

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 12 July 2022	Classification For General Release	
Report of Director of Place Shaping and Town Planning		Ward(s) involved West End	
Subject of Report	50 Dean Street and 20 Romilly Street, London, W1D 5BQ		
Proposal	Use of basement and ground floor as a drinking establishment with expanded food provision (Sui Generis).		
Agent	Gerald Eve		
On behalf of	Inception Ventures Group Limited		
Registered Number	22/01046/FULL	Date amended/ completed	17 February 2022
Date Application Received	17 February 2022		
Historic Building Grade	Unlisted		
Conservation Area	Soho		
Neighbourhood Plan	Soho Neighbourhood Plan		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY & KEY CONSIDERATIONS

The application site comprises the whole of the basement and the majority of the ground floors of 50 Dean Street and 20 Romilly Street and totals 382 m² (GIA). Although currently vacant, the unit was last in use as a restaurant (Class E).

Permission is sought for use of the site as a drinking establishment with expanded food provision (Sui Generis). No physical alterations are proposed.

The key issue for consideration in this case is:

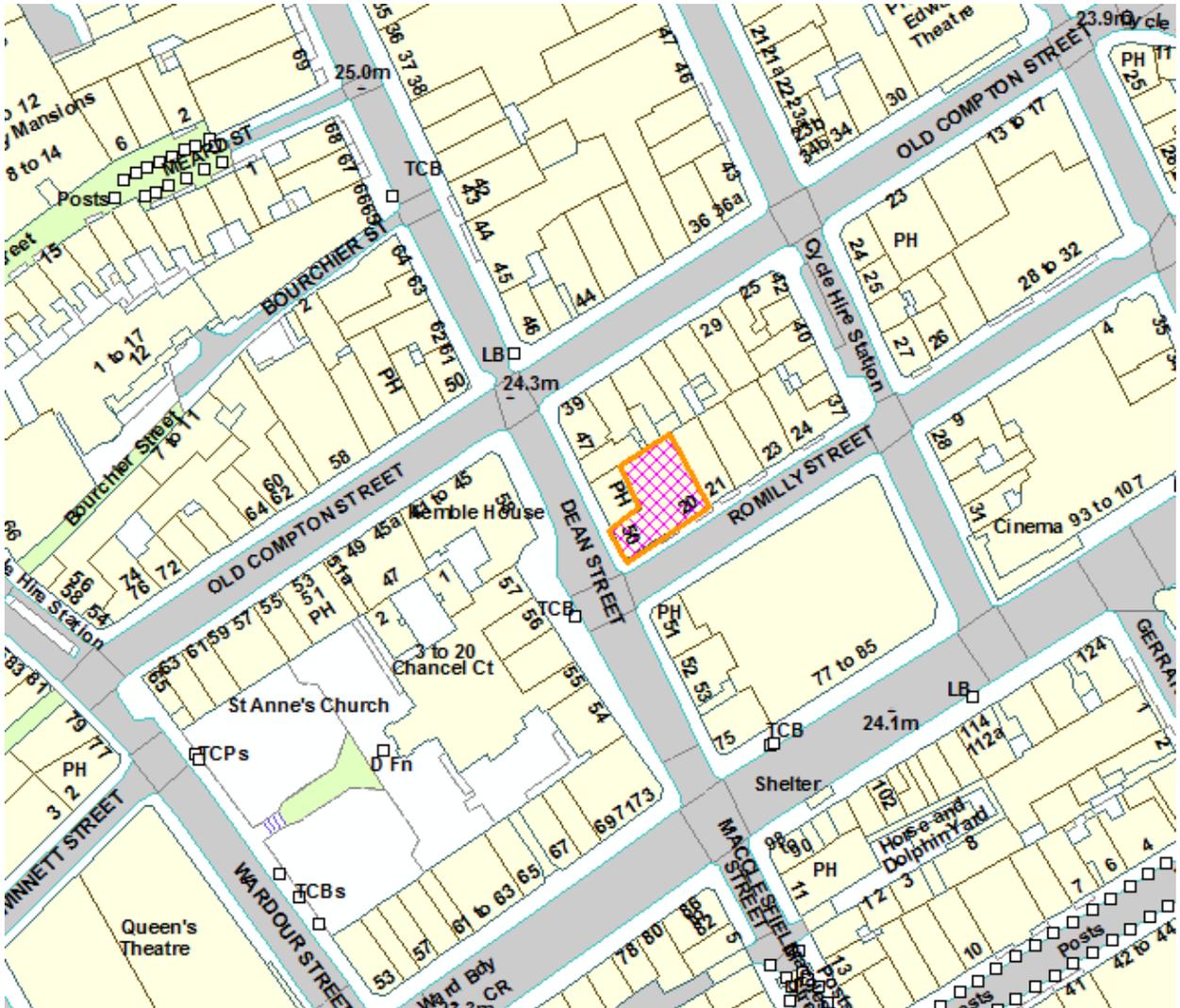
- The impact of the use on the character and function of the Soho Special Policy Area, the amenity of local residents, and upon local environmental quality.

Subject to the imposition of similar conditions to the former restaurant use including:

- (i) No increase in capacity;
- (ii) No vertical drinking;
- (iii) No outdoor drinking;
- (iv) The same operating hours;
- (v) The same servicing hours; and
- (vi) Ensuring that there is no unacceptable transfer of noise from internal activities to neighbouring residents;

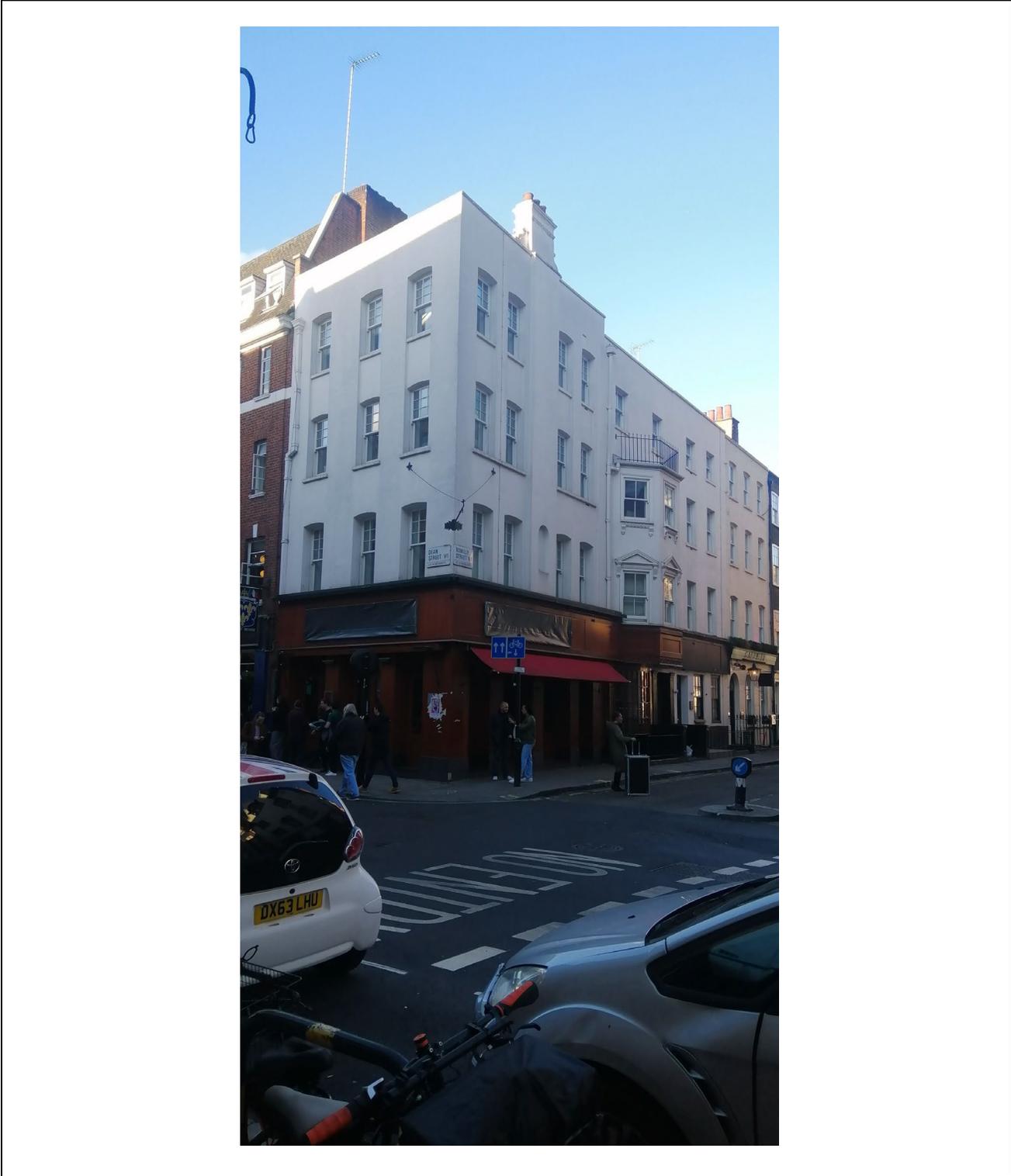
It is considered that there would be no significant change in the impact of the proposed use in comparison with the previous use as a restaurant. Subject to appropriate conditions the application is considered acceptable in accordance with City Plan policies and is accordingly recommended for approval.

3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

5.1 Application Consultations

SOHO SOCIETY:

Objects on the following grounds:

- There are residential premises immediately above, adjacent to and opposite the site.
- The change back to restaurant use in 2012 was regarded as a considerable planning gain, bringing a significant and much-needed improvement to residential amenity. Any shift in the opposite direction would be a retrograde step as further intensification of licensed uses in Soho will result in additional crime, anti-social behaviour, public nuisance and disorder that is associated with alcohol consumption.
- The Operational Management Statement which accompanies the application is entirely superficial and does not adequately address the 'agent of change' principle referred to in the Soho Neighbourhood Plan. There is no physical investment suggested to mitigate the noise impact on residential properties, especially those directly above, which would be seriously impacted given the hours applied for. The change of use from a well-run restaurant to a bar (albeit seated) is a significant change which is contrary to the spirit of the neighbourly policies set out in Policy 7 of the City Plan, and in particular Paras. 7.3 and 7.4.
- If the committee is minded to grant permission despite this and other strong objections, then the opening hours should be restricted to the hours of operation of the current restaurant permission, namely between 09.00 and 00.30 (Mondays – Saturdays) and between 10.00 and 23.00 (Sundays and bank holidays).

WASTE PROJECT OFFICER:

Objection on the ground that the provision for the storage of waste and recyclable materials are not in line with the City Council's requirements.

ENVIRONMENTAL SCIENCES:

No objection on the grounds that there are no records of public nuisance or public safety complaints from this site and that the proposed capacity and hours¹ are in keeping with the conditions imposed on the planning permission for the lawful restaurant.

HIGHWAYS PLANNING:

No objection on the grounds that: (i) The proposed use is not expected to result in any material change in trip generation; and (ii) The proposed cycle parking is policy compliant.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 221

Total No. of replies: 8

No. of objections: 6

No. in support: 2

Objections on the following grounds:

- Noise from additional customers and associated pedicabs and taxis to this part of Dean Street.
-

- Objection to the proposed extension of the terminal hour to 02.00 (Monday to Saturday) in terms of additional late-night noise. This is evidenced from the noise that was generated by the customers of the bar that occupied the site prior to the restaurant that opened until 03.00.
- Increased crime and anti-social behaviour.
- Saturation of bars in this part of Soho (none of which opens past midnight). The cumulative impact of adding another drinking establishment to this part of Soho make the development unacceptable.
- The submitted Operational Management Plan is implausible.
- Soho has already reached saturation point with the number of venues with late licences – hence Soho forming part of the West End Cumulative Impact Area, as designated by the City Council in its role as Licensing Authority.

Support provided on the following grounds:

- Based on experience of other establishments operated by the applicant, considers the proposed operator to be considerate, experienced, respectful and responsible.
- The loss of the original late-night bar on the site and its replacement with a restaurant was a great shame.
- The proposed operation will be a very positive addition to the area.
- Based on experience elsewhere, the proposed operation attracts well-mannered customers and is well run. Having a well-run operation open until 02.00 will act as a deterrent for any potential illicit or unsavoury behaviour that might otherwise happen in this part of Dean Street.

SITE NOTICE:

Yes

5.2 Applicant's Pre-Application Community Engagement

The applicant has not provided a statement setting out whether any engagement was carried out by the applicant with the local community and key stakeholders in the area prior to the submission of the application.

6. WESTMINSTER'S DEVELOPMENT PLAN

6.1 City Plan 2019-2040 & London Plan

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

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

6.2 Neighbourhood Planning

The Soho Neighbourhood Plan includes policies on a range of matters including housing, residential amenity, air quality and climate change, traffic and servicing, green infrastructure, pedestrians and cycling and waste and recycling.

It has been through independent examination and was supported by local residents and businesses in a referendum held on 2 September 2021. It was adopted on 8 October 2021. It therefore forms part of the development plan for Westminster for development within the Soho neighbourhood area in accordance with Section 38 of the Planning and Compulsory Purchase Act 2004. Where any matters relevant to the application subject of this report are directly affected by the policies contained within the neighbourhood plan, these are discussed later in this report.

6.3 National Policy & Guidance

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

7. BACKGROUND INFORMATION

7.1 The Application Site

The application site comprises the whole of the basement and the majority of the ground floors of 50 Dean Street and 20 Romilly Street and totals 382 m² (GIA). Although currently vacant, the unit was last in use as a restaurant (Class E). Part of the ground floor of 20 Romilly Street provide an entrance to the five flats on the upper floors of the application site.

Neither building is listed, although 21 Romilly Street which is to the immediate east of the site is Grade II listed.

The site is located within the CAZ, the Mayfair Conservation Area, the WERLSPA, the Soho Special Policy Area, and the West End Strategic Cultural Area.

The French House public house is located immediately to the north at 49 Dean Street. It is understood that the licensed opening hours are between 10.00 and 00.30 (Monday to Saturday) and between 12.00 and 00.00 (Sunday).

Another public house at 51 Dean Street (The Golden Lion) is located to the south at the junction of Romilly Street and Dean Street. It is understood that the licensed opening hours are as follows:

- Monday to Saturday: 07:00 to 00:30 (First Floor)
- Sunday: 07:00 to 00:00 (First Floor)
- Monday to Thursday: 07:00 to 23:30 (Ground Floor)
- Friday to Saturday: 07:00 to 00:00 (Ground Floor)
- Sunday: 07:00 to 23:00 (Ground Floor)

The site has a number of residential properties in close proximity, including 5 x flats on the upper floors of the application site, 35 x flats at the corner of Old Compton Street and Dean Street (Kemble House), 39 x flats at Chancel Court, 57 Dean Street, and 9 x flats at 52-53 Dean Street.

The operation of the restaurant use is controlled by a number of conditions on the 2012 planning permission (and subsequently carried forward by variations to conditions of this permission) that seek to mitigate the amenity impact of its operation. The following are of most relevance:

- The design and structure of the development is required to be of a standard that it will prevent an unacceptable transfer of internal noise within the building to the flats above and to neighbouring buildings (Condition 13).
- The hours of operation are between 0900 and 00.30 (the following morning) (Mondays to Saturdays) and between 10.00 and 23.00 (Sundays and bank holidays) (Condition 14).
- The capacity is limited to 130 (Condition 16) (as amended by planning permission dated 19 January 2016 (Ref: 15/07377/FULL)).
- No take-away food or drink is permissible (Condition 17).
- All servicing must take place between 08.00 and 18.00 (Mondays to Saturdays) and between 09.00 and 18.00 (Sundays) (Condition 18).
- No live or recorded music may be played that is audible outside the property or within the adjoining residential units (Condition 19).
- The doors on the Romilly Street frontage must remain closed at all times and the windows must be closed from 21.00 each day (Condition 20).

7.2 Recent Relevant History

15/07377/FULL

Variation of Condition 16 of planning permission dated 6 August 2014 (RN: 14/01312) (which in itself varied an earlier condition to allow design amendments to a previous scheme); namely to allow an increase in the number of customers permitted within the basement and ground floor restaurant from 100 customers to 130 customers at any one time.

Permitted - 19.01.2016

14/01313/FULL

Installation of replacement full-height extract duct contained within an enclosure on rear elevation and removal of condensing units from rear elevation.

Permitted - 15.04.2014

14/01312/FULL

Variation of Condition 1 of planning permission dated 09 October 2012 (RN: 12/05857) for alterations, use of the basement and ground floors as a restaurant (Class A3) and use of the upper floors as 2x1, 2x2, 1x3 bedroom residential units; installation of associated plant [Site includes 20 Romilly Street]; namely, alterations to the plant layout at roof level; installation of plant at rear first floor level; alterations to the fenestration at second floor level on the Romilly Street elevation of the property; internal changes to the layouts of the flats, and internal changes to the layout of the restaurant at basement and ground floor levels.

Permitted - 06.08.2014

12/05857/FULL

Alterations, use of the basement and ground floors as a restaurant (Class A3) and use of the upper floors as 2x1, 2x2, 1x3 bedroom residential units; installation of associated plant. (Site includes 20 Romilly Street)

Permitted - 09.10.2012

8. THE PROPOSAL

The application proposes changing the use of the basement and ground floor unit to a 'drinking establishment with expanded food provision' (*sui generis*). It is intended that the unit will be occupied as a mixed-use bar and restaurant, offering both sit down drinks and food. Such a use falls between a traditional public house (also a *sui generis* use) and a restaurant (Class E), offering elements of both of these uses.

The indicative layout plans provided by the applicant shows the ground floor containing a bar and customer seating, alongside a kitchen. The basement is proposed to offer customer WCs, as well as a back-of-house store, office, staff cycle parking and preparation kitchen.

The building already has a full-height kitchen extract and this would be utilised to ensure the dispersal of cooking odours. No physical works are proposed as part of this application.

The applicant has submitted an Operational Management Plan to show how the proposed use will operate. Many of the restrictions imposed by the planning permission for a restaurant use on site are replicated within the submitted Operational Management Plan. These include that: (i) The entrance / exit will be from Dean Street and that the doors on the Romilly Street frontage will be kept shut at all times (except during an emergency or for maintenance); (ii) No take-away food or drink would be permissible; (iii) The maximum capacity will remain at 130 patrons; (iv) Servicing of the premises will only take place between 08.00 and 18.00 Monday to Saturday and 09.00 and 18.00 on Sundays; (v) No live or recorded music will be played which is audible outside of the property or within the adjoining residential units; and (vi) All windows will be closed from 21.00 daily.

In addition, the applicant proposes that all of the covers will be accommodated at tables so that no vertical drinking takes place on site. The entrances will be staffed by Security Industry Authority (SIA) accredited personnel. Drinks will not be allowed to be taken outside. As such, no vertical drinking will take place outside the premises.

The main difference between the proposed drinking establishment with expanded food provision use and the lawful restaurant use is the proposed hours. The applicant has proposed the following opening hours:

- 10.00 – 02.00 (the following morning) (Mondays to Saturdays).
- 10.00 – 00.00 (midnight) (Sundays).

This is 90 minutes later than permitted for a restaurant use on Mondays to Saturdays

and 60 minutes later than permitted on Sundays.

9. DETAILED CONSIDERATIONS

9.1 Land Use and Amenity

London Plan Policy SD4(E) provides general support for the proposed use in the CAZ, stating, *'The unique concentration and diversity of cultural, arts, entertainment, night-time economy and tourism functions should be promoted and enhanced'*. Support for the evening and night-time economy within the WERLSPA can be found within City Plan Policy 2(C) that set out as one of the priorities for the intensification of the WERLSPA is to deliver, *'A diverse evening and night-time economy and enhanced cultural offer'*, as well as within City Plan Policy 14(C)(ii) that states, *'The WERLSPA will provide a wide mix of commercial uses that support the West End's role as a retail, employment and cultural hub, and as a centre for the visitor, evening and night-time economy'*.

London Plan Policy HC6(B) states that planning decisions should, *'Promote the night-time economy, where appropriate, particularly in the Central Activities Zone, strategic areas of night-time activity, and town centres where public transport such as the Night Tube and Night Buses are available'*, whilst at the same time, *'Address[ing] the cumulative impact of high concentrations of licensed premises on anti-social behaviour, noise pollution, health and wellbeing and other issues for residents and nearby uses, and seek ways to diversify and manage these areas'*.

This balance of competing interests within the CAZ is underlined by City Plan Policy 1(A)(4) that states that Westminster will continue to grow, thrive and inspire at the heart of London as a World City by, *'Balancing the competing functions of the Central Activities Zone (CAZ) as a retail and leisure destination, visitor attraction, global office centre, and home to residential neighbourhoods'*. City Pan Policy 7 seeks to protect and where appropriate enhance local environmental quality, whilst City Plan Policy 33(A) outlines how, *'The council will make sure that quality of life and health and wellbeing of existing and future occupiers, and the natural environment are not adversely affected by harmful pollutants and other negative impacts on the local environment'*.

City Plan Policy 16(A) states, *'Proposals for food and drink and entertainment uses will be of a type and size appropriate to their location. The over-concentration of those uses will be further prevented where this could harm residential amenity, the vitality and character of the local area or the diversity that defines the role and function of the town centre'*.

In respect to the impact of the proposal upon the Soho Special Policy Area, City Plan Policy 20 requires development to reflect Soho's unique character and function and supports food, drink and entertainment uses subject to proposals for new drinking establishments being considered with regard to their cumulative impact on the character of Soho's streets and mix of uses. The supporting text outlines how noise and amenity impact from new drinking establishments will be carefully considered, especially where there are residential uses up upper floors in the immediate vicinity of the site, as there is in this instance (Para. 20.6).

Soho Neighbourhood Plan Policy 12 states, '*Proposals for new food uses (Class E), public houses, drinking establishments, take-aways and music venues (Sui Generis) uses which require planning permission and are contiguous to residential use must comply with the 'agent of change' principle and demonstrate that they will not have unacceptable amenity impacts (including in relation to noise, vibration and odours)*'. The 'agent of change' principle is set out within London Plan Policy D13 and places the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on the proposed new noise-sensitive development. In this instance, the responsibility is to ensure that the proposed new drinking establishment with expanded food provision use adequately mitigates its impact upon existing residents on the upper floors of the building and those within the vicinity of the site on Dean Street and Romilly Street.

Whilst the nature of the proposed use will be more focussed upon the consumption of alcohol than the existing restaurant use, it is considered that the impact upon the character and function of the area, the amenity of local residents and upon local environmental quality will be very similar. This is subject to: (i) The imposition of very similar conditions as those imposed upon the lawful restaurant use controlling the proposed use, as set out in the applicant's Operational Management Plan; (ii) The imposition of conditions preventing vertical drinking within the premises and preventing patrons from taking drinks outside; and (iii) The imposition of a condition restricting the hours of operation as the lawful restaurant (i.e. between 0900 and 00.30 (Monday to Saturday) and between 10.00 and 23.00 (Sundays and bank holidays).

Given the number and close proximity of residents to the site, as well as the presence of other drinking establishments very close by, it is not considered that extending the opening hours to 02.00 (the following morning) (Mondays to Saturdays) and 00.00 (midnight) (Sundays) is acceptable in terms of its impact upon the amenity of local residents, upon local environmental quality or upon the character of this part of Soho.

9.2 Environment & Sustainability

No physical changes are proposed to the building that would improve its sustainability.

The existing high-level extract duct will ensure that cooking odours are adequately dispersed.

9.3 Biodiversity & Greening

No external alterations are proposed.

9.4 Townscape, Design & Heritage Impact

No external changes are proposed to be the building and therefore there will be no impact upon the setting of the nearby listed buildings and no impact upon the character and appearance of the Soho Conservation Area.

9.5 Residential Amenity (Daylight & Sunlight / Sense of Enclosure / Privacy).

No external alterations are proposed that would impact upon residential amenity. The

impact of the proposed use upon residential amenity is discussed within Section 9.1 of this report.

9.6 Transportation, Accessibility & Servicing

The impact upon the local highway network of the proposed drinking establishment with expanded food provision use compared to the existing restaurant use are not considered to be materially different.

The provision of 3 x cycle parking spaces for staff is policy compliant and are recommended to be secured by condition.

There is sufficient space within the basement for the storage of waste and recyclable materials. The details may be secure by condition.

9.7 Economy including Employment & Skills

The employment generating potential of the proposed development is unlikely to be materially different from the site's existing use as a restaurant.

9.8 Other Considerations

None.

9.9 Environmental Impact Assessment

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

9.10 Planning Obligations & Pre-Commencement Conditions

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

No additional floorspace is proposed and therefore the development does not generate any CIL payment.

10. Conclusion

The impact upon residential amenity, the character of Soho and upon local environmental quality of the drinking establishment with expanded food provision use is considered to be very similar to the existing use of the site as a restaurant. Subject to the imposition of very similar conditions as the existing restaurant use, as well as conditions preventing vertical drinking both within and outside of the site and limiting the hours of operation to the same as the lawful restaurant (i.e. between 0900 and 00.30 (Monday to Saturday) and between 10.00 and 23.00 (Sundays and bank holidays)), the propose change of use is considered to be compliant with the policies within the adopted development plan.

(Please note: All the application drawings and other relevant documents and Background

Item No.
2

Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: MIKE WALTON BY EMAIL AT mwalton@westminster.gov.uk

11. KEY DRAWINGS

Existing ground floor plan



Existing basement floorplan



Proposed ground floor plan (indicative layout)



Proposed basement floor plan (indicative layout)



DRAFT DECISION LETTER

Address: 50 Dean Street, London, W1D 5BQ,

Proposal: Use of basement and part ground floor as a drinking establishment with expanded food provision (Sui Generis). [SITE INCLUDES 20 ROMILLY STREET].

Plan Nos: Proposed ground floor (Rev. A), proposed basement floor (Rev. A) and Operational Management Plan (dated 17 February 2022).

Case Officer: Mark Hollington

Direct Tel. No. 07866040156

Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:

- 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 Customers shall not be permitted within the drinking establishment with expanded food provision premises before 09.00 or after 00.30 (the following morning) on Monday to Saturday (not including bank holidays and public holidays) and before 10.00 or after 23.00 on Sundays, bank holidays and public holidays. (C12BD)

Reason:

To protect the environment of people in neighbouring properties as set out in Policies 7, 16, 20 and 33 of the City Plan 2019 - 2040 (April 2021) and Policy 12 of the Soho Neighbourhood Plan (adopted October 2021).

- 3 You must not allow more than 130 customers into the basement and ground floor drinking establishment with expanded food provision use hereby approved at any one time.

Reason:

To protect the environment of people in neighbouring properties as set out in Policies 7, 16, 20 and 33 of the City Plan 2019 - 2040 (April 2021) and Policy 12 of the Soho Neighbourhood Plan (adopted October 2021).

- 4 You must not sell any take-away food or drink on the premises, even as an ancillary part of the primary drinking establishment with expanded food provision use. (C05CC)

Reason:

We cannot grant planning permission for unrestricted use in this case because it would not meet Policy 16 of the City Plan 2019 - 2040 (April 2021). (R05AC)

- 5 All servicing must take place between 08.00 and 18.00 (Monday to Saturday) and between 09.00 and 18.00 (Sundays). Servicing includes loading and unloading goods from vehicles and the collection of waste and recyclable materials.

Reason:

To protect the environment of people in neighbouring properties as set out in Policies 7, 16, 20 and 33 of the City Plan 2019 - 2040 (April 2021) and Policy 12 of the Soho Neighbourhood Plan (adopted October 2021).

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

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

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

- (a) The location of most affected noise sensitive receptor location and the most affected window of it;
- (b) Distances between the application premises and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- (c) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (a) above (or a suitable representative position), at times when background noise is at its lowest during the permitted hours of use. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
- (d) The lowest existing LA90, 15 mins measurement recorded under (c) above;
- (e) Measurement evidence and any calculations demonstrating that the activity complies with the planning condition;
- (f) The proposed maximum noise level to be emitted by the activity. (C47AC)

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels and as set out in

Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Environmental Supplementary Planning Document (May 2021), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission. (R47AC)

- 7 The noise levels from the drinking establishment with expanded food provision use hereby approved shall be such that residents within the same building or in adjoining buildings are not exposed to noise levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night. Inside bedrooms 45 dB L Amax is not to be exceeded more than 15 times per night-time from sources other than emergency sirens.

Reason:

To ensure that unacceptable levels of noise and vibration are not transferred from the drinking establishment with expanded food provision use to residents of the same or adjoining buildings, as set out Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Environmental Supplementary Planning Document (May 2021).

- 8 The ground floor doors on the Romilly Street frontage shall be closed at all times (except during an emergency). All the ground floor windows shall be closed from 21.00 each day.

Reason:

To protect the environment of people in neighbouring properties as set out in Policies 7, 16, 20 and 33 of the City Plan 2019 - 2040 (April 2021) and Policy 12 of the Soho Neighbourhood Plan (adopted October 2021).

- 9 No vertical drinking shall take within the premises. No drinks may be taken outside of the premises at any time.

Reason:

To protect the environment of people in neighbouring properties as set out in Policies 7, 16, 20 and 33 of the City Plan 2019 - 2040 (April 2021) and Policy 12 of the Soho Neighbourhood Plan (adopted October 2021).

- 10 The measures set out within the Operational Management Plan (dated 17 February 2022) shall be adhered to at all times.

Reason:

To protect the environment of people in neighbouring properties as set out in Policies 7, 16, 20 and 33 of the City Plan 2019 - 2040 (April 2021) and Policy 12 of the Soho Neighbourhood Plan (adopted October 2021).

- 11 You must apply to us for approval of details of how waste is to be stored on site and how materials for recycling will be stored separately. You must not occupy the drinking

establishment with expanded food provision use hereby approved until we have approved what you have sent us. You must then provide the waste and recycling storage prior to occupation of the development and thereafter permanently retain the stores according to these details. You must clearly mark them and make them available at all times to everyone using the drinking establishment with expanded food provision. You must not use the waste and recycling store for any other purpose. (C14GB)

Reason:

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

- 12 You must provide each cycle parking space shown on the approved drawings prior to occupation of the development. Thereafter the cycle spaces must be retained and the space used for no other purpose. (C22FC)

Reason:

To provide cycle parking spaces for people using the development in accordance with Policy 25 of the City Plan 2019 - 2040 (April 2021). (R22FB)

- 13 You must provide the entrance lobby shown on the approved ground floor plan prior to the commencement of the drinking establishment with expanded food provision use hereby approved. The doors fitted to this lobby shall be self-closing doors and you must not leave these doors open except in an emergency or to carry out maintenance. This lobby shall be retained in situ for the life of the development.

Reason:

To protect the environment of people in neighbouring properties as set out in Policies 7, 16, 20 and 33 of the City Plan 2019 - 2040 (April 2021) and Policy 12 of the Soho Neighbourhood Plan (adopted October 2021).

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the City Plan 2019 - 2040 (April 2021), neighbourhood plan (where relevant), supplementary planning documents, the London Plan (March 2021), planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

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.