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| CITY OF WESTMINSTER | | | |
| PLANNING APPLICATIONS SUB COMMITTEE | Date 16 January 2017 | Classification For General Release | |
| Report of Director of Planning | | Ward(s) involved West End | |
| Subject of Report | 2 - 4 Noel Street, London, W1f 8gb | | |
| Proposal | Use of part basement and part ground floors as shop (Class A1) and / or a restaurant (Class A3) and installation of full-height extract duct to rear elevation. | | |
| Agent | Maddox and Associates Ltd | | |
| On behalf of | Timberyard Ltd | | |
| Registered Number | 17/07923/FULL | Date amended/ completed | 7 September 2017 |
| Date Application Received | 4 September 2017 | | |
| Historic Building Grade | Unlisted | | |
| Conservation Area | Soho | | |

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

The application site comprises the majority of the basement and ground floors of this unlisted building located within the Soho Conservation Area, the Core Central Activities Zone (Core CAZ), the West End Special Retail Policy Area and the West End Stress Area. The lawful use of this floorspace is within Class B1 (Business).

Permission is sought to use ground and basement floors (with the exception of the circulation core for the offices above) as a shop (Class A1) and / or a restaurant (Class A3). Also proposed is the installation of a full-height duct clad to match the host building (in render) rising up the rear of the building within a rear lightwell.

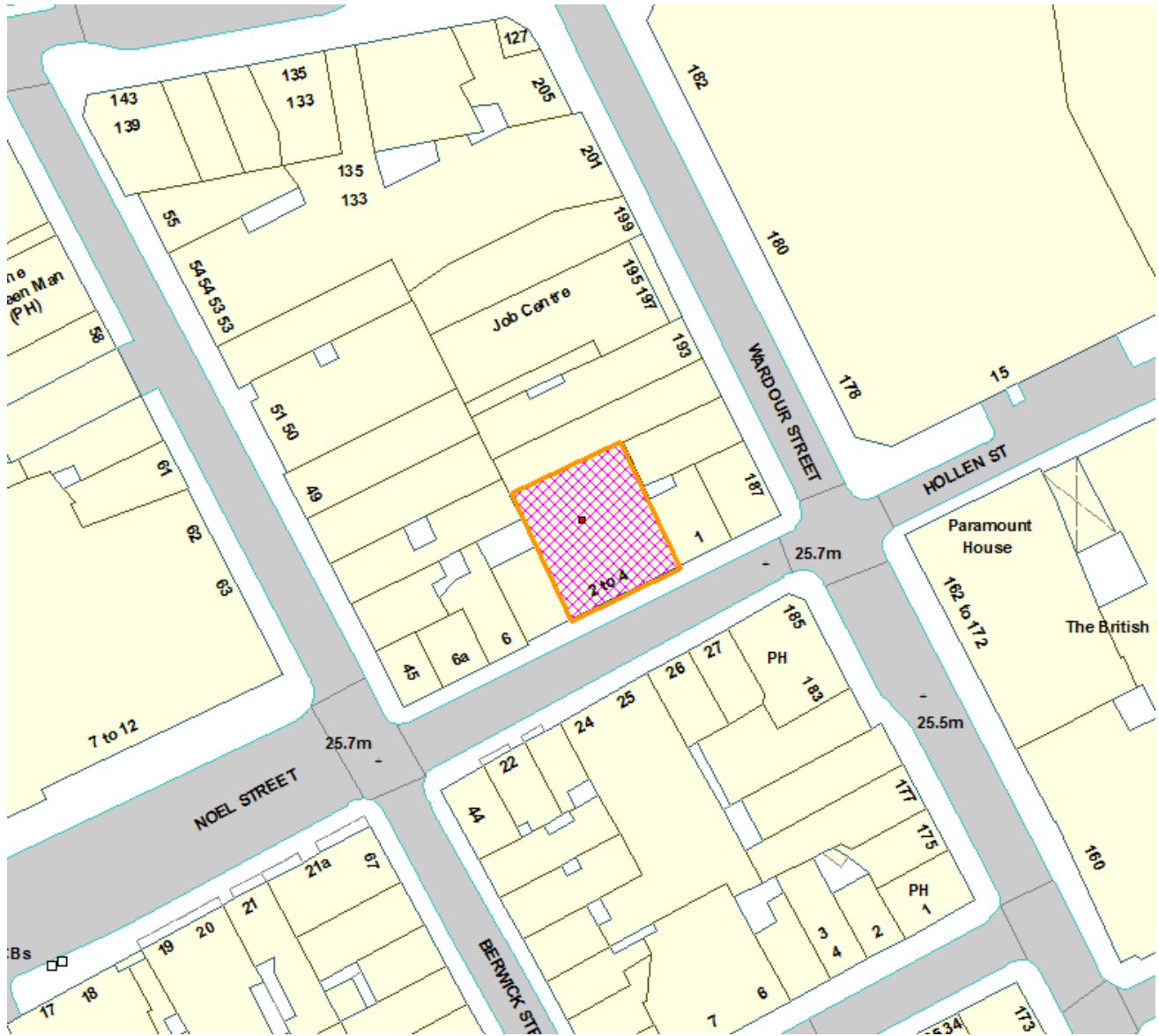
The key issues for consideration are:

- Whether the proposed new entertainment use will result in an increased concentration of late night-night uses within the West End Stress Area, result in material harm to residential amenity or local environmental quality, or harm the character and function of the area.

- Whether servicing the proposed restaurant will result in an obstruction to the public highway.
- Whether the proposed flue will preserve or enhance the character and appearance of the Soho Conservation Area.

The proposal is considered acceptable in land use, amenity and transportation terms, complying with the policies set out in the Unitary Development Plan (UDP) and Westminster's City Plan: Strategic Policies (City Plan). For these reasons it is recommended that conditional planning permission be granted.

3. LOCATION PLAN



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4. PHOTOGRAPHS



CONSULTATIONS

SOHO SOCIETY:

- Objection on the ground that Soho is already a stress area and is already well provided in terms of restaurants.
- The premises should not be rewarded for using the premises as a restaurant without planning permission.

CLEANSING:

- No objection subject to conditions.

HIGHWAYS PLANNING:

- No objection subject to conditions.

ENVIROMENTAL HEALTH:

- No objection subject to conditions.

CROSS LONDON RAIL LINKS LTD:

- No comment.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 67

Total No. of replies: 0

No. of objections: 0

No. in support: 0

PRESS ADVERTISEMENT / SITE NOTICE: Yes

5. BACKGROUND INFORMATION

5.1 The Application Site

The application site comprises a four storey unlisted building of merit located in the Soho Conservation Area.

The first, second and third floors are in office (Class B1) use, with a ground floor entrance and basement circulation core. The remainder of the ground and basement floors are the subject to this application and are currently vacant but the lawful use of the entire building is within Class B1 (Business) use. The parts of the building that the application relates were last used for a short period as a mixed use coffee shop at ground floor level with workspace for hire at basement level. This use vacated in November 2017. It is considered that this use comprised a mix of uses and therefore comprised an unauthorised *sui generis* use.

Prior to this unauthorised use the basement and ground floors were in use as an office (Class B1) and it is concluded that this remains the lawful use of the entirety of the building, albeit there are extant permissions to use the basement and ground floors as a shop (Class A1) or financial and professional services (Class A2) (see below for details).

The site is located within the Core CAZ, the West End Special Retail Policy Area and the West End Stress Area. Records indicate that the nearest residential properties are located at:

- 191 Wardour Street (3rd floor level).
- 23 Noel Street (2nd and 3rd floor levels).
- 45 Berwick Street (1st, 2nd and 3rd floor levels).
- 183-185 Wardour Street (4th floor level).

Noel Street is a one-way street, with traffic travelling from east to west.

Immediately to the west of the site is No. 5 Noel Street (Grade II listed) and to the west are Nos. 46, 47 and 48 Noel Street, all Grade II listed.

At ground floor level, Noel Street is entirely commercial, with shops and restaurants dominating the street.

5.2 Recent Relevant History

14/05716/FULL

Triple/alternative use of basement and ground floors for retail (Class A1), and / or financial and professional services (Class A2) and / or office (Class B1) purposes.

Application Permitted 9 March 2015

13/12670/FULL

Alterations and extensions to rear elevation at basement, ground, first, second and third floor to provide additional office floorspace (Class B1), and alterations to front elevation.

Application Permitted 2 April 2014

13/12669/FULL

Alterations and extensions to rear elevation at basement, ground, first, second and third floor to provide additional office floorspace (Class B1), and alterations to front elevation.

Application Permitted 2 April 2014

6. THE PROPOSAL

| | Existing GIA (sqm) | Proposed GIA (sqm) | +/- |
|----------------------------------|--------------------|--------------------|----------|
| Office (Class B1) | 327 | 0 | -327 |
| Option 1 - Shop (Class A1) | 0 | 327 | +327 |
| Option 2 - Restaurant (Class A3) | 0 | 327 | +327 |
| Total | 327 | 327 | 0 |

Planning permission is sought to use the majority of the basement and ground floors for retail (Class A1) and / or restaurant (Class A3) and to install a full-height extract duct to the rear elevation. If permitted, the application would be able to change between these two uses for a period of ten years following permission being granted. The actual use at this point would become the lawful use of this part of the building.

If a restaurant were to occupy this part of the building, the following summarises its operation:

| | |
|-----------------------------|--|
| Floorspace | 337 sq.m (GIA) |
| No. of covers | 120 |
| Hours of operation | 07.30 – 00.00 (Monday to Saturday); 10.00 – 21.00 (Sundays and Bank Holidays). |
| Ventilation arrangements | Full height kitchen extract duct and existing roof level plant |
| Refuse Storage arrangements | To be stored within separate refuse and recycling storage areas at basement level. |

The application has been amended during the course of its consideration to replace an internal recirculation arrangement with a full-height extract duct. The Soho Society and the neighbouring residents were all notified of the amendment to the application.

7. DETAILED CONSIDERATIONS

7.1 Land Use and Residential Amenity

Loss of office

There is no objection to the loss of the office floorspace at basement and ground floor levels, with there being no policy basis against the loss of office floorspace where it is being converted to another commercial use.

Proposed new shop

The site's location with the Core CAZ and the West End Special Retail Policy Area means that the conversion of the basement and ground floors to a shop would be welcome, in accordance with City Plan Policies S6, S7 and S21.

Proposed new restaurant

City Plan Policy S6 states:

'Within the West End Stress Area, new entertainment uses will only be allowed where the council considers that they are small-scale, low-impact and they will not result in an increased concentration of late-night uses.'

City Plan Policy S24 states:

'New entertainment uses 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 500 sq.m floorspace will not generally be appropriate within Westminster'.

UDP Policy TACE 9 identifies the proposed as being one that may be permissible subject to there being no adverse effect (individually or cumulatively) upon residential amenity, local environmental quality or the character or function of its area.

The Soho Society has objected to the proposed restaurant use, arguing that Soho is already a stress area and is already well provided for in terms of restaurant.

This section of Noel Street between Wardour Street and Berwick Street is mixed in character and it is accepted that there are already the following of entertainment uses present:

- Brgr.Co at 187 Wardour Street and 1 Noel Street. Terminal hour 23.00 (Monday to Saturday) and 22.30 (Sundays).
- Chipotle at 181-185 Wardour Street – terminal hour 21.30 (Sunday – Thursday) and 23.00 (Friday and Saturdays).
- Pilau at 22 Noel Street – terminal hour 20.00 (Monday and Tuesday), 21.00 (Wednesday to Saturday) and 16.00 (Sundays).
- Yumchaa at 45 Berwick Street and 6a Noel Street – terminal hour 21.30 (Monday to Saturday) and 20.00 (Sunday).

There are also a number of hot food takeaways aiming more at the daytime market, including:

- The Potato Project at 27 Noel Street (terminal hour 18.00).
- Melt Room at 26 Noel Street (terminal hour 19.00).

Whilst it is accepted that there are a number of restaurants, cafés and takeaways in the area, only two are open late into the evenings (Brgr.Co at 187 Wardour Street and 1 Noel Street and Chipotle at 181-185 Wardour Street), with the latest terminal hour for these two restaurants being 23.00. The remainder close fairly early, particularly in the context of the site's location within the heart of the Core CAZ.

It is not considered that adding a modestly sized restaurant with a terminal hour of midnight (Monday to Saturday) and 21.00 on Sunday would add to an existing overconcentration of late night uses in this part of the West End Stress Area or harm the character and function of the area. This is particularly the case given that there is only one residential unit on Noel Street itself – a maisonette over 2nd and 3rd floor level of 23 Noel Street – and that no objections to the application have been received from local residents. Indeed, adding a use that enlivens the street through serving visiting members of the public is a significant benefit of both proposed uses.

It is therefore concluded that the principle of the proposed use is acceptable, despite the concerns of the Soho Society, subject to conditions securing:

- The submission of a Service Management Plan (including hours) for the City Council's approval.

- Securing storage within the basement for waste and recyclable material.
- Limiting the opening hours to 07.30 – 00.00 (Monday to Saturday) and 10.00 – 21.00 (Sundays and Bank Holidays).
- Preventing music being played that is audible externally or in adjacent properties.
- Limiting the floorspace that may be devoted to a bar to 15%.
- Preventing the restaurant offering a takeaway service.
- Securing the erection and retention of suitable extract arrangements.

7.2 Townscape and Design

The only external alteration proposed is the full height rear external extract flue. This is proposed to be fully clad in an enclosure finished in render to match the host building. This, combined with the flue's discreet location, means that the proposed works would preserve the character and appearance of the Soho Conservation Area, in accordance with City Plan Policies S25 and S28, and UDP Policies DES 1, DES 5 and DES 9.

7.3 Transportation/Parking

Given the car parking controls in the area and the excellent access to public transport, the impact of the proposed change of use on parking levels is expected to be minimal.

Loading on Noel Street is limited to between 00.00 and 08.30. In order to ensure that goods and delivery vehicles spend the least amount of time on the highway as possible, do not cause an obstruction or a danger to highway users and do not result in noise nuisance for local residents, it is recommended that the submission of a Servicing Management Plan (including hours) for the City Council's approval be secured by condition.

7.4 Economic Considerations

Any economic benefit generated by the proposed shop or restaurant use are welcome.

7.5 Access

Level access to the ground floor from street level is provided.

7.6 Other UDP/Westminster Policy Considerations

Plant

The building already has roof top plant that provides cooling and ventilation to the basement and ground floors. The proposed extract flue is proposed to operate between:

- 08.00 and 23.00 (Monday to Fridays);
- 10.00 and 21.00 (Sundays, bank holidays and public holidays).

This is not as long at the proposed opening hours but will enable customers to finish their dinners following the closure of the kitchen.

Environmental Health has reviewed the applicant's acoustic report and agrees that the kitchen extract will be compliant with the relevant criterion within UDP Policy ENV 7 and therefore not cause a material loss of amenity for local residents, subject to conditions.

Refuse /Recycling

A condition is recommended to be imposed securing an appropriate storage area within the basement for waste and recyclable material. Cleansing has no objection to these arrangements.

7.7 London Plan

This application raises no strategic issues.

7.8 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.

7.9 Planning Obligations

None required.

7.10 Environmental Impact Assessment

The proposal is of insufficient scale to require an environmental impact assessment.

7.11 Other Issues

None.

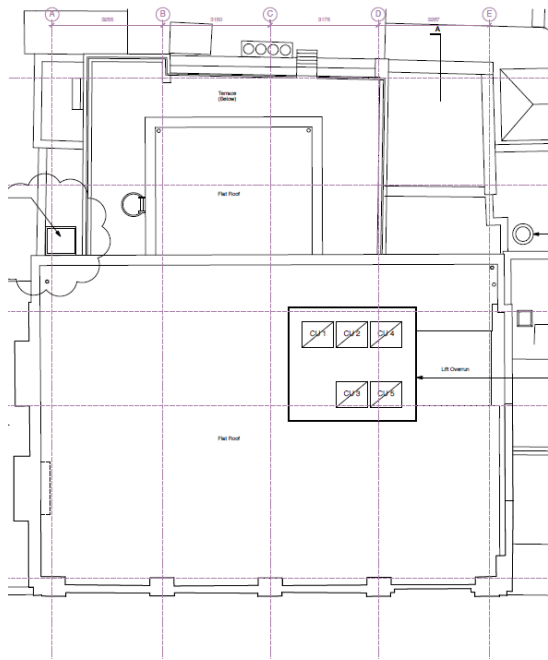
8. BACKGROUND PAPERS

1. Application form
2. Response from the Soho Society, dated 28 October 2017
3. Response from Highways Planning, dated 14 September 2017
4. Response from Cross London Rail Links Ltd, dated 18 September 2017
5. Response from Cleansing, dated 7 December 2017
6. Response Environmental Health, dated 24 November 2017

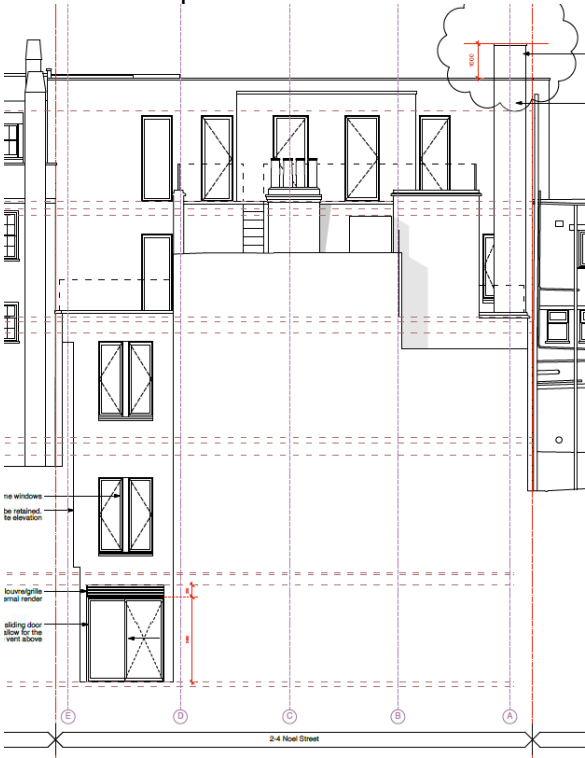
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: MARK HOLLINGTON BY EMAIL AT MHOLLINGTON2@WESTMINSTER.GOV.UK

Proposed roof plan:



Proposed rear elevation:



DRAFT DECISION LETTER

Address: 2 - 4 Noel Street, London, W1F 8GB,

Proposal: Use of part basement and part ground floors as shop (Class A1) and / or a restaurant (Class A3) and installation of full-height extract duct to rear elevation.

Reference: 17/07923/FULL

Plan Nos: 409D-PA.08 Rev. D, 409D-PA.09 Rev. A, 409D-PA.18, 409D-PA.19, 409D-PA.20, 409D-PA.13 Rev. C, 409D-PA.11 Rev. G and 409D-PA.10 Rev. G.

Case Officer: Mark Hollington

Direct Tel. No. 020 7641 2523

Recommended Condition(s) and Reason(s)

- 1 The development hereby permitted shall be carried out in accordance with the drawings and other documents referred to on this decision letter, and any drawings approved subsequently by the City Council's 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 hours Monday to Friday;
 - o between 08.00 and 18.00 hours 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 hours Monday to Friday; and
- o not at all on Saturdays, Sundays, bank holidays and public holidays.

Noisy work must not take place outside the site 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 for the interests of public safety). (C11AB)

Reason:
To protect the environment of neighbouring occupiers in line with the issues 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 All new work to the outside of the building must match existing external work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings we have approved or are required by conditions to this permission. (C26AA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Soho Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 4 (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.

- 5 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.

- 6 The restaurant (Class A3) use hereby approved shall not commence until a Servicing Management Plan (including hours) setting out how the restaurant will be serviced and deliveries undertaken has been submitted to and approved by the City Council. For the duration that the restaurant (Class A3) is in operation, the approved Servicing Management Plan shall be adhered to at all time.

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)

- 7 You must provide each cycle parking space shown on the approved drawings prior to occupation of the part ground and part basement for either / or a shop (Class A1) or a restaurant (Class A3). Thereafter the cycle spaces must be retained and the space used for no other purpose.

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.

- 8 You must provide the waste and recyclables stores shown on drawing 409D-PA.08 Rev. D prior to the commencement of the use of the part ground and part basement floors as either a shop (Class A1) or a restaurant (Class A3). You must clearly mark it and make it available at all times to everyone using the shop (Class A1) or restaurant (Class A3). 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)

- 9 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)

- 10 The restaurant (Class A3) use hereby approved shall not commence until the full height extract duct (including enclosure) has been installed in full in accordance with the approved drawings. This duct shall remain in situ for as long as any part of the ground or basement floors are in use as a restaurant (Class A3).

Reason:

To ensure that cooking odours and particulates from the restaurant (Class A3) hereby approved are adequately dispersed and to make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Soho Conservation Area. This is as set out in S24, S25, S28 and S29 of Westminster's City Plan (November 2016) and DES 1, DES 5, ENV 5 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007.

- 11 If you choose to implement the restaurant use at part ground floor level you must not allow more than 120 customers into the premises at any one time.

Reason:

We cannot grant planning permission for unrestricted use in this case because it would not meet TACE 8 of our Unitary Development Plan that we adopted in January 2007. (R05AB)

- 12 If you choose to implement the restaurant (Class A3) use at part ground and part basement floor level you must not sell any take-away food on the premises, even as an ancillary part of the primary Class A3 use.

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R13EC)

- 13 If you choose to implement the restaurant use at part ground and basement floor levels, any bar and bar seating within the premises must not take up more than 15% of the floor area of the

restaurant premises. You must use the bar (if provided) to serve restaurant customers only, before, during or after their meals.

Reason:

To prevent a use that would be unacceptable because of the character and function of this part of the Soho Conservation Area. This is in line with S24 of Westminster's City Plan (November 2016) and TACE 8 of our Unitary Development Plan that we adopted in January 2007.

- 14 Customers shall not be permitted within the restaurant (Class A3) premises before 07.30 or after 00.00 on Monday to Saturday (not including bank holidays and public holidays) and before 10.00 or after 21.00 on Sundays, bank holidays and public holidays. (C12BD)

Reason:

To protect the environment of people in neighbouring properties as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7 and TACE 8 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 15 If you choose to implement the restaurant use at part ground floor level you must not play live or recorded music within the restaurant that will be audible externally or in the adjacent properties.

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R13EC)

- 16 The plant/machinery hereby permitted shall not be operated except between:

- 08.00 and 23.00 (Monday to Fridays);
- 10.00 and 21.00 (Sundays, bank holidays and public holidays).

Reason:

To safeguard the amenity of occupiers of noise sensitive properties and the area generally by ensuring that the plant/machinery hereby permitted is not operated at hours when external background noise levels are quietest thereby preventing noise and vibration nuisance 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.

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 Under Part 3, Class V of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, the part basement and part ground floor can change between the approved shop (Class A1) and restaurant (Class A3) uses we have approved for 10 years without further planning permission. However, the actual use 10 years after the date of this permission will become the authorised use, so you will then need to apply for permission for any further change. (I62A)
- 3 Conditions 4 and 16 control noise from the approved machinery. It is very important that you meet the conditions and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (I82AA)
- 4 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)
- 5 The term 'clearly mark' in condition 8 means marked by a permanent wall notice or floor markings, or both. (I88AA)
- 6 For the purpose of Condition 6, the SMP should outline how servicing will occur on a day to day basis for the unit, almost as an instruction manual or good practice guide for the occupants. A basic flow chart mapping the process may be the easiest way to communicate the process, accompanied by a plan highlighting activity locations. The SMP should also identify storage locations, staffing arrangements, scheduling of deliveries, and likely delivery vehicle size. The idea of the SMP is to ensure that goods and delivery vehicles spend the least amount of time on the highway as possible and do not cause an obstruction or a danger to highway users.

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.