Policy DMP6.

- 7 All provisions and details contained within the Accessibility Management Plan contained within the submitted Design and Access Statement shall be implemented from first occupation of the development hereby approved and shall thereafter be implemented and adhered to throughout the lifetime of the development, unless an alternative arrangement is first submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a sufficiently accessible development that complies with the London Plan 2011 and Brent Policy DMP6.

- 8 The development shall not be occupied unless the servicing area has been provided and is available for use and the details contained within the Coach Management Plan (prepared by RGP, dated April 2018) and the Servicing and Delivery Plan (prepared by RGP, dated April 2018) hereby approved shall be fully implemented from first occupation of the development and adhered to in full throughout the lifetime of the development unless alternative details are first agreed in writing by the Local Planning Authority.

Reason: To ensure that the development will not prejudice the safe and free flow of vehicles along the highways

- 9 The development hereby approved shall not be occupied unless the two proposed crossovers along St John's Road have been constructed in accordance with the plans hereby approved.

Reason: To ensure that the development is fit for purpose and will not prejudice the safe and free flow of vehicles along the highways

- 10 The developer or constructor shall join the Considerate Constructors Scheme prior to commencement of works and the developer or constructor shall thereafter adhere to the requirements of the Scheme for the period of construction.

Reason: In the interest of the amenities of the adjoining and nearby owners and occupiers.

- 11 The approved cycle storage facilities shall be installed prior to first occupation of the development hereby approved and thereafter retained and maintained for the life of the development and not used other than for purposes ancillary to the occupation of the apart-hotel hereby approved.

Reason: To encourage sustainable forms of transportation in the interest of highway flow and safety.

- 12 Any plant shall be installed, together with any associated ancillary equipment, so as to prevent the transmission of noise and vibration into neighbouring premises. The rated noise level from all plant and ancillary equipment shall be 10dB(A) below the measured background noise level when measured at the nearest noise sensitive premises.

Reason: To protect acceptable local noise levels.

- 13 The tree protection proposals as contained within the Arboricultural Report prepared by ACS Consulting (dated October 2017), shall be adhered to in full throughout for the full period of construction of the development hereby approved. Two separate meetings shall be arranged between the site manager and Brent's tree protection officer to enable the tree protection officer to observe (1) the erection of the protective fencing and (2) the dismantlement of the protective fencing at the relevant points during construction.

Reason: For assurance that trees are to be protected to minimise negative external impacts of the development.

- 14 The development shall be carried out in full accordance with the details of the submitted sustainable drainage strategy (prepared by RPS, dated June 2018, ref: RCEF64714-002R) The approved strategy shall be implemented in full prior to first occupation of the development hereby approved.

Reason: The development may lead to sewage flooding ; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

- 15 Prior to the commencement of the development (including demolition of the existing building) a Construction and Demolition Method Statement shall be submitted to and approved in writing by the Local Planning Authority outlining measures that will be taken to control dust, noise, construction traffic and other environmental impacts of the development. The approved statement shall be implemented throughout the duration of construction.

Reason: To safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance.

- 16 Prior to the commencement of works (including the demolition of the existing building), an Air Quality Neutral Assessment shall be submitted to and approved in writing by the Local Planning Authority. The report must be undertaken in accordance with guidance published by the Greater London Authority (GLA). The assessment shall include mitigation proposals should it be found that the development is not air quality neutral. The measures within the approved assessment shall thereafter be implemented in full throughout the construction and prior to first occupation of the development (where relevant).

Reason: To ensure that the development would not result in a detrimental impact on local air quality.

- 17 Prior to the commencement of piling, a piling method statement detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, measures to prevent and minimise the potential to disturb the amenities of nearby

occupiers, and the programme for the works shall be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

- 18 Details of materials for all external work, including samples which shall be made available for viewing on site or within another location as agreed, shall be submitted to and approved in writing by the Local Planning Authority before any above ground level works are commenced (excluding demolition). The work shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality.

- 19 The proposed railing planters shall be suitably landscaped in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to their installation. The approved landscaping work shall be completed prior to first occupation of the development hereby approved and thereafter maintained.

The submitted scheme shall include details of:

- a) the planting scheme, which shall include species, size and density of plants
- b) a landscaping maintenance strategy, including details of management responsibilities;

Any trees and shrubs planted in accordance with the landscaping scheme which within 5 years of planting, are removed, dying, seriously damaged or become diseased, shall be replaced to the satisfaction of the Local Planning Authority, by trees and shrubs of similar species and size to those originally planted within the next available planting season.

Reason: To ensure a satisfactory standard of appearance and to ensure that the proposed development enhances the visual amenity of the locality.

- 20 Details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority prior the installation of the lighting. This shall include details of the lighting fixtures, luminance levels within and adjoining the site. The lighting shall not be installed other than in accordance with the approved details.

Reason: In the interests of safety and the amenities of the area.

- 21 Prior to the operation of a commercial kitchen within the development, details of the kitchen extract system shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the following:
- Plans showing the route the extract duct will take through the building and associated layout of rooms and showing that the flue will terminate at least 1m above the roof height of the building
 - Details of the odour abatement equipment to be installed;
 - Calculation showing that acceptable noise levels (i.e. Good resting conditions) will be achieved in the most affected hotel rooms and specifications of any noise abatement equipment needed to achieve these conditions.

The kitchen extract shall be installed and operated in accordance with the approved details prior to first operation of a commercial kitchen and thereafter maintained in accordance with the manufacturer's specifications.

Reason: To protect the amenity of neighbouring residents if cooking processes are to be carried out within the proposed ancillary cafe.

- 22 Within 6 months of the first occupation of the development, a Post Construction Stage Review BRE Certificate shall be submitted to and approved in writing by the Local Planning Authority. The certificate shall demonstrate that the Development has achieved BREEAM "Excellent" unless otherwise agreed in writing by the Local Planning Authority. The Development shall be maintained so that it continues to comply for the lifetime of the Development.

Reason: to ensure the Development is designed and constructed to improve environmental performance and adapt to the effects of climate change over time.

INFORMATIVES

- 1 The applicant is advised to review the Council's Code of Construction Practice. Noisy works are permitted:
- Mon-Fri 0800-1800
- Sat 0800-1300
- Audible works should not be carried out at any time on Sundays and Bank Holidays.
- 2 The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read Thames Water guide 'working near our assets' to ensure works are in line with the necessary processes required to be followed if working above or near Thames Water pipes or other structures
- [https://urldefense.proofpoint.com/v2/url?u=https-3A__developers.thameswater.co.uk_Developing-2Da-2Dlarge-2Dsite_Planning-2Dyour-2Ddevelopment_Working-2Dnear-2Dor-2Ddiverting-2Dour-2Dpipes&d=DwIFAw&c=OMjwGp47Ad5otWI0__lpOg&r=G_hzVySAkixNxE_J_EjNJR_FDWFjexJLES8DRQ06qKk&m=jtx127Pni3LvproHc4qhZJC3hVRmsiWhPbq-ouUTguo&s=-7m-Kfa-tNF2PxzaORnER5FY6ltFTutt9PPvqeYes&e=.](https://urldefense.proofpoint.com/v2/url?u=https-3A__developers.thameswater.co.uk_Developing-2Da-2Dlarge-2Dsite_Planning-2Dyour-2Ddevelopment_Working-2Dnear-2Dor-2Ddiverting-2Dour-2Dpipes&d=DwIFAw&c=OMjwGp47Ad5otWI0__lpOg&r=G_hzVySAkixNxE_J_EjNJR_FDWFjexJLES8DRQ06qKk&m=jtx127Pni3LvproHc4qhZJC3hVRmsiWhPbq-ouUTguo&s=-7m-Kfa-tNF2PxzaORnER5FY6ltFTutt9PPvqeYes&e=)
- Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB
- 3 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via <http://www.thameswater.co.uk/wastewaterquality>
- 4 Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing a positive pumped device (or equivalent reflecting technological advances) to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions. Fitting only a non-return valve could result in flooding to the property should there be prolonged surcharge in the public sewer.
- 5 The applicant is advised that any hotel signage to be erected requires separate advertisement consent.

- 6 The applicant is advised by the applicant to contact the Head of Highways & Infrastructure to arrange for the crossover works to be undertaken. Such works are undertaken by the Council at the applicant's expense.
- 7 The applicant is advised to notify the Council's Highways and Infrastructure Service of the intention to commence works prior to commencement and include photographs showing the condition of highway along the site boundaries. The Highways and Infrastructure Service will require that any damage to the adopted highway associated with the works is made good at the expense of the developer.
- 8 The applicant is advised to contact the Council's tree protection officer, Lawrence Usherwood, on 020 8937 5247 in respect of meeting the requirements for the condition relating to tree protections.
- 9 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 10 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.
- 11 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 12 Given the age of the building to be refurbished it is possible that asbestos may be present. The applicant should be reminded of their duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to carry out an asbestos survey and where necessary remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials.
- 13 The applicant is advised that they will require approval in principle (AIP) for the retaining structures around the site perimeter from the Local Highway Authority (i.e. Brent's Highways & Infrastructure Service) prior to the commencement of works. A time period of 8-12 weeks should be allowed to obtain approval and further information can be provided upon request.

Any person wishing to inspect the above papers should contact Toby Huntingford, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 1903



Appendix Five – Premier Inn, Victoria



Your ref: SACKVILLE UKPEC

Please
reply to:

Julia Asghar

My ref: 17/10921/FULL

Tel No:

020 7641 2518

Mr Alan Hughes
DP9 Ltd
100 Pall Mall
London
SW1Y 5NQDevelopment Planning
Westminster City Council
PO Box 732
Redhill, RH1 9FL2ND JULY 2018

Dear Sir/Madam

**TOWN AND COUNTRY PLANNING ACT 1990
PERMISSION FOR DEVELOPMENT (CONDITIONAL)**

The City Council has considered your application and permits the development referred to below subject to the conditions set out and in accordance with the plans submitted.

Unless any other period is stated in the Schedule below or by conditions attached; this consent, by virtue of Section 91(1) of the Town and Country Planning Act 1990 (as amended), is granted subject to the condition that the development shall be commenced within 3 years of the date of this decision.

Your attention is drawn to the enclosed Statement of Applicant's Rights and General Information.

SCHEDULE**Application No:** 17/10921/FULL**Date Received:** 08.12.2017**Date Amended:** 12.12.2017

Plan Nos: 16.597.PL.1200, 1201, 1202, 1205/A, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1350/A, 1351/A, 1352/A, 1353/A, 1354/A, 1355/A, 1356/A, 1357/A, 1358/A, 1359/A, 1360/A, 1361/A, 1362/A, 1363/A, 1364/A, 1365/A, 1400, 1405, 1500, 1501, 1502, 1505/A, 1506, 1507/A; 4329-135/A; 2016/3368/010 dated April 2018; Planning Statement dated November 2017; Design and Access Statement (inc. Townscape, Visual Impact & Heritage Assessment, and Sustainability Statement) dated 30 November 2017; Transport Statement dated November 2017; Transport Statement Addendum dated February 2018; Travel Plan dated 23 February 2018; Delivery and Servicing Management Plan dated November 2017; Coach and Taxi Management Plan dated November 2017; Energy Strategy & BREEAM Pre-Assessment dated November 2017; Daylight and Sunlight Assessment dated November 2017; Noise Impact Assessment dated November 2017; Air Quality Assessment dated January 2018; Utilities Summary dated November 2017; Flood Risk Assessment & Drainage Strategy dated November 2017; Supplementary Statement on Flood Risk and Surface Water dated 5 April 2018; Draft Demolition & Construction Management Plan dated November 2017 (for information only); and Structural Methodology dated November 2017 (for information only).

Address: 1 Neathouse Place, London, SW1V 1LH,

Proposal: Demolition and reconstruction of Nos. 27-31 and 39-40 Wilton Road to form an extended Building at 1 Neathouse Place for use as two hotels (Class C1), restaurant with ancillary bar (class A3) and coffee shop (Class A1); external alterations to Wilton Road and Vauxhall Bridge Road elevations; creation of rooftop plant well and installation of new and replacement plant.

See next page for conditions/reasons.

Yours faithfully



John Walker
Director of Planning

Note: As the requirements of the Building Regulations may affect the design of the proposed development our Building Control team can offer advice and guidance at an early stage. If you would like to take advantage of this service please contact them on 020 7641 6500 or email districtsurveyors@westminster.gov.uk to arrange a preliminary discussion.

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Condition(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
- o not at all on Saturdays, Sundays, bank holidays and public holidays.

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

Reason:

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

- 3 You must apply to us for approval of samples of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work using the approved materials. (C26BC)

Reason:

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

- 4 You must apply to us for approval of detailed drawings of the following parts of the development:
- i) shopfronts and ground floor elevations at 1:50 scale with x-sections at 1:10 scale
 - ii) low level decorative panel at 1:20 scale
 - iii) the sloped stone effect sections under the decorative panel at ground floor level to deter sitting at 1:20 scale
 - iv) typical bay details to Wilton Road facade at 1:50 scale

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You must not start work on these parts of the development until we have approved what you have sent us. You must then carry out the works according to these approved details.

Reason:

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

- 5 You must apply to us for approval of detailed drawings of the design, construction and insulation of the whole ventilation system and any associated equipment. You must not start on these parts of the work until we have approved 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. (C13BB)

Reason:

To protect the environment of people in neighbouring properties, as set out in S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13BC)

- 6 Notwithstanding what is shown on the approved drawings, the ventilation system to get rid of cooking smells for the ancillary hotel restaurant and restaurant use (class A3) shall be full height, extracting at main roof level.

You must apply to us for approval of full details of the ventilation system to get rid of cooking smells, including details of how it will be built and how it will look. You must not begin the uses allowed by this permission until we have approved what you have sent us and you have carried out the work according to the approved details.

Reason:

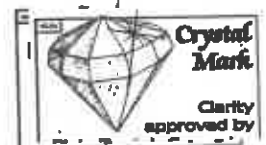
To protect the environment of people in neighbouring properties as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R14AC)

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

(2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its

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noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:

- (a) A schedule of all plant and equipment that formed part of this application;
- (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
- (c) Manufacturer specifications of sound emissions in octave or third octave detail;
- (d) The location of most affected noise sensitive receptor location and the most affected window of it;
- (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
- (g) The lowest existing LA90, 15 mins measurement recorded under (f) above;
- (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
- (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

8. No vibration shall be transmitted to adjoining or other premises and structures through the building structure and fabric of this development as to cause a vibration dose value of greater than 0.4m/s (1.75) 16 hour day-time nor 0.26 m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.

Reason:

As set out in ENV6 (2) and (6) of our Unitary Development Plan that we adopted in January 2007, to ensure that the development is designed to prevent structural transmission of noise or vibration.

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- 9 You must apply to us for approval of details of a supplementary acoustic report demonstrating that the plant will comply with the Council's noise criteria as set out in Condition 7 and 8 of this permission. You must not start work on this part of the development until we have approved what you have sent us.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels.

- 10 (1) Noise emitted from the emergency plant and generators hereby permitted shall not increase the minimum assessed background noise level (expressed as the lowest 24 hour LA90, 15 mins) by more than 10 dB one metre outside any premises.

(2) The emergency plant and generators hereby permitted may be operated only for essential testing, except when required by an emergency loss of power.

(3) Testing of emergency plant and generators hereby permitted may be carried out only for up to one hour in a calendar month, and only during the hours 09.00 to 17.00 hrs Monday to Friday and not at all on public holidays.

Reason:

As set out in S32 of Westminster's City Plan (November 2016) and ENV 7 (B) of our Unitary Development Plan that we adopted in January 2007. Emergency and auxiliary energy generation plant is generally noisy, so a maximum noise level is required to ensure that any disturbance caused by it is kept to a minimum and to ensure testing and other non-emergency use is carried out for limited periods during defined daytime weekday hours only, to prevent disturbance to residents and those working nearby.

- 11 No music shall be played in the hotel or restaurant uses such as to be audible outside the premises.

Reason:

To protect the environment of people in neighbouring properties, as set out in S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13BC)

- 12 You must provide the waste store shown on drawing 4329-135/A and PL1350/A before anyone moves into the property. You must clearly mark it and make it available at all times to everyone using the building.. You must store waste inside the property and only put it outside just before it is going to be collected. You must not use the waste store for any other purpose. (C14DC)

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan (November 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

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- 13 Waste collection and servicing must be made within the site demise in accordance with the swept path analysis drawing numbers 2016/3368/008 and 2016/3368/010 dated April 2018.

Reason:

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

- 14 No waste should be left or stored on the public highway.

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan (November 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

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

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan (November 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

- 16 You must use the parking, access, loading, unloading and manoeuvring areas shown on the approved plans only for those purposes. (C23AA)

Reason:

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

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

Reason:

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

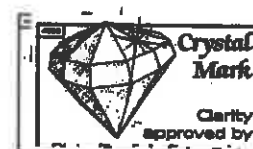
- 18 You must provide the two disabled car parking spaces shown on the approved drawings prior to occupation of the hotel uses. Thereafter the disabled car parking spaces must be retained and used for no other purpose without the prior written consent of the local planning authority.

Reason:

To provide disabled car parking for hotel visitors.

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- 19 The hotel uses shall be carried out in accordance with the Coach and Taxi Management Plan dated November 2017 unless otherwise agreed in writing by us.

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan (November 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

- 20 You must apply to us for approval of a Servicing Management Plan for the hotel and restaurant uses. You must not commence the hotel and restaurant uses until we have approved what you have sent us. Thereafter the hotels and restaurant must be managed in accordance with the approved Servicing Management Plan, unless otherwise agreed in writing by the local planning authority.

Reason:

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

- 21 You must apply to us for approval of an operational management plan to show how you will prevent customers who are leaving the building from causing nuisance for people in the area, including people who live in nearby buildings. You must not start the hotel or restaurant uses until we have approved what you have sent us. You must then carry out the measures included in the management plan at all times that the hotels and restaurant are in use. (C05JB)

Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and TACE 10 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05GB)

- 22 Customers shall not be permitted within the restaurant premises before 0630 or after 0000 (midnight) each day. (C12AD)

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 TACE10 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

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

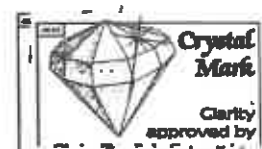
Air source heat pumps and combined heat and power system.

You must not remove any of these features, unless we have given you our permission in writing. (C44AA)

Reason:

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

- 24 Notwithstanding what is shown on the approved drawings, a minimum of 53 hotel bedrooms within the Premier Inn and 18 bedrooms within the Hub by Premier Inn hotel (10%) shall be fully wheelchair accessible.

Reason:

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

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

Reason:

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

- 26 If you provide a bar and bar seating, it must not take up more than 15% of the floor area of the restaurant premises, or more than 15% of each unit if you let the restaurant premises as more than one unit. You must use the bar to serve restaurant customers only, before, during or after their meals.

Reason:

We cannot grant planning permission for unrestricted use in this case because it would not meet TACE 10 and S 24 of our Unitary Development Plan that we adopted in January 2007. (R05AB)

- 27 You must apply to us for approval of a flood risk assessment including evidence that you have assessed the maximum flood level for the development location for both tidal and surface water flood risk and used this information to develop appropriate flood resistance and resilience measures, safe access and egress and a suitable flood evacuation plan.

You must not start work until we, in consultation with the Greater London Authority, have approved what you have sent us. You must then carry out the work according to these details. (C26CB)

Reason:

To ensure that the development will not increase flood risk.

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- 28 You must apply to us for approval of detailed drawings showing the following alteration(s) to the scheme:

A revised internal layout for the ground floor restaurant with public areas adjacent to the glazing to Vauxhall Bridge Road and Neathouse Place frontages.

You must not occupy the development until we have approved what you have sent us. You must then carry out the work according to the approved drawings and maintain it in the form approved, unless otherwise agreed in writing by us. (C26UB)

Reason:

To provide natural surveillance to the street in order to deter rough sleeping and anti-social behaviour as set out in S29 of Westminster's City Plan (November 2016).

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 You may need to get separate permission under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 if you want to put up an advertisement at the property. (I03AA)
- 3 Please contact our Environmental Health Service (020 7641 2971) to register your food business and to make sure that all ventilation and other equipment will meet our standards. Under environmental health law we may ask you to carry out other work if your business causes noise, smells or other types of nuisance. (I06AA)
- 4 Please contact our Environmental Health Service (020 7641 2000) to make sure you meet their requirements under the Control of Pollution Act 1974 and the Environmental Protection Act 1990. (I07AA)
- 5 You need to speak to our Highways section about any work which will affect public roads. This includes new pavement crossovers, removal of redundant crossovers, changes in threshold levels, changes to on-street parking arrangements, and work which will affect pavement vaults. You will have to pay all administration, design, supervision and other costs of the work. We will carry out any work which affects the highway. When considering the desired timing of highway works in relation to your own development programme please bear in mind that, under the Traffic Management Act 2004, all works on the highway require a permit, and (depending on the length of the highway works) up to three months advance notice may need to be given. For more advice, please phone 020 7641 2642. However, please note that if any part of your proposals would require the removal or relocation of an on-street parking bay, this is unlikely to be approved by the City Council (as highway authority). (I09AC)

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- 6 You will have to apply separately for a licence for any structure that overhangs the road or pavement. For more advice, please phone our Highways section on 020 7641 2642. (I10AA)
- 7 No digging should take place within 5 metres of a High Voltage Cable without contacting National Grid's Plant Protection Team <https://www.beforeyoudig.nationalgrid.com>
- 8 We recommend you speak to the Head of the District Surveyors' Services about the stability and condition of the walls to be preserved. He may ask you to carry out other works to secure the walls. Please phone 020 7641 7240 or 020 7641 7230. (I22AA)
- 9 You will need to re-apply for planning permission if another authority or council department asks you to make changes that will affect the outside appearance of the building or the purpose it is used for. (I23AA)
- 10 Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please phone our Highways Licensing Team on 020 7641 2560. (I35AA)
- 11 You must apply for a licence from our Highways Licensing Team if you plan to block the road or pavement during structural work to support the building. Your application will need to show why you cannot support the building from private land. For more advice, please phone 020 7641 2560. (I36AA)
- 12 Please make sure that the lighting is designed so that it does not cause any nuisance for neighbours at night. If a neighbour considers that the lighting is causing them a nuisance, they can ask us to take action to stop the nuisance (under section 102 of the Clean Neighbourhoods and Environment Act 2005). (I39AA)
- 13 When carrying out building work you must do all you can to reduce noise emission and take suitable steps to prevent nuisance from dust and smoke. Please speak to our Environmental Health Service to make sure that you meet all requirements before you draw up the contracts for demolition and building work.

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

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

Phone: 020 7641 2000

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Our Environmental Health Service may change the hours of working we have set out in this permission if your work is particularly noisy. Deliveries to and from the site should not take place outside the permitted hours unless you have our written approval. (150AA)

- 14 Your proposals include demolition works. If the estimated cost of the whole project exceeds £300,000 (excluding VAT), the Site Waste Management Plan (SWMP) Regulations 2008 require you to prepare an SWMP before works begin, to keep the Plan at the site for inspection, and to retain the Plan for two years afterwards. One of the duties set out in the Regulations is that the developer or principal contractor "must ensure, so far as is reasonably practicable, that waste produced during construction is re-used, recycled or recovered" (para 4 of the Schedule to the Regulations). Failure to comply with this duty is an offence. Even if the estimated cost of the project is less than £300,000, the City Council strongly encourages you to re-use, recycle or recover as much as possible of the construction waste, to minimise the environmental damage caused by the works. The Regulations can be viewed at www.opsi.gov.uk.
- 15 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.
- 16 The construction manager should keep residents and others informed about unavoidable disturbance such as noise, dust and extended working hours, and disruption of traffic. Site neighbours should be given clear information well in advance, preferably in writing, perhaps by issuing regular bulletins about site progress. ...
- 17 With reference to condition 25 please refer to the Council's Code of Construction Practice at (<https://www.westminster.gov.uk/code-construction-practice>). You will be required to enter into the relevant Code appropriate to this scale of development and to pay the relevant fees prior to starting work. The Code does require the submission of a full Site Environmental Management Plan or Construction Management Plan as appropriate 40 days prior to commencement of works (including demolition). These documents must be sent to environmentalsciences2@westminster.gov.uk.

Appendix A or B must be signed and countersigned by Environmental Sciences prior to the submission of the approval of details of the above condition.

You are urged to give this your early attention

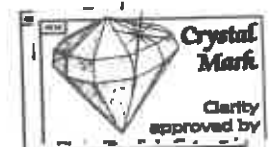
- 18 This permission is governed by a legal agreement between the applicant and us under Section 106 of the Town and Country Planning Act 1990. The agreement relates to:

Employment and Training Strategy for the construction phase and operational phase of the proposed development;

- o Financial contribution of £18,000 towards Legible London wayfinding signage, £200,000 towards Cycle Hire station and £230,000 towards Subway Decommissioning as requested by TFL.
- o Crossrail payment
- o Monitoring costs.

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- 19 You may need separate licensing approval for the restaurant premises. Your approved licensing hours may differ from those given above but you must not have any customers on the premises outside the hours set out in this planning permission. (I61AB)
- 20 You must make sure that any other activities taking place in the class A3 (restaurant or café) premises, such as small amounts of takeaway sales or small bar areas, are so minor that they do not alter the main use as a restaurant or café. If the scale of one or more of these extra activities is more substantial than this, it is likely that a material (significant) change of use (from class A3 to a mix of uses) will have taken place, which will need a new planning permission. (I61BA)
- 21 Please contact a Metropolitan Police Crime Prevention Design Adviser about suitable security measures for your development. You should also check whether these features will need planning approval.

You should contact:

David Fisher on 020 8217 3813 or by email docomailbox.ne@met.police.uk

He is based at:

Lower Ground
Bow Road Police Station
111-117 Bow Road
London E3 2AN
(I74AA)

- 22 We recommend all hoteliers to join the Westminster Considerate Hoteliers scheme and to support the Considerate Hoteliers Environmental Charter. This aims to promote good environmental practice in developing and managing hotels. For more information, please contact:

John Firrell MHCIMA
Secretary - Considerate Hoteliers Association
C/o Wheelwright's Cottage
Litton Cheney
Dorset DT2 9AR

E-mail: info@consideratehoteliers.com
Phone: 01308 482313

(I76AA)

- 23 You should include features that improve biodiversity when designing the development and any open areas. For more advice, please speak to our Biodiversity Project Manager on 020 7641 1951. (I81AA)
- 24 The development for which planning permission has been granted has been identified as potentially liable for payment of both the Mayor of London and Westminster City Council's Community Infrastructure Levy (CIL). Further details on both Community Infrastructure Levies, including reliefs that may be available, can be found on the council's

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website at:

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www.westminster.gov.uk/cil

Responsibility to pay the levy runs with the ownership of the land, unless another party has assumed liability. If you have not already you must submit an **Assumption of Liability Form** **immediately**. On receipt of this notice a CIL Liability Notice setting out the estimated CIL charges will be issued by the council as soon as practicable, to the landowner or the party that has assumed liability, with a copy to the planning applicant. You must also notify the Council before commencing development using a **Commencement Form**

CIL forms are available from the planning on the planning portal:
<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

Forms can be submitted to CIL@Westminster.gov.uk

Payment of the CIL charge is mandatory and there are strong enforcement powers and penalties for failure to pay, including Stop Notices, surcharges, late payment interest and prison terms.

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City of Westminster

TOWN AND COUNTRY PLANNING ACT 1990 PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990

Applicant's Rights and General Information

1. Applicant's Rights (refusals and conditional approvals)

a) Appeals to the Planning Inspectorate

If your application has been **refused** by the City Council or **granted subject to conditions** that you are not happy with, you have the right to appeal to the Planning Inspectorate (under Section 78 of the Town and Country Planning Act 1990 or Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990). The Planning Inspectorate is an Executive Agency reporting to the Secretary of State for Communities and Local Government.

The time limits for submitting an appeal may vary. The period after the date of the City Council's decision within which an appeal must be received by the Secretary of State is:

- **28 days** in the case of an appeal against refusal of a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice.
- **8 weeks** in the case of an appeal against refusal of advertisement consent.
- **12 weeks** in the case of appeals made under s78(1) against refusal of any 'householder application' – that is,
 - refusal of an application for planning permission to alter or extend a house, or for works within the curtilage of a house.
 - Refusal to approve details submitted as required by a condition imposed on a permission granted for a householder application.
 - Refusal of prior approvals relating to dwelling houses, including the neighbours' consultation scheme for larger home extensions under Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order.
- **12 weeks** in the case of 'minor commercial applications that is,
 - refusal of an application for development of an existing building or part of a building currently in use for any purposes in Classes A1, A2, A3, A4 and A5 where the proposal does not include a change of use, a change to the number of units, development that is not wholly at ground floor level and/or does not increase the gross internal area of the building.
 - Interested parties have no right to comment on an appeal with regards to a minor commercial development (specifically a shopfront).
- **6 months** in the case of all other appeals made under s78(1) or s20 of the above Acts relating to a decision on a planning application or listed building consent application. The 6 month time limit also applies to any appeal made under s78 (2) of the Act in respect of a failure to give a decision within the statutory period.

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if you want to appeal, you must use the correct appeal form from the following list: Planning, Householder, Minor Commercial, Listed Building Consent or Certificate of Lawful Use or Development.

The Planning Inspectorate has an online appeals service: www.planningportal.gov.uk/pcs. The Planning Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the application form and associated documents and the completed appeal documents. Please ensure that you only provide information, including personal information, that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure that you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal. Alternatively, you can obtain a form from the **Customer Support Team, Planning Inspectorate, 3/08a, Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN Tel: 0303 4440000**. An extension of time for lodging an appeal is unlikely to be granted except in special circumstances. There is a guide and other useful advice about appeals on line at www.planningportal.gov.uk/planning/appeals/online/makeanappeal

APPROVAL OF DETAILS:

If your application has been granted and is subject to the approval of details reserved by condition please use the form 'Application For Approval Of Details Reserved By Condition' in order to discharge the relevant details. This form can be downloaded from the City Council's web site at www.westminster.gov.uk/planning

b) Purchase Notices

In certain circumstances the owner of a property has the right to serve a Purchase Notice on the City Council or the Department for Communities and Local Government. A Notice may be served if, following a refusal or a conditional approval, the owner considers the land cannot be put to a reasonably beneficial use in either its existing state or through development which has or would be permitted. A Purchase Notice would require the City Council to purchase the owner's interest in the land in accordance with the relevant provisions of the Acts (Part VI of the Town and Country Planning Act 1990 and Sections 32-37 of the Planning (Listed Buildings and Conservation Areas) Act 1990).

2. General information relating to all approvals

a) Other legislative requirements

This decision has been made by the City Council as the local planning authority. You are reminded of the need to comply with other relevant regulations and statutory provisions and respect the rights of other owners/occupiers provided by relevant property legislation.

Transportation: If your proposal involves works which affect the public highway you should consult the City Council as Highways Authority. This includes works to, over or below any carriageway, footway or public forecourt. You should contact the Highways Planning Team by email highwaysplanning@westminster.gov.uk or telephone 020 7641 3326. If your proposal is related to paving works and/or is associated with an agreement under Section 106 of the Town and Country Planning Act 1990 please telephone: 020 7641 2920.

Highways Licensing: For general enquiries about temporary structures on the highway, such as hoardings, skips, the excavation and storage of materials on the highways, please telephone 020 761 2000.

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Building Control: You are advised to contact Westminster District Surveyors immediately to find out whether your proposal will require consent under the Building Regulations: Tel: 020 7641 6500 Email :districtsurveyors@westminster.gov.uk.

Building Regulation forms and further information is available on the Council's web site: <http://www.westminster.gov.uk/services/environment/landandpremises/buildings/forms/>

Land Drainage: Where major works are involved, Land Drainage Consent may be required under the Water Resources Act 1991 and Thames Region Land Drainage By Laws 1981. You are advised to contact the Environment Agency, Apollo Court ,2 Bishop's Square Business Park, St Albans Road West Hatfield AL10 9EX Tel: 03708 506 506 or email:enquiries@environment-agency.gov.uk.

b) Provision of access and facilities for disabled people

Designing new buildings and adapting existing buildings to meet the needs of people with disabilities results in a safer and more convenient environment for all. General advice is available from planning and building control officers who can also direct you to appropriate sources of technical/specialist advice.

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CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 24 April 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved Warwick	
Subject of Report	1 Neathouse Place, London, SW1V 1LH,		
Proposal	Demolition and reconstruction of Nos. 27-31 and 39-40 Wilton Road to form an extended Building at 1 Neathouse Place for use as two hotels (Class C1), restaurant with ancillary bar (class A3) and coffee shop (Class A1); external alterations to Wilton Road and Vauxhall Bridge Road elevations; creation of rooftop plant well and installation of new and replacement plant.		
Agent	DP9		
On behalf of	Sackville UKPEC8 Victoria Nominee 1 Limited and Sackville UKPEC8 Victoria Nominee 2 Limited and Whitbread Plc		
Registered Number	17/10921/FULL	Date amended/ completed	12 December 2017
Date Application Received	8 December 2017		
Historic Building Grade	Unlisted		
Conservation Area	outside		

1. RECOMMENDATION

1. Grant conditional permission, subject to the views of the Mayor and the completion of a S106 legal agreement to secure:

- Employment and Training Strategy for the construction phase and operational phase of the development;
- Financial contribution of £18,000 towards Legible London wayfinding signage, £200,000 towards Cycle Hire station and £230,000 towards Subway Decommissioning.
- Crossrail payment
- Monitoring costs.

2. If the agreement has not been completed within six weeks of the date of the Committee resolution then:

a) The Director of Planning shall consider whether the permission can be issued with additional conditions attached to secure the benefits listed above. If this is possible and appropriate the Director of Planning is authorised to determine and issue such a decision under Delegated Powers.

b) The Director of Planning shall consider whether permission should be refused on the grounds that it has not proved possible to complete an agreement within the appropriate timescale, and that the

proposals are unacceptable in the absence of the benefits that would have been secured; if so, the Director of Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

2. SUMMARY

One Neathouse Place is an office building with retail along the Wilton Road frontage. Planning permission is sought to provide two hotels, a 533-bedroom Premier Inn and 183-bedroom Hub by Premier Inn hotel and a restaurant and retail unit at ground floor level. The application includes the replacement of the buildings to the Wilton Road frontage, to provide extensions to 1 Neathouse Place twelve stories in height to reflect the height of adjacent buildings.

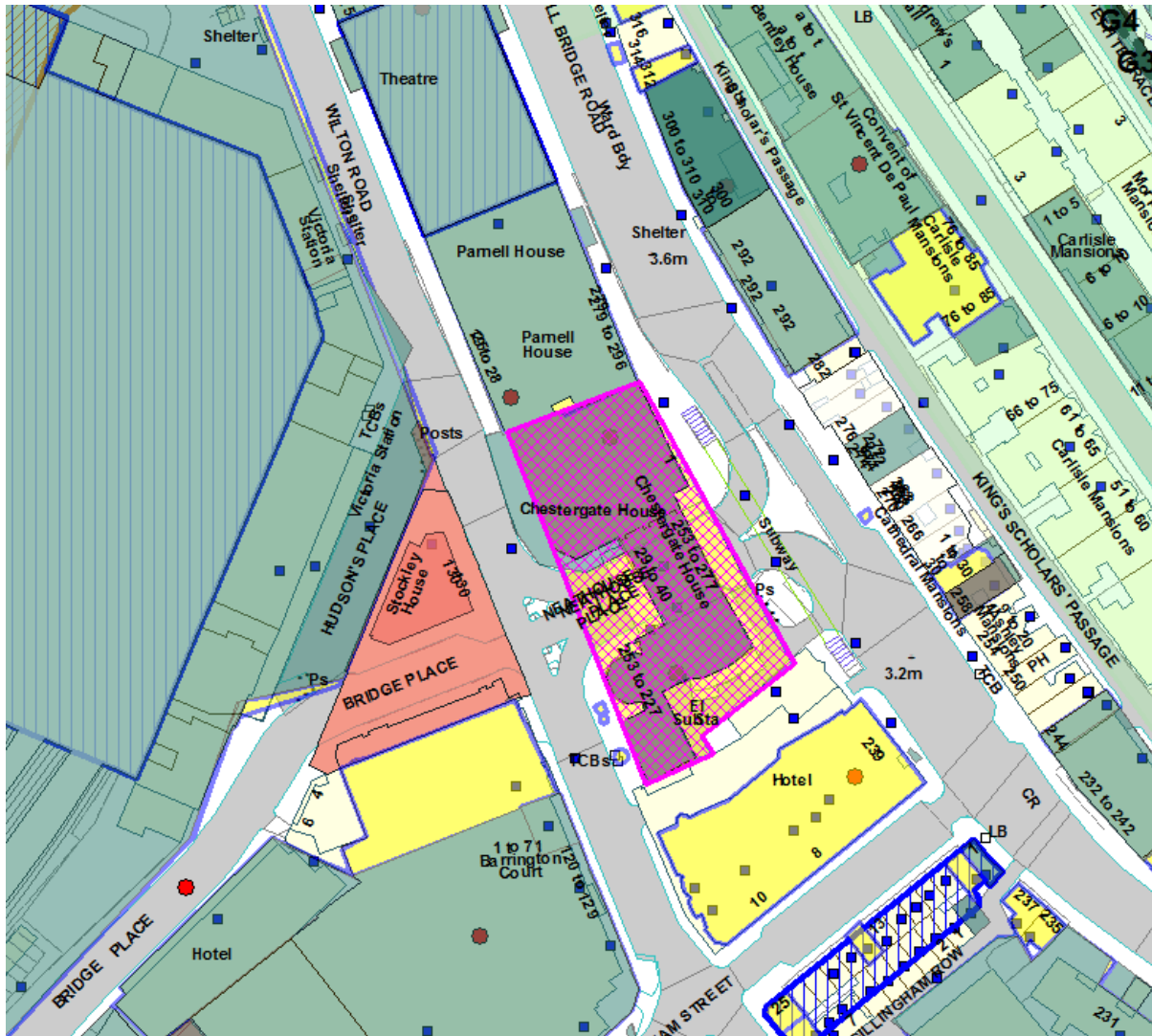
The key issues for consideration are:

- The impact of the proposed works on the character and appearance of the existing building and surrounding area.
- The land use implications of the proposal;
- The impact of the proposal on the amenity of surrounding residents; and
- The impact of the proposal on the surrounding highway network.

The proposed hotel use is considered acceptable in design, conservation, land use, amenity and highway terms in accordance with the City Plan and Unitary Development Plan (UDP) policies.

The application is referable under the Greater London Authority Act 1999 and the mayor has 14 days from the date of the Sub-Committees resolution to exercise his right to direct refusal.

3. LOCATION PLAN



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4. PHOTOGRAPHS

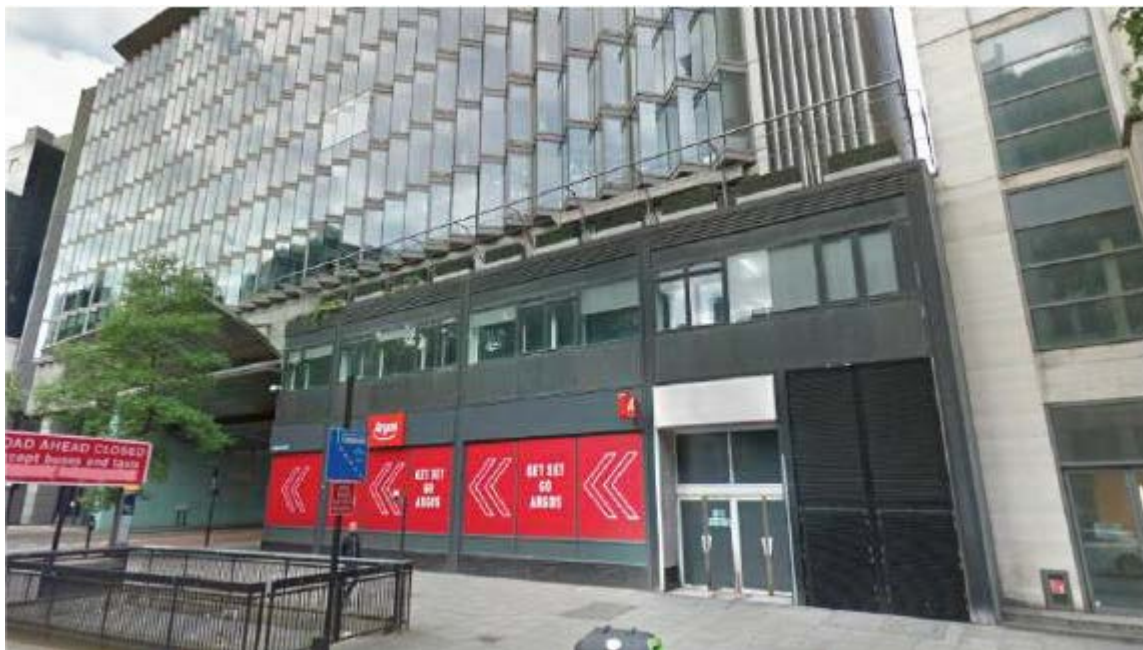


Wilton Road frontage





Vauhall Bridge Road frontage



5. CONSULTATIONS

GREATER LONDON AUTHORITY

- The redevelopment of the site to provide a 716-bed hotel is compliant with London Plan policy.
- The design is of good quality and will not harm the significance of the Westminster Cathedral, Pimlico or Grosvenor Conservation Areas.
- The carbon dioxide savings exceed the target set out in the London Plan, however, further information and clarifications are required.
- The proposed car free development is welcomed, but issues relating to blue badge parking, coach parking, service access and public realm require further discussion. A contribution to public realm improvements should be secured through s.106 agreement.

TRANSPORT FOR LONDON

- Vauxhall Bridge Road, Neathouse Place (continuing to Bridge Place) and Wilton Road to the north of Neathouse Place are all part of the Transport for London Road Network.
- An 8.3m long rigid delivery vehicle will be able to enter into the servicing area without the loss of footway.
- The applicant has offered funding to allow the decommissioning of the disused pedestrian subway and for a new cycle hire docking station which is welcomed. A contribution should also be sought towards Legible London Wayfinding in the area.
- Cycle parking is largely acceptable.
- The removal of existing car parking is acceptable. Two accessible spaces are proposed within the servicing ramp area which is likely to be sufficient.
- Revised coach arrangements and draft travel plan are acceptable.
- A construction logistics and traffic management plan should be secured.

WESTMINSTER SOCIETY

Any response to be reported verbally.

VICTORIA NEIGHBOURHOOD FORUM

It is undesirable to lose the substantial area of office space from the Victoria Opportunity Area. The area is already well served with hotel accommodation, in particular with middle and lower market range units like that proposed. Question the scope of the consultation.

VICTORIA BID

Any response to be reported verbally.

ENVIRONMENT AGENCY

Any response to be reported verbally.

ENVIRONMENTAL HEALTH

Any response to be reported verbally.

HIGHWAYS PLANNING MANAGER

The area is very well served by public transport. No car parking is proposed with the exception of two disabled spaces which is acceptable. The property has a fairly extensive off-street servicing area and should be capable of being served without the need to stop on the highway. A Servicing Management Plan and Operational Management Plan should be secured by condition. Long-stay cycle parking is in accordance with London Plan policy.

CLEANSING

No objection subject to conditions. The storage arrangements for waste and recycling are in line with the Council's requirements.

BUILDING CONTROL

Any response to be reported verbally

DESIGNING OUT CRIME

Any response to be reported verbally

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 279

No. of objections: 3

Design

- Retaining the existing structures is the best attribute to the project.

Land use

- Victoria is already well served by hotels of the low to medium level already.
- Victoria needs amenities for residents not visitors.
- Street level interaction will not be improved upon. More retail and mixed use options should be considered.

Amenity

- The proposal will result in a loss of light and overlooking to flats in Barrington Court, 124 Wilton Road.
- Loss of views.
- Increased noise from hotel guests and deliveries.

Other

- Noise and disturbance during construction.
- Loss of jobs from the loss of office use.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

One Neathouse Place was constructed between 1959-1962 for office use and was refurbished in the mid-1990s. It comprises 11 storeys plus basement with Vauxhall Bridge Road to the east and Wilton Road to the west. The building spans Neathouse Place, a vehicular and pedestrian route below. The building is in office use (class B1) and is currently vacant.

27-31 Wilton Road is a 3 storey building with retail (Argos) at basement and ground floor level. On the south side of Neathouse Place is a glazed circular office entrance (entrance drum) and 39-40 Wilton Road which comprises two small retail units at basement and ground floor level. The basement is shared by 1 Neathouse Place. Vehicular access to the basement is made via a ramp off Vauxhall Bridge Road and all elements of the building are serviced from here.

The site is not located within a Conservation Area and the buildings are not listed. The site falls within the Core Central Activities Zone (CAZ) and the Victoria Opportunity Area.

The roads surrounding the site, Vauxhall Bridge Road, Neathouse Place and Wilton Road, north of Neathouse Place, are part of the Transport for London road network, while Westminster City Council are the highway Authority for Wilton Road, south of Neathouse Place.

6.2 Recent Relevant History

The existing building underwent a significant refurbishment programme pursuant to a planning permission dated 13 July 1995, with alterations during construction formalised through a subsequent planning permission dated 19 March 1996.

Planning permission was granted for the erection of a glazed pavilion on the existing roof terrace at third floor level to create additional floorspace for the existing staff cafe at third floor level in November 2011.

Other minor applications have been granted for plant and advertisement consent for signage.

7. THE PROPOSAL

Planning permission is sought for the demolition and reconstruction of the building's two Wilton Road 'wings' either side of Neathouse Place (Nos. 27-31 and 39-40 Wilton Road) comprising ground and eleven upper floors to form an extended Building at 1 Neathouse Place. The building will provide two hotels (Class C1) (716 hotel bedrooms in total), and a restaurant with ancillary bar (Class A3) and retail unit (Class A1) at ground floor level.

The application includes external alterations to the retained buildings elevations on Wilton Road and Vauxhall Bridge Road and the creation of a rooftop plant well to house new and replacement plant. A common servicing access is proposed from Vauxhall Bridge Road.

The application has been submitted on behalf of Whitbread PLC who propose two separate hotels, a standard Premier Inn comprising 533 rooms and a more compact 'hub by Premier Inn' comprising 183 rooms. The 'Hub by Premier Inn' concept is to provide compact, city centre hotels which offer good value for money and appeal to customers who value price, location and design over space.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The existing and proposed land uses can be summarised as follows.

	Existing GIA (sqm)	Proposed GIA (sqm)
Office (class B1)	14,206	0
Hotel (class C1)	0	23,460
Retail (class A1)	2,373	188
Restaurant Class A3)	0	668
Total	16,579	24,350

(Applicants calculations)

Loss of office use

The site lies within the core CAZ and the Victoria Opportunity Area. The existing offices are currently vacant. The proposal will result in the loss of 14,206sqm of office floorspace. Policy S20 of Westminster's City Plan (November 2016) relates to offices and seeks to restrict the loss of office space to housing, however, the loss of offices to other commercial uses is acceptable. The proposal is therefore in accordance with this policy.

Increase in commercial floorspace

Policy S1 of the City Plan relates to mixed uses in the CAZ. It encourages development which promotes Westminster's World City functions, manages its heritage and environment and supports its living, working and visiting population. Within the CAZ, a mix of uses consistent with supporting its vitality, function and character will be promoted. The policy requires an element of residential floorspace to be provided on developments where additional B1 office floorspace of a certain scale is proposed. There is no policy requirement for residential floorspace to be provided where increases in hotel floorspace are proposed.

Hotel use

Policy S23 of the City Plan and TACE 2 of the UDP relate to new hotels. Policy S23 states that new hotels will be directed to the Victoria Opportunity Area and Core CAZ. Policy TACE 2 states that within the CAZ, in streets that do not have a predominantly

residential character, planning permission will be granted for new hotels where no environmental and traffic effects would be generated and adequate on-site facilities are incorporated within developments proposing significant amounts of new visitor accommodation, including spaces for the setting down and picking up of visitors by coaches and taxis serving the hotel.

The Premier Inn will comprise 533 rooms split between a range of sizes and types (doubles, triples, quads and accessible rooms). The entrance will be on Wilton Road on the corner with Neathouse Place (south side), with a secondary access from Vauxhall Bridge Road. The Premier Inn rooms are arranged between first and eleventh floor, with an ancillary breakfast area in the basement, shared with the Hub by Premier Inn guests.

The Hub by Premier Inn will comprise 183 rooms located between basement and third floor level. The concept is to provide affordable, high quality accommodation and achieve a feeling of comfort within a limited floor area. The hotel bedrooms are of a compact size with approximately half of rooms without windows. The hub entrance will be on Wilton Road to the north of Neathouse Place.

The hotel reception areas will be staffed 24 hours a day and provide natural surveillance to this part of Wilton Road. An ancillary restaurant of approximately 805sqm (GIA) is proposed at basement level and will provide breakfast for the guests of both hotels. A separate restaurant (Class A3) is proposed at ground floor level which is considered below. No other facilities such as a spa/gym, meeting rooms or conference facilities are proposed.

The hotels of the scale proposed are considered appropriate in this central area of Westminster, close to many of London's top tourist attractions and with excellent access to public transport. The primary function of the hotels operation will be to ensure that guests benefit from a quiet environment during night time hours. Therefore, it is in the hotels interests to ensure that noise disturbance from hotel guests is kept to a minimum. It is recommended that an operational management plan and a servicing management plan be secured by condition to ensure that the proposed hotels will not have a significant effect on residential amenity or local environmental quality.

Concern has been raised regarding the cumulative impact of hotel developments within the area. Whilst there is an established hotel next door (Park Plaza), and other hotels nearby, it is not considered that there is an over proliferation of hotel uses and the proposal would complement the existing multifaceted mix of uses in the Victoria area, catering for tourist and business travellers. It is considered that this location within the Core CAZ and Victoria Opportunity Area would be appropriate for a new hotel use.

The servicing and highways implications of the development are detailed in section 7.4 of this report.

Retail and restaurant floorspace

Policy S4 relates to the Victoria Opportunity Area and aims to provide a mix of uses on all development sites including active frontages at ground floor level.

Policy S6 of the City Plan and SS4 of the UDP encourage new retail floorspace in the core CAZ. Policy SS4 states that development schemes should provide at least the same amount of retail floorspace as was there before.

Policy TACE 10 of the UDP relates to restaurant uses within the core CAZ with a gross floorspace over 500sqm² which will only be permissible in exceptional circumstances. Policy S24 of the City Plan relates to new entertainment uses and states that they will need to demonstrate that they are appropriate in terms of the type and size of use, scale of activity, relationship to any existing concentrations of entertainment uses and any cumulative impacts and that they do not adversely impact on residential amenity, health and safety, local environmental quality and the character and function of the area. New large scale late-night entertainment uses of over 500sqm will not generally be appropriate.

A restaurant with ancillary bar (class A3) is proposed at ground floor level measuring approximately 668sqm (GIA) for use by hotel guests and visiting members of the public. The entrance is on Wilton Road, to the north side of Neathouse Place. The opening hours proposed are between 6:30am to 12 midnight.

The restaurant will be under the same management as the hotel (Whitbread PLC) and will be governed by the same operational standards. Given the location of hotel bedrooms directly above and below, it will be in the interests of the hotel to ensure that the restaurant is properly managed. On this basis and given the busy location, in close proximity to Victoria Station, the size of the restaurant proposed is considered acceptable in this instance, subject to conditions to secure an Operational Management Plan and controlling opening hours (as outlined above).

A Costa Coffee (class A1)(188sqm) serving coffee, cold floor and drinks is proposed at ground floor level fronting Wilton Place, on the south side of Neathouse Place, where the existing retail units are currently located which is welcomed.

The proposal will result in a significant loss of retail floorspace (a reduction of 2,185sqmsqm). However, the existing retail unit at 27-31 Wilton Road, on the north side of Neathouse Place (Argos) is heavily biased towards back of house space (1,829sqm), given the Argos business model with a relatively small front of house/retail sales area (352sqm) and dead frontage to Neathouse Place and Vauxhall Bridge Road.

Whilst the loss of retail floorspace is highly regrettable, the provision of the restaurant (class A3) and café (class A1) will provide a service for visiting members of the public and will result in a greater level of active frontages to Wilton Road, Neathouse Place and Vauxhall Bridge Road. It is not therefore considered that a refusal on the ground of loss of retail floorspace could be sustained.

8.2 Townscape and Design

The site is not in a conservation area and has no impact on the setting of adjacent conservation areas. There are nearby listed buildings at Victoria Station and the Apollo Theatre but the application site does not impact on these in any meaningful way and is not seen in any key views that could be considered to affect their setting. The building

currently on the site was built between 1959 and 1962 and refurbished in 1994-97. It is a modern, contemporary office design with large areas of curtain wall glazing. The large block to Vauxhall Bridge Road is topped by a cylindrical roof addition and has a façade of angled glazing. This is the more successful part of the building design. The lower elements to Wilton Road relate poorly to the surrounding context and the main building block. They have large areas of blank ground floor frontages and contribute little to the surrounding townscape.

The proposal is to remove the buildings to the Wilton Road façade and replace them with taller built forms that reflect the height of adjacent buildings. The top three floors are set back to reflect the massing of the adjacent Parnell House. While this element of the scheme is considerably higher than the existing buildings, it is considered that these buildings are incongruous within the existing scale of streetscene and that there is no harm to the surrounding townscape by virtue of the increased scale of this part of the scheme. The increased scale would strengthen the contribution of this part of the site to Wilton Road and help to maximize the efficient use of urban land. The alterations to the Vauxhall Bridge Road façade are minimal and will have no discernible effect on the appearance of the building. The creation of an active ground floor frontage to Vauxhall Bridge Road is welcomed.

The new buildings to Wilton Road are designed as masonry-framed elements with strong vertical emphasis from the full height masonry columns and a secondary detailing of applied metal framework. This helps to accommodate the repetition of hotel rooms behind within a well-ordered façade and reflects the scale of other buildings in the street. The double height base provides a strong visual anchor and the top three floors are set back establishing a traditional, base, middle and top arrangement to the building form. The top floors are more heavily glazed than would normally be allowed, but given the setback of this element behind the street frontage and between the large buildings to either side, the visibility of this part of the scheme is limited. It should also be borne in mind that the existing building is heavily glazed at all levels and there is an overall reduction in the amount of glazing to the Wilton Road façade.

In summary, it is considered that the loss of the Wilton Road buildings and their replacement with the proposed new build elements will be an improvement to the overall townscape of this part of the City.

8.3 Residential Amenity

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

The City Council generally has regard to the standards for daylight and sunlight as set out in the Building Research Establishment (BRE) 'Site Layout Planning for Daylight and Sunlight' (as revised 2011). The applicant has submitted a sunlight and daylight report using the methodology set out in the BRE guidelines in relation to the nearest, most affected residential properties at Barrington Court, 124 Wilton Road; 248, 250, 254

(Ashley Mansions), 258-266 (Catherine Mansions), 278, 280 and 282 Vauxhall Bridge Road. The report also assesses the impact on the consented residential development scheme at Stockley House.

The recommendation in the BRE guide is that a window may be affected if the vertical sky component (VSC) measured at the centre of the window is less than 27% with reductions of over 20% of existing daylight (VSC) levels likely to be noticeable. In respect of sunlight, the BRE guide suggests that a dwelling will appear reasonably well sunlit provided that at least one main window wall faces within 90% of due south and it receives at least a quarter of annual probable sunlight hours (APSH), including 5% of APSH during the winter months. As with the tests for daylighting, the guidance recommends that any reduction below this level should be kept to a minimum; if a window will not receive the amount of sunlight suggested, and the available sunlight hours is less than 0.8 times their former value, either over the whole year or just in winter months, then the occupants of the existing building will notice the loss of sunlight.

The report confirms that the proposed development will comply with BRE guidelines in relation to all residential properties on Vauxhall Bridge Road and there will be no material loss of sunlight or daylight to these properties.

Of the 122 rooms tested within Barrington Court, 124 Wilton Road, the daylight assessment shows that 9 rooms at first to fourth floor level will experience some transgressions outside the BRE guidelines with losses of VSC between 20.25% and 27.25%. Four affected rooms contain open plan living room and kitchens with the remaining five serving bedrooms, the latter of which are not considered to be main habitable rooms. The retained levels of VSC to the living/dining rooms (10.34-15.37%) are not uncommon in a close urban environment and it is not considered that a refusal on the grounds of loss of daylight to these properties could be sustained.

In terms of sunlight, the windows within Barrington Court (which face the Neathouse Place site) are not within 90% of due south and thus will not be affected by the proposed scheme.

The applicant has also assessed the impact of the development on the consented development at Stockley House which includes 110 flats. The Average Daylight Factor (ADF) and Annual Probably Sunlight Hours (APSH) tests have been carried out with respect to this consented building. ADF advises on a minimum standard of internal illuminance for habitable rooms in new developments. BRE guidance advises that the minimum standards of internal daylight that should be achieved are 2% for kitchens, 1.5% for living rooms and 1% for bedrooms.

The results of the ADF assessment indicate a compliance rate of 92% (121 out of 132 rooms tested). The eleven rooms which do not meet the BRE standards will not comply in the current condition before the 1 Neathouse Place development. The actual changes in light created by the Neathouse Place development are therefore considered minor. In respect of sunlight, the affected residential windows in Stockley House serve six open plan living room/kitchens at first to sixth floor level. These windows have recessed balconies/overhangs which restrict the potential for light reaching the windows and would not meet BRE guidelines in the current situation.

Due to the dense urban nature of Westminster, many residential properties fall well below the standards set out in BRE guidelines, and it is not uncommon for new developments to fall below the standard. It is not considered that the proposed development at Neathouse Place would compromise a future residential development from taking place on the site of Stockley House, and the proposal is considered acceptable in amenity terms.

Privacy

The proposed building will remain on the existing building line, albeit with increases in height, and will maintain a streets width of approximately 20m from the residential windows on the opposite side of Wilton Road. It is not therefore considered that the proposal will result in any significant overlooking/loss of privacy to surrounding buildings.

Plant

Plant is proposed at basement, ground, first, second and main roof level within the roof structure. Conditions are recommended to secure full details and a supplementary acoustic report when plant has been selected, location and hours finalised, and the attenuation measures are available to confirm compliance with the Council's standard noise condition.

An amending condition is recommended requiring full height kitchen extraction ductwork for the restaurant uses up to main roof level to ensure the effective dispersal of cooking smells.

The application is therefore considered acceptable in amenity terms in accordance with policies C29, C32, of the City Plan and ENV13, ENV6 and ENV7 of the UDP.

8.4 Transportation/Parking

The site is well served by public transport, being located next to Victoria Interchange and high frequency bus routes, an extensive taxi rank and a coach parking bay on the east side of Vauxhall Bridge Road.

The existing building contains 42 car parking spaces at basement level for the offices which are to be removed. Two disabled parking spaces are proposed which are welcomed. 40 cycle parking spaces are proposed at basement level which is in line with London Plan policy.

Policy S42 of the City Plan and TRANS20 of the UDP require adequate off-street servicing. All servicing, deliveries and refuse collection will take place on-site within a dedicated servicing area at the base of the access ramp from Vauxhall Bridge Road. A turning area is proposed at ground floor level, which will enable vehicles to leave the site in forward gear. The applicant has stated that all service vehicular manoeuvring will be overseen by a banksman. It is recommended that a delivery and servicing management plan be secured by condition.

The applicant has submitted a Coach and Taxi Management Plan which sets out their procedures for dealing with coach bookings to ensure they are managed effectively and drivers are aware of the process. All coach related enquiries will be directed to a

specialist team who deals with their booking and ensures that there is a maximum of one coach party booking on any given day. There are three coach drop off points within 150m of the site and coach parking facilities at Greenline Bus Station on Bullied Way, approximately 350m for the site and Victoria Coach Station (with prior arrangement). It is recommended that the coach and taxi management plan be secured by condition.

8.5 Economic Considerations

The economic benefits of the development are welcomed.

8.6 Access

The proposed development has been designed to meet the requirements of the Disability Discrimination Act (DDA) and incorporates the principles of inclusive design. All public entrances into the building for the hotels, restaurant and retail uses will have level access with lift access provided to all floor levels. 10% of hotel bedrooms in both hotels will be wheelchair accessible in accordance with the London Plan's requirements.

8.7 Other UDP/Westminster Policy Considerations

Sustainability

The applicant has submitted an Energy Strategy and Pre BREEAM assessment in support of their application. The building will achieve a 37.4% improvement in carbon emissions based on the current Building Regulations (2013) through the use of energy efficiency measures, air source heat pumps for space heating and cooling and combined heat and power for the generation of hot water. A BREEAM excellent rating is targeted.

Refuse /Recycling

The waste store is located at basement level. The Cleansing Manager is satisfied with the refuse and recycling storage arrangements proposed.

Other

A Flood Risk Assessment and Drainage Strategy has been submitted in support of the application. The flood risk assessment sets out appropriate flood resilience and flood evacuation procedures and measures including an internal stair from basement to upper floors to allow evacuation and refuge to upper floors.

A blue roof is proposed on the roof of the extended part of the building to reduce surface water runoff and discharge rates.

8.8 London Plan

The application is referable to the Mayor. The Stage 1 report is included as a background paper.

8.9 National Policy/Guidance Considerations

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

8.10 Planning Obligations

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

- Employment and Training Strategy for the construction phase and operational phase of the development;
- Financial contribution of £18,000 towards Legible London wayfinding signage, £200,000 towards Cycle Hire station and £230,000 towards Subway Decommissioning as requested by TFL.
- Crossrail payment
- Monitoring costs.

The estimated CIL payment is £2,340,436.22 (£1,795,072.32 Westminster CIL and £545,363.90 Mayor's CIL).

8.11 Environmental Impact Assessment

An Environmental Impact Assessment is not required. Sustainability issues are covered in section 8.7 above.

8.12 Other Issues

A condition is recommended to ensure that the development complies with the City Council's Code of Construction Practice (COCP) which will require the developer to provide a Site Environmental Management Plan (SEMP) and funding for the Environmental Inspectorate to monitor the demolition and construction phase of the development. The COCP sets out the minimum standards and procedures for managing and minimising the environmental impacts of construction projects within Westminster and relate to both demolition and construction works.

The key issues to address in the COCP are; liaison with the public; general requirements; SEMP; construction management plans; employment and skills; traffic and highways; noise and vibration; dust and air quality; waste management; waste pollution and flood control and any other issues.

9. BACKGROUND PAPERS

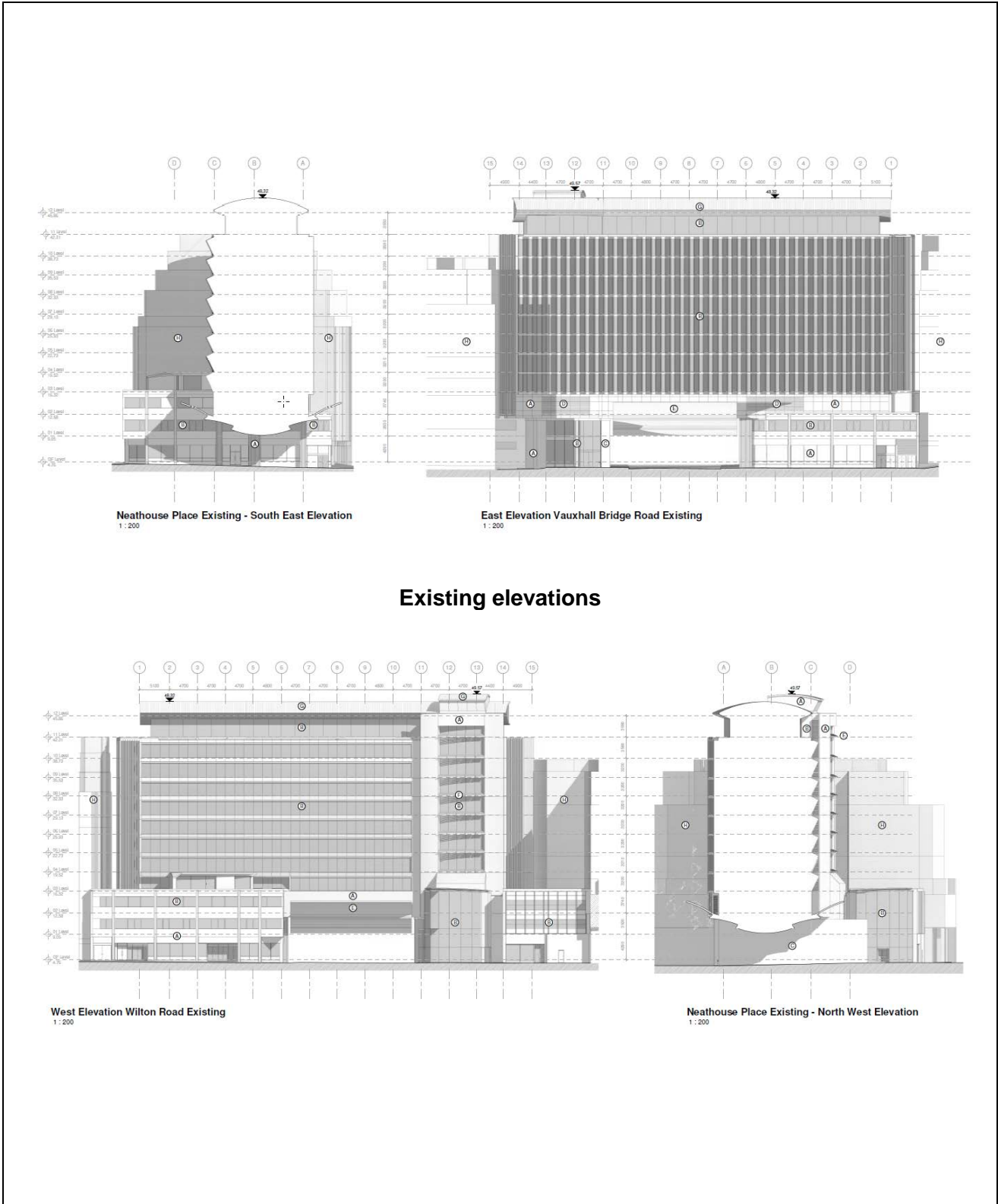
1. Application form.
2. Response from Greater London Authority, dated 19 March 2018.
3. Response from Transport for London, dated 17 January and 19 March 2018.
4. Memorandum from Highways Planning Manager dated 3 April 2018.

5. Memorandum from Cleansing dated 5 January 2018 and 12 April 2018.
6. Letter from Victoria Neighbourhood Forum dated 24 January 2018 and 20 February 2018
7. Letter from occupier of 28 Cathedral Mansions, London, dated 10 January 2018.
8. Letter from occupier of 63 Barrington Court, 124 Wilton Road, dated 22 December 2017.
9. Letter from occupier, 103a Ashley Gardens, Thirleby Road, dated 28 March 2018.

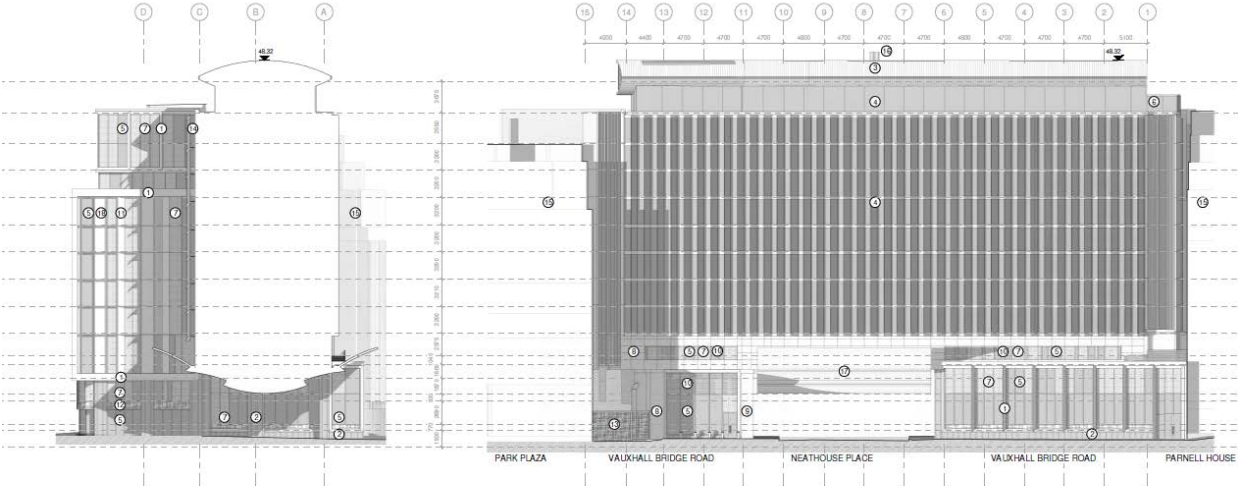
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: **DAVID DORWARD** BY EMAIL AT ddorward@westminster.gov.uk.

10. KEY DRAWINGS



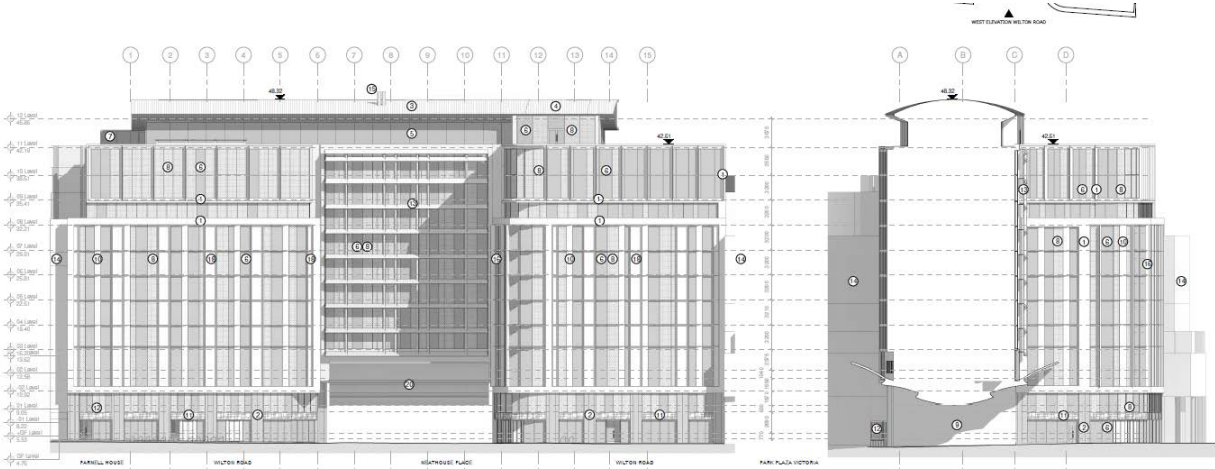
Existing elevations



Neathouse Place - South East Elevation
1 : 200

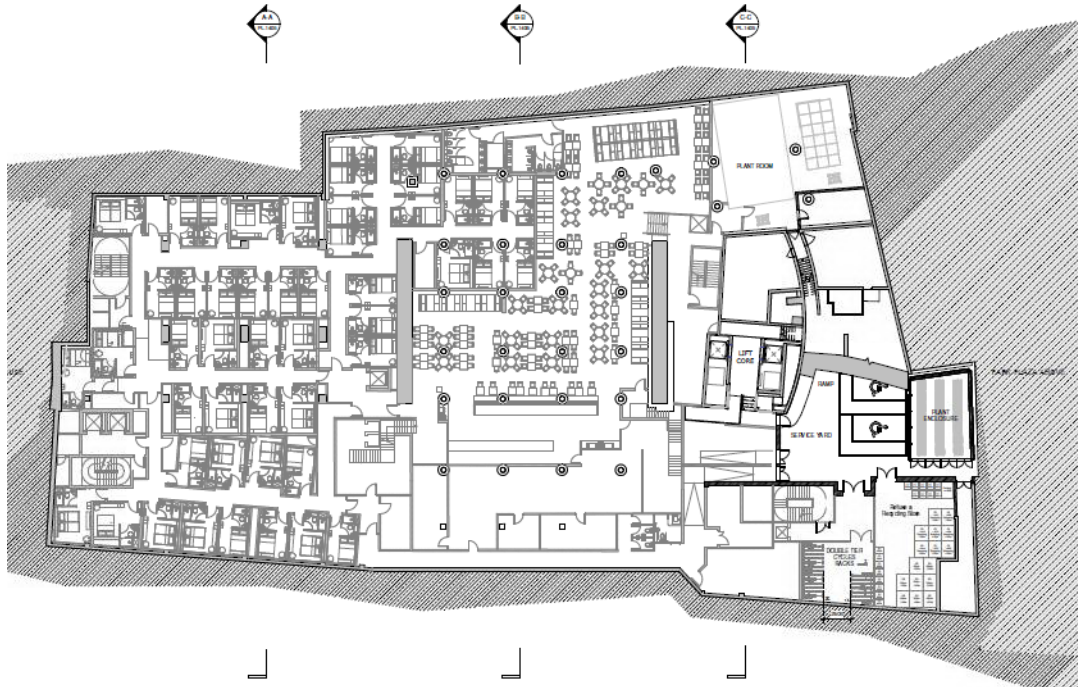
East Elevation Vauxhall Bridge Road
1 : 200

Proposed elevations

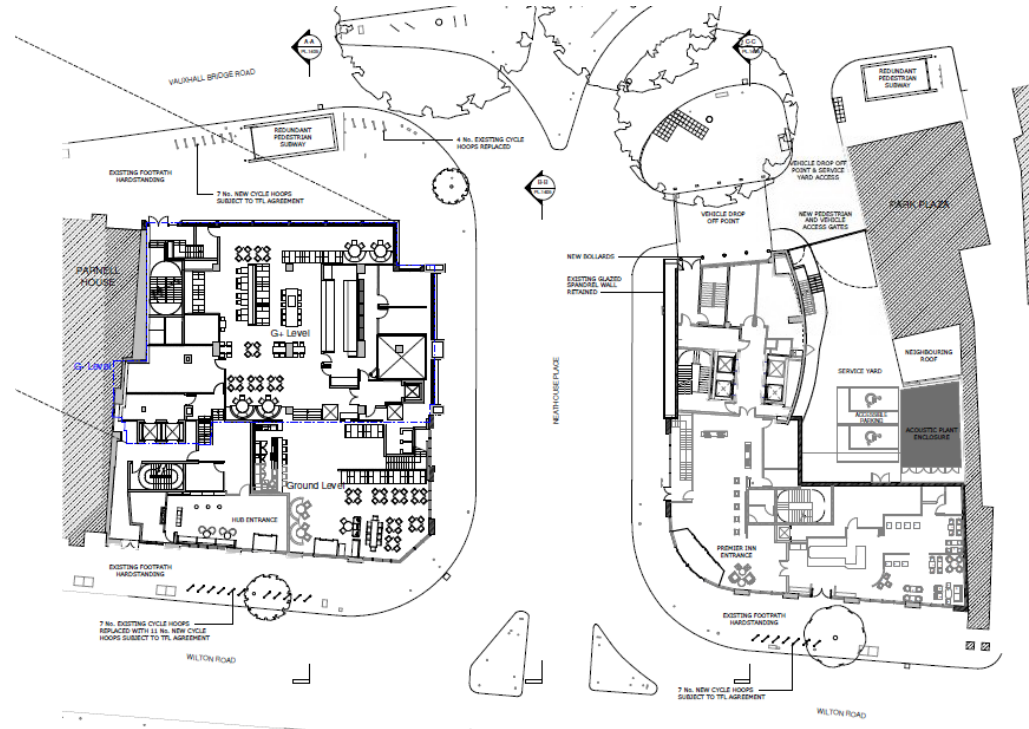


West Elevation Wilton Road
1 : 200

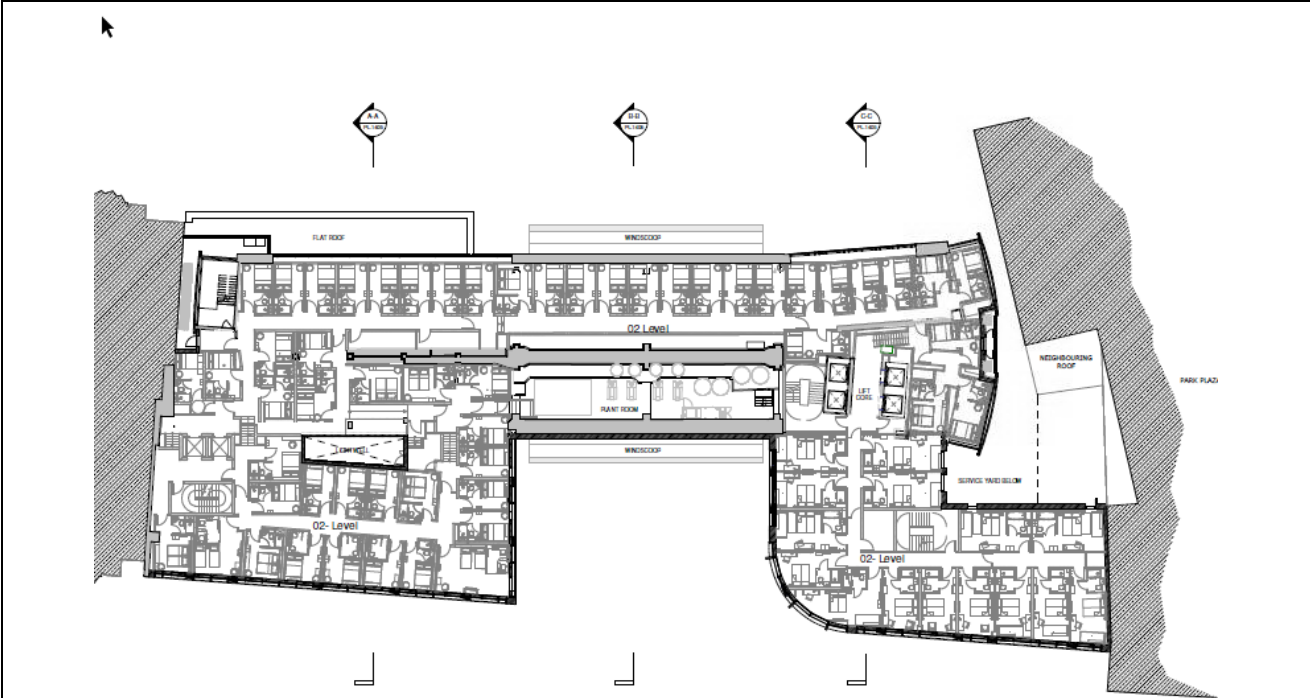
Neathouse Place - North West Elevation
1 : 200



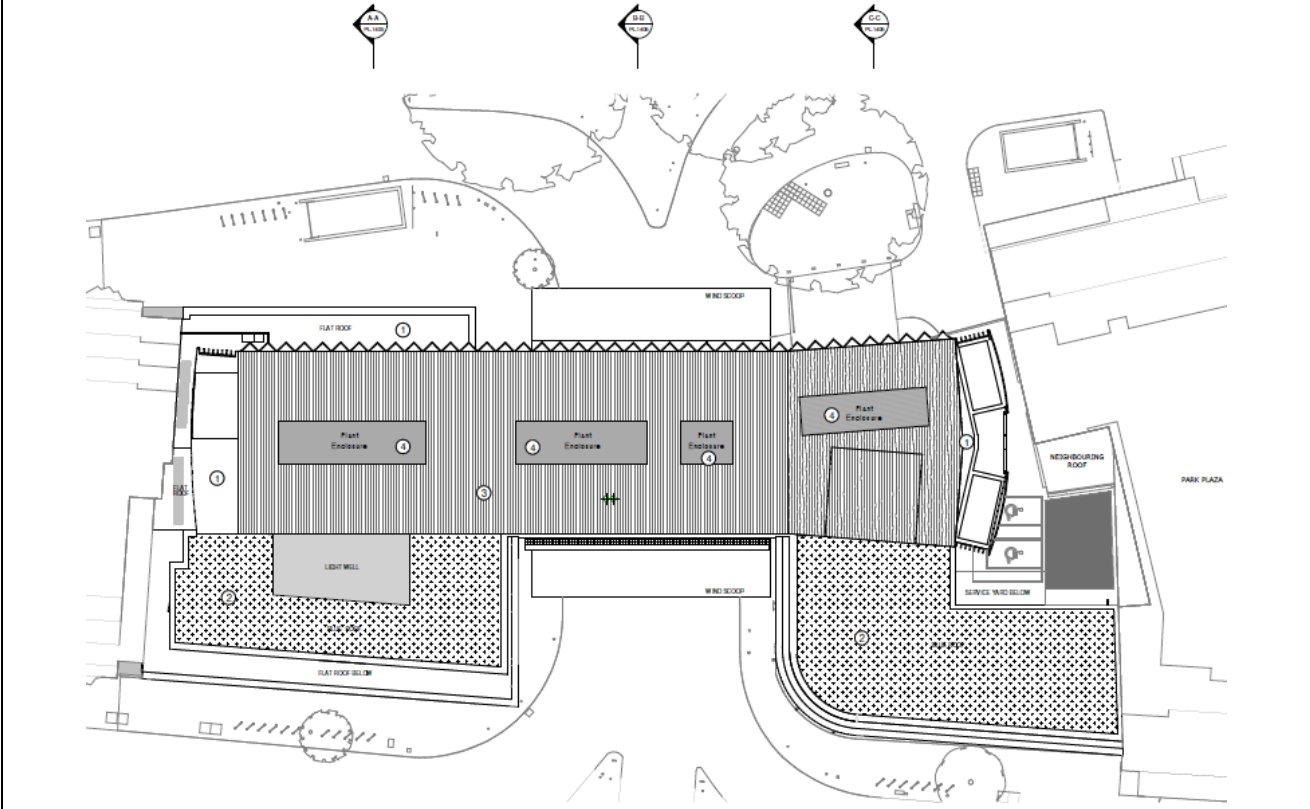
Proposed basement plan



Proposed Ground floor plan



Typical proposed floorplan (second floor)



Proposed roofplan



Wilton Road elevation.





Vauhall Bridge Road

DRAFT DECISION LETTER

- Address:** 1 Neathouse Place, London, SW1V 1LH,
- Proposal:** Demolition and reconstruction of Nos. 27-31 and 39-40 Wilton Road to form an extended Building at 1 Neathouse Place for use as two hotels (Class C1), restaurant with ancillary bar (class A3) and coffee shop (Class A1); external alterations to Wilton Road and Vauxhall Bridge Road elevations; creation of rooftop plant well and installation of new and replacement plant.
- Reference:** 17/10921/FULL
- Plan Nos:** 16.597.PL.1200, 1201, 1202, 1205/A, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1350/A, 1351/A, 1352/A, 1353/A, 1354/A, 1355/A, 1356/A, 1357/A, 1358/A, 1359/A, 1360/A, 1361/A, 1362/A, 1363/A, 1364/A, 1365/A, 1400, 1405, 1500, 1501, 1502, 1505/A, 1506, 1507/A; 4329-135/A; 2016/3368/010 dated April 2018; Planning Statement dated November 2017; Design and Access Statement (inc. Townscape, Visual Impact & Heritage Assessment, and Sustainability Statement) dated 30 November 2017; Transport Statement dated November 2017; Transport Statement Addendum dated February 2018; Travel Plan dated 23 February 2018; Delivery and Servicing Management Plan dated November 2017; Coach and Taxi Management Plan dated November 2017; Energy Strategy & BREEAM Pre-Assessment dated November 2017; Daylight and Sunlight Assessment dated November 2017; Noise Impact Assessment dated November 2017; Air Quality Assessment dated January 2018; Utilities Summary dated November 2017; Flood Risk Assessment & Drainage Strategy dated November 2017; Supplementary Statement on Flood Risk and Surface Water dated 5 April 2018; Draft Demolition & Construction Management Plan dated November 2017 (for information only); and Structural Methodology dated November 2017 (for information only).

Case Officer: Julia Asghar

Direct Tel. No. 020 7641 2518

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
- o not at all on Saturdays, Sundays, bank holidays and public holidays.

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

Reason:

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

- 3 You must apply to us for approval of samples of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work using the approved materials. (C26BC)

Reason:

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

- 4 You must apply to us for approval of detailed drawings of the following parts of the development:, i) shopfronts and ground floor elevations at 1:50 scale with x-sections at 1:10 scale, ii) low level decorative panel at 1:20 scale, iii) typical bay details to Wilton Road facade at 1:50 scale, You must not start work on these parts of the development until we have approved what you have sent us. You must then carry out the works according to these approved details.

Reason:

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

- 5 You must apply to us for approval of detailed drawings of the design, construction and insulation of the whole ventilation system and any associated equipment. You must not start on these parts of the work until we have approved 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. (C13BB)

Reason:

To protect the environment of people in neighbouring properties, as set out in S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13BC)

- 6 Notwithstanding what is shown on the approved drawings, the ventilation system to get rid of cooking smells for the ancillary hotel restaurant and restaurant use (class A3) shall be full height, extracting at main roof level.

You must apply to us for approval of full details of the ventilation system to get rid of cooking smells, including details of how it will be built and how it will look. You must not begin the uses allowed by this permission until we have approved what you have sent us and you have carried out the work according to the approved details.

Reason:

To protect the environment of people in neighbouring properties as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R14AC)

- 7 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum., ,
- (2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum., ,
- (3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include;
- (a) A schedule of all plant and equipment that formed part of this application;;
 - (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;;
 - (c) Manufacturer specifications of sound emissions in octave or third octave detail;;
 - (d) The location of most affected noise sensitive receptor location and the most affected window of it;;
 - (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;;
 - (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in

conformity to BS 7445 in respect of measurement methodology and procedures;; (g) The lowest existing L A90, 15 mins measurement recorded under (f) above;; (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;; (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

- 8 No vibration shall be transmitted to adjoining or other premises and structures through the building structure and fabric of this development as to cause a vibration dose value of greater than 0.4m/s (1.75) 16 hour day-time nor 0.26 m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.

Reason:

As set out in ENV6 (2) and (6) of our Unitary Development Plan that we adopted in January 2007, to ensure that the development is designed to prevent structural transmission of noise or vibration.

- 9 You must apply to us for approval of details of a supplementary acoustic report demonstrating that the plant will comply with the Council's noise criteria as set out in Condition 7 and 8 of this permission. You must not start work on this part of the development until we have approved what you have sent us.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels.

- 10 (1) Noise emitted from the emergency plant and generators hereby permitted shall not increase the minimum assessed background noise level (expressed as the lowest 24 hour LA90, 15 mins) by more than 10 dB one metre outside any premises., ,
 (2) The emergency plant and generators hereby permitted may be operated only for essential testing, except when required by an emergency loss of power., ,
 (3) Testing of emergency plant and generators hereby permitted may be carried out only for up to one hour in a calendar month, and only during the hours 09.00 to 17.00 hrs Monday to Friday and not at all on public holidays.

Reason:

As set out in S32 of Westminster's City Plan (November 2016) and ENV 7 (B) of our Unitary Development

Plan that we adopted in January 2007. Emergency and auxiliary energy generation plant is generally noisy, so a maximum noise level is required to ensure that any disturbance caused by it is kept to a minimum and to ensure testing and other non-emergency use is carried out for limited periods during defined daytime weekday hours only, to prevent disturbance to residents and those working nearby.

- 11 No music shall be played in the hotel or restaurant uses such as to be audible outside the premises.

Reason:

To protect the environment of people in neighbouring properties, as set out in S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13BC)

- 12 You must provide the waste store shown on drawing 4329-135/A and PL1350/A before anyone moves into the property. You must clearly mark it and make it available at all times to everyone using the building.. You must store waste inside the property and only put it outside just before it is going to be collected. You must not use the waste store for any other purpose. (C14DC)

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan (November 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

- 13 Waste collection and servicing must be made within the site demise in accordance with the swept path analysis drawing number 2016/3368/010 dated April 2018.

Reason:

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

- 14 No waste should be left or stored on the public highway.

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan (November 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

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

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan (November 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

- 16 You must use the parking, access, loading, unloading and manoeuvring areas shown on the approved plans only for those purposes. (C23AA)

Reason:

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

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

Reason:

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

- 18 You must provide the two disabled car parking spaces shown on the approved drawings prior to occupation of the hotel uses. Thereafter the disabled car parking spaces must be retained and used for no other purpose without the prior written consent of the local planning authority.

Reason:

To provide disabled car parking for hotel visitors.

- 19 The hotel uses shall be carried out in accordance with the Coach and Taxi Management Plan dated November 2017 unless otherwise agreed in writing by us.

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan (November 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

- 20 You must apply to us for approval of a Servicing Management Plan for the hotel and restaurant uses. You must not commence the hotel and restaurant uses until we have approved what you have sent us. Thereafter the hotels and restaurant must be managed in accordance with the approved Servicing Management Plan, unless otherwise agreed in writing by the local planning authority.,

Reason:

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

- 21 You must apply to us for approval of an operational management plan to show how you will prevent customers who are leaving the building from causing nuisance for people in the area, including people who live in nearby buildings. You must not start the hotel or restaurant uses until we have approved what you have sent us. You must then carry out the measures included in the management plan at all times that the hotels and restaurant are in use. (C05JB)

Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and TACE 10 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05GB)

- 22 Customers shall not be permitted within the restaurant premises before 0630 or after 0000 (midnight) each day. (C12AD)

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 TACE10 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 23 You must provide the following environmental sustainability features (environmentally friendly features) before you start to use any part of the development, as set out in your application., , Air source heat pumps and combined heat and power system., , You must not remove any of these features, unless we have given you our permission in writing. (C44AA)

Reason:

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

- 24 Notwithstanding what is shown on the approved drawings, a minimum of 53 hotel bedrooms within the Premier Inn and 18 bedrooms within the Hub by Premier Inn hotel (10%) shall be fully wheelchair accessible.

Reason:

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

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

Reason:

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

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 You may need to get separate permission under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 if you want to put up an advertisement at the property. (I03AA)
- 3 Please contact our Environmental Health Service (020 7641 2971) to register your food business and to make sure that all ventilation and other equipment will meet our standards. Under environmental health law we may ask you to carry out other work if your business causes noise, smells or other types of nuisance. (I06AA)
- 4 Please contact our Environmental Health Service (020 7641 2000) to make sure you meet their requirements under the Control of Pollution Act 1974 and the Environmental Protection Act 1990. (I07AA)
- 5 You need to speak to our Highways section about any work which will affect public roads. This

includes new pavement crossovers, removal of redundant crossovers, changes in threshold levels, changes to on-street parking arrangements, and work which will affect pavement vaults. You will have to pay all administration, design, supervision and other costs of the work. We will carry out any work which affects the highway. When considering the desired timing of highway works in relation to your own development programme please bear in mind that, under the Traffic Management Act 2004, all works on the highway require a permit, and (depending on the length of the highway works) up to three months advance notice may need to be given. For more advice, please phone 020 7641 2642. However, please note that if any part of your proposals would require the removal or relocation of an on-street parking bay, this is unlikely to be approved by the City Council (as highway authority). (I09AC)

- 6 You will have to apply separately for a licence for any structure that overhangs the road or pavement. For more advice, please phone our Highways section on 020 7641 2642. (I10AA)
- 7 No digging should take place within 5 metres of a High Voltage Cable without contacting National Grid's Plant Protection Team <https://www.beforeyoudig.nationalgrid.com>
- 8 We recommend you speak to the Head of the District Surveyors' Services about the stability and condition of the walls to be preserved. He may ask you to carry out other works to secure the walls. Please phone 020 7641 7240 or 020 7641 7230. (I22AA)
- 9 You will need to re-apply for planning permission if another authority or council department asks you to make changes that will affect the outside appearance of the building or the purpose it is used for. (I23AA)
- 10 Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please phone our Highways Licensing Team on 020 7641 2560. (I35AA)
- 11 You must apply for a licence from our Highways Licensing Team if you plan to block the road or pavement during structural work to support the building. Your application will need to show why you cannot support the building from private land. For more advice, please phone 020 7641 2560. (I36AA)
- 12 Please make sure that the lighting is designed so that it does not cause any nuisance for neighbours at night. If a neighbour considers that the lighting is causing them a nuisance, they can ask us to take action to stop the nuisance (under section 102 of the Clean Neighbourhoods and Environment Act 2005). (I39AA)
- 13 When carrying out building work you must do all you can to reduce noise emission and take suitable steps to prevent nuisance from dust and smoke. Please speak to our Environmental

Health Service to make sure that you meet all requirements before you draw up the contracts for demolition and building work., ,

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

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

Phone: 020 7641 2000

Our Environmental Health Service may change the hours of working we have set out in this permission if your work is particularly noisy. Deliveries to and from the site should not take place outside the permitted hours unless you have our written approval. (150AA)

- 14 Your proposals include demolition works. If the estimated cost of the whole project exceeds £300,000 (excluding VAT), the Site Waste Management Plan (SWMP) Regulations 2008 require you to prepare an SWMP before works begin, to keep the Plan at the site for inspection, and to retain the Plan for two years afterwards. One of the duties set out in the Regulations is that the developer or principal contractor "must ensure, so far as is reasonably practicable, that waste produced during construction is re-used, recycled or recovered" (para 4 of the Schedule to the Regulations). Failure to comply with this duty is an offence. Even if the estimated cost of the project is less than £300,000, the City Council strongly encourages you to re-use, recycle or recover as much as possible of the construction waste, to minimise the environmental damage caused by the works. The Regulations can be viewed at www.opsi.gov.uk.
- 15 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.
- 16 The construction manager should keep residents and others informed about unavoidable disturbance such as noise, dust and extended working hours, and disruption of traffic. Site neighbours should be given clear information well in advance, preferably in writing, perhaps by issuing regular bulletins about site progress.
- 17 With reference to condition 25 please refer to the Council's Code of Construction Practice at (<https://www.westminster.gov.uk/code-construction-practice>). You will be required to enter into the relevant Code appropriate to this scale of development and to pay the relevant fees prior to starting work. The Code does require the submission of a full Site Environmental Management Plan or Construction Management Plan as appropriate 40 days prior to commencement of

works (including demolition). These documents must be sent to environmentalsciences2@westminster.gov.uk. , , Appendix A or B must be signed and countersigned by Environmental Sciences prior to the submission of the approval of details of the above condition. , , You are urged to give this your early attention

- 18 This permission is governed by a legal agreement between the applicant and us under Section 106 of the Town and Country Planning Act 1990. The agreement relates to: , , Employment and Training Strategy for the construction phase and operational phase of the proposed development; , o Financial contribution of £18,000 towards Legible London wayfinding signage, £200,000 towards Cycle Hire station and £230,000 towards Subway Decommissioning as requested by TFL., o Crossrail payment, o Monitoring costs.
- 19 You may need separate licensing approval for the restaurant premises. Your approved licensing hours may differ from those given above but you must not have any customers on the premises outside the hours set out in this planning permission. (I61AB)
- 20 You must make sure that any other activities taking place in the class A3 (restaurant or café) premises, such as small amounts of takeaway sales or small bar areas, are so minor that they do not alter the main use as a restaurant or café. If the scale of one or more of these extra activities is more substantial than this, it is likely that a material (significant) change of use (from class A3 to a mix of uses) will have taken place, which will need a new planning permission. (I61BA)
- 21 Please contact a Metropolitan Police Crime Prevention Design Adviser about suitable security measures for your development. You should also check whether these features will need planning approval.
You should contact:
David Fisher on 020 8217 3813 or by email docomailbox.ne@met.police.uk
He is based at:
Lower Ground, Bow Road Police Station , 111-117 Bow Road , London E3 2AN
(I74AA)
- 22 We recommend all hoteliers to join the Westminster Considerate Hoteliers scheme and to support the Considerate Hoteliers Environmental Charter. This aims to promote good environmental practice in developing and managing hotels. For more information, please contact: , , John Firrell MHCIMA, Secretary - Considerate Hoteliers Association, C/o Wheelwright's Cottage, Litton Cheney, Dorset DT2 9AR , , E-mail: info@consideratehoteliers.com, Phone: 01308 482313, , (I76AA)
- 23 You should include features that improve biodiversity when designing the development and any open areas. For more advice, please speak to our Biodiversity Project Manager on 020 7641 1951. (I81AA)

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

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.