

From: David Inzani
Sent: 12 May 2022 16:23
To: Carleton James: H&F
Cc: Licensing HF: H&F; Dimitriou Maria: H&F
Subject: RE: WITHOUT PREJUDICE Dao by Dorsett West London, 56 Shepherd's Bush Green - Premises Licence Application

Dear James,

Thank you for your email.

I have forwarded this to my client and their planning advisers.

As this is a licensing matter and as you correctly highlight in your email below, the application must be determined by the Licensing Committee and not be determined on conditions contained in the planning permission which currently applies to 56 Shepherd's Bush Green.

In the circumstances, please confirm that your emails in relation to this matter are for information purposes and are not a representation to the application.

Kind regards,

David
David Inzani |Solicitor
Poppleston Allen

From: Carleton James: H&F
Sent: 11 May 2022 10:24
To: David Inzani
Subject: RE: WITHOUT PREJUDICE Dao by Dorsett West London, 56 Shepherd's Bush Green - Premises Licence Application

Dear David,

Sorry I misread your initial email. I appreciate you may want to speak to me directly, however, I need to go through the substantial planning history of the site. A phone call at this time would not be productive. Licencing legislation is separate to planning, and therefore the licence should not be refused on planning grounds. The granting of the license would not prevent us from taking enforcement action from the planning side.

I am not familiar with this site, and therefore did not appreciate the full planning history of this site. The hotel is located at no.58, as opposed to 56 and therefore did

not pick up in my original search. Condition 7 you referenced from the 1991 application is not relevant and would have been superseded by latter permissions.

Planning permission ref. 2012/03043/FUL was granted at no.58 Shepherd's Bush Green for the Use of the premises as a 322 bedroom hotel; leisure facilities comprising meeting rooms, bar, two restaurant areas, spa, staff facilities and plant at ground level and one basement level; replacement of existing curved roof with glazed roof and altered roof profile and extended third to fifth floor levels to the north, roof top extension and erection of a plant above to southern side; demolition of rear elevation facing west onto Pennard Road and parts of the side elevations and replacement with new elevations involving alterations to existing footprint of the building to the north and west; single storey extension to south elevation; erection of new entrance canopy to the front façade at Shepherd's Bush Green at ground floor level; installation of flagpoles over new front entrance; modification to and opening up of doorways and windows in front elevation; provision of loading bay to northern elevation; erection of two sets of entrance gates onto Shepherd's Bus

See decision notice attached. Condition 22 imposes restrictions on the opening hours of the restaurant and bar.

I see planning permission was also approved ref. 2016/04044/FUL to redevelop the building next door at 56 in connection with the hotel. The latest variation ref. 2018/02058/VAR for the "Demolition of existing building (with the exception of the frontage) and redevelopment to provide an 8 storey plus basement building, comprising entertainment use (D2) at basement and ground floor level, restaurant extension (to the neighbouring hotel) at ground floor level, with 74 serviced apartments on the upper floors (in connection with the neighbouring hotel)." I attach the decision notice.

Please ensure the business operates in accordance with the conditions.

I will make licensing aware of condition 22.

Kind regards,
James Carleton
Principal Planning Enforcement Officer
Development Management – Enforcement Team
The Economy Department
Hammersmith and Fulham Council

From: David Inzani
Sent: 10 May 2022 17:03
To: Carleton James: H&F
Cc: Dimitriou Maria: H&F ; Licensing HF: H&F
Subject: RE: WITHOUT PREJUDICE Dao by Dorsett West London, 56 Shepherd's Bush Green - Premises Licence Application

WITHOUT PREJUDICE

Dear James,

Thank you for your email today.

I have left you a voicemail as I have tried to call you on this.

Having taken my client's instructions I am authorised to amend condition number 28 in our *premises licence application* (a further copy of which I attach) on the following basis:

- *28. In relation to the ground floor restaurant and bar areas there shall be no new admission after 0000 hours (midnight), other than to residents of the hotel and their bona fide guests or persons attending a pre-booked private function. All members of the general public (other than residents of the hotel and their bona fide guests or patrons attending a pre-booked private function) shall be off the premises by 0030 hours the following day on Mondays to Saturdays and by 0000 hours (midnight) on Sundays.*

This condition (and as I have highlighted in yellow) replicates the planning condition number 7 on planning permission dated 31st July 1991 a copy of which I attach.

Please confirm that on this basis and in line with what you require in your representation you will now withdraw your representation. I have copied in the Licensing Officer and the general Licensing email address so that all parties are aware of the amendment we are making to our premises licence application.

I look forward to hearing from you.

Kind regards,
David

David Inzani |Solicitor
Poppleston Allen

From: Carleton James: H&F
Sent: 10 May 2022 11:04
To: David Inzani
Subject: RE: Dao by Dorsett West London, 56 Shepherd's Bush Green - Premises Licence Application

Dear David,

Submit an application to vary the application. However, I am not in a position at this time to inform you as to whether an application will be successful.

I can inform licencing of a pending application, and can update if and when the variation application is granted.

Kind regards,

James Carleton
Principal Planning Enforcement Officer
Development Management – Enforcement Team
The Economy Department
Hammersmith and Fulham Council

From: David Inzani
Sent: 05 May 2022 16:28
To: Carleton James: H&F
Subject: RE: Dao by Dorsett West London, 56 Shepherd's Bush Green - Premises Licence Application

Dear James,

Thank you for your email.

My client is not currently seeking to vary the planning permission. Rather, to address your representation to my client's premises licence application, my client is happy to amend the conditions on their licence application to ensure that the planning hours are reflected on the premises licence.

As you will be aware, this premises will primarily be used as a hotel, with restaurant, bar and entertainment facilities open to the general public on the ground floor. The following planning condition referred to in your representation relates to the ground floor restaurant and bar facilities:

“07 No Customers shall be on the premises between the hours of 00.30 hours and 09.00 hours on Tuesday to Sunday inclusive nor between the hours of midnight Sunday and 9.00 hours on Monday.”

The premises licence application seeks unrestricted opening hours because hotel residents will need to have access to their rooms 24 hours a day. However, my client has already included the following condition on the premises licence application in order to restrict the hours that the general public can access the ground floor bar and restaurant areas:

28. In relation to the ground floor restaurant and bar areas there shall be no new admission after 0000 hours (midnight), other than to residents of the hotel and their bona fide guests or persons attending a pre-booked private function. All members of the general public (other than residents of the hotel and their bona fide guests or patrons attending a pre-booked private function) shall be off the premises by 0100 hours.

In light of your representation and the condition on the planning permission referred to above, my client would be happy to amend this proposed premises licence condition to read as follows:-

28. In relation to the ground floor restaurant and bar areas there shall be no new admission after 0000 hours (midnight), other than to residents of the hotel and their bona fide guests or persons attending a pre-booked private function. All members of the general public (other than residents of the hotel and their bona fide guests or patrons attending a pre-booked private function) shall be off the premises by 0030 hours the following day on Mondays to Saturdays and by 0000 hours (midnight) on Sundays.

Please could you confirm whether you would be happy to withdraw your representation on the basis of this amended condition that would reflect the hours under the planning permission? If so, I will notify the Licensing Authority of the amended condition and ask you to notify them that your representation is withdrawn.

I attach a full list of the proposed premises licence conditions for your information.

I look forward to hearing from you.

Kind regards,

David

David Inzani |Solicitor
Poppleston Allen

From: Carleton James: H&F

Sent: 03 May 2022 17:26

To: David Inzani

Subject: RE: Dao by Dorsett West London, 56 Shepherd's Bush Green - Premises Licence Application

Dear David Inzani,

is there anything specific you want to discuss? I cannot give out free planning advice. If you want planning advice in relation to varying the opening hours, the council offers pre application advice service.

[Planning advice | LBHF](#)

Planning permission was granted for the

“Change of use of the existing cinema hall into a restaurant and bar with stage facility for live entertainment with associated ancillary office accommodation together with external alterations to provide new window openings in the South elevation and a new entrance arch in the East elevation.”

Condition 7 was imposed as follows,

No Customers shall be on the premises between the hours of 00.30 hours and 09.00 hours on Tuesday to Sunday inclusive nor between the hours of midnight Sunday and 9.00 hours on Monday.

A number of variation application were submitted between 1994 and 2011, (1994/01158/VAR, 2004/00742/FUL, 2011/00105/VAR, proposing to extend these opening hours. All were refused. I attach the decision notice of the most recent application.

Kind regards,

James Carleton
Principal Planning Enforcement Officer
Development Management – Enforcement Team
The Economy Department
Hammersmith and Fulham Council

From: David Inzani
Sent: 03 May 2022 14:50
To: Carleton James: H&F
Cc: Dimitriou Maria: H&F ; Licensing HF: H&F
Subject: RE: Dao by Dorsett West London, 56 Shepherd's Bush Green - Premises Licence Application

Dear James,

Further to my email of 22 April below and the above premises licence application, please could you let me know a convenient time for us to discuss your representation on behalf of Planning Enforcement ?

I am available all week. Please let me know a convenient time for me to call and the best number to reach you on. Alternatively, please feel free to give me a call on 07943 097 660.

Best regards,

David

From: David Inzani
Sent: 22 April 2022 11:10
To: James Carleton
Subject: Dao by Dorsett West London, 56 Shepherd's Bush Green - Premises Licence Application

Dear James,

I hope this email finds you well.

Further to my email on 6th April, I act for the Dorsett Hotel Group on the above premises licence application and I am in receipt of your representation on behalf of Planning Enforcement.

I would be very grateful if we could have a call to discuss your representation. Please let me know your availability today or early next week.

Many thanks,

David