

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 17 July 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved Abbey Road	
Subject of Report	3 Abbey Road, London, NW8 9AY		
Proposal	Variation of Condition 7 of planning permission dated 28 March 2017 (RN 16/07867/FULL) which varied Condition 1 of planning permission dated 2 July 2015 (RN: 14/11186/FULL) for the reconfiguration and expansion of facilities for music recording and production at No.3 Abbey Road comprising erection of a new recording studio to rear of No.5 Abbey Road; conversion of existing garage building facing Hill Road to form new recording studio and addition of pitched roof structure; new gate to Hill Road frontage of site; enlargement of single storey block adjacent to boundary with Abbey House and erection of extension to accommodate new transformer; erection of single storey extension to rear of Studio 2; use of lower ground floor of No.5 Abbey Road as a gift shop (Class A1) with associated alterations to form access and new landscaping to the front of No.5; installation of new mechanical plant equipment; new landscaping; and internal alterations, including to Studios 2 and 3; NAMELY, to extend the opening hours of the retail shop at No.5 Abbey Road from between 09.30 and 19.00 Monday to Saturday and between 10.00 and 18.00 on Sundays to between 09.00 and 20.00 Monday to Saturday and between 10.00 and 18.00 on Sundays.		
Agent	Porta Planning LLP		
On behalf of	Abbey Road Studios		
Registered Number	18/04217/FULL	Date amended/ completed	22 May 2018
Date Application Received	22 May 2018		
Historic Building Grade	II		
Conservation Area	St John's Wood		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

The application seeks permission to vary Condition 7 of planning permission dated 28 March 2017 (RN 16/07867/FULL) to extend its opening hours of the Abbey Road Studios 'gift shop', which was created within the lower ground floor of No.5 Abbey Road pursuant to the planning permission originally granted on 2 July 2015 (RN: 14/11186/FULL). Condition 7 currently permits the gift shop to open between 09.30 and 19.00 Monday to Saturday and between 10.00 and 18.00 on Sundays. It is proposed to extend these opening hours to between 09.00 and 20.00 Monday to Saturday. The opening hours on Sundays are proposed to remain as existing and other conditions controlling the operation of the gift shop, which were imposed on the March 2017 permission, would remain unaltered (see these listed in Section 6.2).

The application has attracted objection from the St. John's Wood Society and two neighbouring residents. The principal concern is the impact the proposal may have on the amenity of neighbours as a result of increased noise disturbance. Concerns relating to highway impact have also been raised by the neighbour objectors.

Whilst the concerns of the St. John's Wood Society and the two objectors are understood in terms of the risk of noise disturbance, the additional opening hours sought are considered to be modest (half an hour extra in the morning and an hour in the evening). The additional opening hours proposed would not result in the shop being open early in the morning or late at night and it is noted that Environmental Health have confirmed that the shop unit, which has been open for approximately two and a half years, has yet to attract any complaints to the Council's 24 Hour Noise team. The applicant expects the additional opening hours to attract an additional 10,000 customers annually, which equates to between 30-35 additional customers per day when the opening hours would be extended (i.e. excluding Sundays). Between 09.00 and 20.00 hours Monday to Saturday Abbey Road remains a relatively busy environment in the context of St. John's Wood, and as such, it is not considered the extended hours proposed and resultant modest additional customers would give rise to a material increase in noise disturbance. Particularly given the range of other controls imposed by the Conditions attached to the March 2017 permission that are set out in Section 6.2 of this report. In this context, and subject to the imposition of the same conditions as were imposed on the March 2017 permission, it is considered that the proposed extended hours of opening are acceptable in amenity terms and would be in accordance with Policy ENV6 in the UDP and Policies S29 and S32 in the City Plan.

One objector has raised concern that the extended hours should not have negative impact on parking access. The extended hours of opening proposed are considered to be unlikely to have any significant adverse impact on parking. Parking along Abbey Road is prevented by single and double yellow lines. Residents' parking in surrounding roads is for permit holders only between 08.30 and 18.30 Monday to Friday. Therefore, during these hours parking within these bays by visitors to Abbey Road Studios is not possible. As existing, the gift shop will be open outside of the controlled hours of the nearby residents' parking bays. However, almost all visitors to Abbey Road Studio arrive on foot from St. John's Wood Underground Station or local bus routes as the principal activity at the site is crossing the Abbey Road zebra crossing outside the Studios.

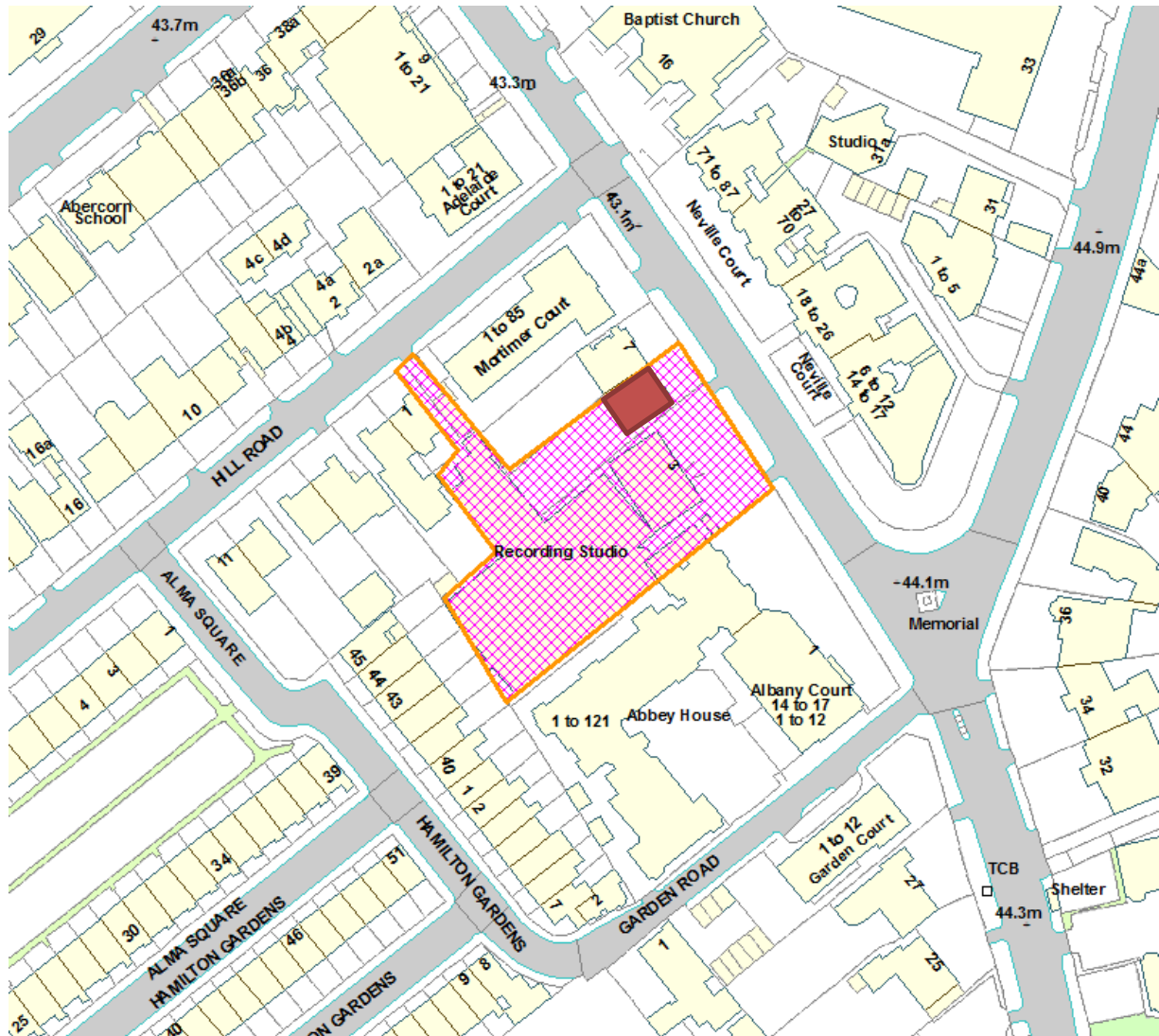
Concern has been expressed that the shop has increased footfall and traffic disruption in the area as a result of increased use of the zebra crossing. However, there is no evidence to demonstrate this and the principle of providing a gift shop for the Studios in this location has already been accepted as part of the earlier permissions. The applicants advise that a recent survey they undertook indicates

that the gift shop draws approximately 80% of visitors away from the crossing, thereby reducing the extent to which may visitors loiter around the crossing when visiting. The applicants consider that this has in fact resulted in some improvements in terms of the degree to which the use of the crossing by visitors disrupts traffic on Abbey Road. In this context, it is not considered that the additional hours sought for the opening of the gift shop would give rise to a materially adverse impact on the surrounding road network and the Highways Planning Manager does not have any objection to the proposal.

In terms of graffiti outside the Studios, this is an ongoing issue, which predates the opening of the gift shop. The Studio is committed to limiting the impact of the graffiti on the environment of this part of St. John's Wood and they repaint the boundary walls of the site every 4 weeks to improve its appearance. It is not considered that this matter is one which would reasonably justify withholding permission for extension of the hours of use of the shop unit.

One objector has raised concern regarding whether the proposal would impact on access to the rear of Mortimer Court. This application would have no impact on access to Mortimer Court, which is located at the junction of Abbey Road and Hill Road. Similarly, the extended hours of opening of the shop unit would have no impact on water services to Mortimer Court.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Top: View of No.5 Abbey Road ('gift shop' located at lower ground floor level and accessed via the entrance to the left of the tall white piers). Bottom: view of interior of gift shop.

5. CONSULTATIONS

WARD COUNCILLORS (ABBHEY ROAD WARD)

Any response to be reported verbally.

ST. JOHN'S WOOD SOCIETY

Objection. The original hours of operation of the shop were conditioned in the planning permission to protect the amenity of neighbours.

ENVIRONMENTAL HEALTH

No objection. Environmental Health have no record of noise complaints relating to the shop unit. Note that the operation of the shop unit is controlled by an operational management plan, which covers the management of noise from the retail unit.

HIGHWAYS PLANNING MANAGER

No objection.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 303.

Total No. of replies: 2.

No. of objections: 2.

No. in support: 0.

Two objections received raising objection on all or some of the following grounds:

Amenity

- Proposal must not increase noise disturbance.

Other Issues

- Would like greater reassurance that the proposals will not impact on access to the rear of Mortimer Court
- Proposals should not have any negative impact on water services to Mortimer Court.
- Must not have negative impact on parking access.
- The shop has increased footfall and traffic disruption in the area at the zebra crossing.
- 'Field' of graffiti has increased.
- Increased hours sought will add to burden on area.

ADVERTISEMENT/ SITE NOTICE

Yes.

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site comprises Nos.3 and 5 Abbey Road, which are in use as Abbey Road Studios. The use of the site as recording studios is historic, having first started in the early 1930s, following modification and extension of the original villa building at No.3 Abbey Road.

Whilst the majority of the site is not located within a conservation area, the building at No.3 Abbey Road is grade II listed, as is the nearby Abbey Road pedestrian crossing. The Studios and the associated zebra crossing in Abbey Road were grade II listed in February 2010. The St. John's Wood Conservation Area borders the site to the front elevation in Abbey Road and to the rear in Hamilton Gardens and Hill Road.

This application relates to the Class A1 retail shop unit formed at lower ground floor level within No.5 Abbey Road pursuant to the planning permission originally granted in July 2015 (see Section 6.2). The shop unit operates as a gift shop for the Studios. It is not within a designated shopping centre and its use is restricted by Condition 26 imposed on the March 2017 permission to the sale of goods that are primarily related to Abbey Road Studios. A number of other conditions imposed on the March 2017 permission control the operation of the shop unit and these are listed below:

- Condition 5 – Restricts the use of the shop unit to use by Abbey Road Studios only.
- Condition 6 – Prevents the opening of the rear doors of the shop unit to prevent noise disturbance being caused to neighbouring properties to the rear.
- Condition 7 – Restricts the hours of opening to between 09.30 and 19.00 Monday to Saturday and between 10.00 and 18.00 on Sundays.
- Condition 8 – Restricts the hours of servicing for the retail shop to service the retail shop use between 08.00 and 22.00 daily and requires servicing to occur on the forecourt of No.3 Abbey Road and not on street.
- Condition 9 – Prevents the playing of live or recorded music within the shop that can be heard outside the premises and prevents the playing of music within the front garden area.
- Condition 10 – Requires the operation of the shop unit in accordance with the approved operational management plan. This includes details of how queuing management, staffing, security and access.

6.2 Recent Relevant History

14/11186/FULL

Reconfiguration and expansion of facilities for music recording and production at No.3 Abbey Road comprising erection of a new recording studio to rear of No.5 Abbey Road; conversion of existing garage building facing Hill Road to form new recording studio and addition of pitched roof structure; new gate to Hill Road frontage of site; enlargement of single storey block adjacent to boundary with Abbey House and erection of extension to accommodate new transformer; erection of single storey extension to rear of Studio 2; use of lower ground floor of No.5 Abbey Road as a gift shop (Class A1) with associated alterations to form access and new landscaping to the front of No.5; installation of new mechanical plant equipment; new landscaping; and internal alterations, including to Studios 2 and 3.

Application Permitted 2 July 2015

14/11187/LBC

Reconfiguration and expansion of facilities for music recording and production at No.3 Abbey Road comprising erection of a new recording studio to rear of No.5 Abbey Road; conversion of existing garage building facing Hill Road to form new recording studio and addition of pitched roof structure; new gate to Hill Road frontage of site; enlargement of

single storey block adjacent to boundary with Abbey House and erection of extension to accommodate new transformer; erection of single storey extension to rear of Studio 2; use of lower ground floor of No.5 Abbey Road as a gift shop (Class A1) with associated alterations to form access and new landscaping to the front of No.5; installation of new mechanical plant equipment; new landscaping; and internal alterations, including to Studios 2 and 3.

Application Permitted

2 July 2015

16/07867/FULL

Variation of Condition 1 of planning permission dated 2 July 2015 (RN: 14/11186/FULL) for the reconfiguration and expansion of facilities for music recording and production at No.3 Abbey Road comprising erection of a new recording studio to rear of No.5 Abbey Road; conversion of existing garage building facing Hill Road to form new recording studio and addition of pitched roof structure; new gate to Hill Road frontage of site; enlargement of single storey block adjacent to boundary with Abbey House and erection of extension to accommodate new transformer; erection of single storey extension to rear of Studio 2; use of lower ground floor of No.5 Abbey Road as a gift shop (Class A1) with associated alterations to form access and new landscaping to the front of No.5; installation of new mechanical plant equipment; new landscaping; and internal alterations, including to Studios 2 and 3. NAMELY, amendments to alter the detailed design, layout and form of the new recording studio to rear of No.5 Abbey Road including demolition and replacement of boundary wall with No.7; relocation of plant from roof of the existing building and new recording studio to rear of No.5 Abbey Road to within the gap between it and Studio 2; alteration to the detailed design and plant arrangement to the garage building facing Hill road in connection with its use as two small studios; alteration of the detailed design, form and roof level plant arrangement of the single storey block adjacent to boundary with Abbey House; and omission of entrance canopy to gift shop entrance, relocation of gift shop plant and repositioning of front wall pier.

Application Permitted

28 March 2017

16/07868/LBC

Variation of Condition 1 of listed building consent dated 2 July 2015 (RN: 14/11187/LBC) for the reconfiguration and expansion of facilities for music recording and production at No.3 Abbey Road comprising erection of a new recording studio to rear of No.5 Abbey Road; conversion of existing garage building facing Hill Road to form new recording studio and addition of pitched roof structure; new gate to Hill Road frontage of site; enlargement of single storey block adjacent to boundary with Abbey House and erection of extension to accommodate new transformer; erection of single storey extension to rear of Studio 2; use of lower ground floor of No.5 Abbey Road as a gift shop (Class A1) with associated alterations to form access and new landscaping to the front of No.5; installation of new mechanical plant equipment; new landscaping; and internal alterations, including to Studios 2 and 3. NAMELY, amendments to alter the detailed design, layout and form of the new recording studio to rear of No.5 Abbey Road including demolition and replacement of boundary wall with No.7; relocation of plant from roof of the existing building and new recording studio to rear of No.5 Abbey Road to within the gap between it and Studio 2; alteration to the detailed design and plant arrangement to the garage building facing Hill road in connection with its use as two small studios; alteration of the detailed design, form and roof level plant arrangement of the single storey block adjacent to boundary with Abbey House; omission of entrance

canopy to gift shop entrance, relocation of gift shop plant and repositioning of front wall pier; and amendments to internal alterations to Studio 3.

Application Permitted 28 March 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: RUPERT HANDLEY BY EMAIL AT rhandley@westminster.gov.uk.

7. KEY DRAWINGS



Approved Layout of Abbey Road Studios gift shop in lower ground floor of No.5 Abbey Road.

DRAFT DECISION LETTER

Address: 3 Abbey Road, London, NW8 9AY,

Proposal: Variation of Condition 7 of planning permission dated 28 March 2017 (RN 16/07867/FULL) which varied Condition 1 of planning permission dated 2 July 2015 (RN: 14/11186/FULL) for the reconfiguration and expansion of facilities for music recording and production at No.3 Abbey Road comprising erection of a new recording studio to rear of No.5 Abbey Road; conversion of existing garage building facing Hill Road to form new recording studio and addition of pitched roof structure; new gate to Hill Road frontage of site; enlargement of single storey block adjacent to boundary with Abbey House and erection of extension to accommodate new transformer; erection of single storey extension to rear of Studio 2; use of lower ground floor of No.5 Abbey Road as a gift shop (Class A1) with associated alterations to form access and new landscaping to the front of No.5; installation of new mechanical plant equipment; new landscaping; and internal alterations, including to Studios 2 and 3; NAMELY, to extend the opening hours of the retail shop at No.5 Abbey Road from between 09.30 and 19.00 Monday to Saturday and between 10.00 and 18.00 on Sundays to between 09.00 and 20.00 Monday to Saturday and between 10.00 and 18.00 on Sundays.

Plan Nos: **DRAWINGS AND DOCUMENTS APPROVED UNDER 14/11186/FULL:** (00)-001, (00)-002, (00)-003, (00)-004, (00)-005, (00)-006, (00)-007/P1, (00)-008/P1, (00)-009/P4, (00)-010/P1, (00)-011/P1, (00)-012/P1, (00)-015/P1, (00)-016/P1, (00)-017, (20)-01-099/P1, (20)-01-100/P1, (20)-01-101/P1, (20)-01-300/P2, (20)-01-301/P1, (20)-01-400/P2, (20)-01-401/P1, (20)-01-700, (20)-02-099, (20)-02-100/P1, (20)-02-101, (20)-02-300, (20)-03-100, (20)-03-300, (20)-04-200/P2, (20)-04-300/P2, (20)-04-400/P2, (20)-05-099/P1, (20)-05-100/P1, (20)-05-300/P1, (20)-05-301/P1, (20)-05-400/P1, (20)-06-099/P1, (20)-06-100/P2, (20)-06-300/P3, (20)-06-400/P3, (ME)-002, (ME)-002/P3, (ME)-004/P1, (ME)-005/P1, (ME)-006/P1, (ME)-007/P2, (ME)-008/P2, (ME)-009/P1, (ME)-010/P1, (ME)-011/P1, (ME)-012/P1, (ME)-013, Planning, Design and Access Statement dated November 2014 (as appended by letter from Washbourne Field Planning dated 13 February 2015, Historic Building Appraisal and Statement of Significance dated January 2014, Heritage Impact Assessment dated April 2015, Noise Impact Assessment dated 6 February 2015 (Rev.7 - version submitted on 16 March 2015), Landscape Design Proposal document dated February 2015 (containing drawings LA/101, LA 103, LA/104, LA/107, LA/537, LA/P110 and montage of view from Mortimer Court), Daylight and Sunlight Impact Assessment (Rev.N2), Statement of Consultation dated November 2014 (Rev.A), Arboricultural Method Statement dated 26 June 2015 (ref: 14001-AMS2-AS) and drawing 14001-BT6, and Phase 1 Construction Management Plan dated 23 June 2015 (Rev.C), Abbey Road Studios Site Management Report (29 June 2015), un-numbered landscaping drawing showing planting at entrance to new Hill Road studio entrance and construction phasing drawings (00)-025 Rev.P, (00)-026 Rev.P and (00)-027 Rev.P.

AS AMENDED BY DRAWINGS AND DOCUMENTS APPROVED UNDER RN: 16/0767/FULL: (00)-001 Rev.P1, (00)-002 Rev.P1, (00)-003 Rev.P1, (00)-004 Rev.P1, (00)-005 Rev.P1, (00)-006 Rev.P1, (00)-007 Rev.P4, (00)-008 Rev.P3, (00)-009 Rev.P8, (00)-010 Rev.P2, (00)-011 Rev.P3, (00)-012 Rev.P3, (00)-015

Rev.P2, (00)-016 Rev.P2, (00)-017 Rev.P1, (00)-018 Rev.P1, (20)-01-099 Rev.P3, (20)-01-100 Rev.P3, (20)-01-101 Rev.P3, (20)-01-300 Rev.P3, (20)-01-301 Rev.P3, (20)-01-400 Rev.P2, (20)-01-401 Rev.P2, (20)-01-700 Rev.P1, (20)-02-099 Rev.P1, (20)-02-100 Rev.P2, (20)-02-101 Rev.P2, (20)-02-300 Rev.P1, (20)-03-100 Rev.P2, (20)-04-200 Rev.P5, (20)-04-300 Rev.P5, (20)-04-400 Rev.P4, (20)-04-700 Rev.P2, (20)-05-300 Rev.P2, (20)-05-301 Rev.P2, (20)-05-400 Rev.P2, (20)-05-700 Rev.P2, (20)-06-099 Rev.P2, (20)-06-100 Rev.P3, (20)-06-300 Rev.P4, (20)-06-400 Rev.P4, (ME)-002 Rev.P2, (ME)-003 Rev.P5, (ME)-004 Rev.P3, (ME)-005 Rev.P2, (ME)-006 Rev.P3, (ME)-007 Rev.P3, (ME)-008 Rev.P3, (ME)-009 Rev.3, (ME)-010 Rev.P3, (ME)-011 Rev.P2, (ME)-012 Rev.P2, (ME)-013 Rev.P1, Heritage Assessment dated June 2016, Historic Building Appraisal and Statement of Significance dated January 2014, Arboricultural Method Statement dated 20 December 2016 (Ref: 14001-AMS8-AS), 14001-BT11, Noise Impact Assessment (Second Addendum) dated 6 May 2015 (with updates dated 22 November 2016), Noise Impact Assessment Addendum dated 15 December 2016, Abbey Road Studios Site Management Report (version V2 dated 9 August 2016), Construction Management Plan Rev.2 dated August 2016, Daylight and Sunlight Report dated 6 July 2016 (updated 15 August 2016), LA/101/PC Rev.P3, LA/102/PC Rev.3, LA/104/PC, LA/107/PC Rev.3, LA/108/PC Rev.3, P0516/Rev.3, Materials Submission List (Rev.A), sample of natural grey/ blue slate, sample yellow stock brick and sample of grey aluminium window frame.

AS AMENDED BY DRAWINGS AND DOCUMENTS HEREBY APPROVED: Letter from Porta Planning dated 22 May 2018, Abbey Road Studios Site Management Report v4 dated 18 May 2018 and (00)-001 Rev.P1.

Case Officer: Oliver Gibson

Direct Tel. No. 020 7641 2680

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 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 Phase 1 of the development hereby approved (as shown on construction phasing plans (00)-025 Rev.P, (00)-026 Rev.P and (00)-027 Rev.P) shall be carried out in accordance with the Construction Management Plan by Kingly dated 23 June 2015.

Phase 2 of the development hereby approved (as shown on construction phasing plans (00)-025 Rev.P, (00)-026 Rev.P and (00)-027 Rev.P) shall be carried out in accordance with the Construction Management Plan by Bollingbrook dated August 2016.

Reason:

To protect the environment of residents and the area generally as set out in S29 of Westminster's City Plan (November 2016) and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007.

- 4 All new work to the outside of the building must match existing original 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 protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.129 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26ED)

- 5 Only Abbey Road Studios can carry out the Class A1 retail shop use of the lower ground floor of No.5 Abbey Road. No one else may benefit from this permission in respect of the retail shop use of the lower ground floor of No.5 Abbey Road. (C06AA)

Reason:

Because of the special circumstances of this case we need to control future use of the premises if the Abbey Road Studios retail shop use leaves. This is as set out in SS10 and ENV6 of our Unitary Development Plan that we adopted in January 2007 and S29 and S32 of Westminster's City Plan (November 2016). (R06AB)

- 6 You must keep the rear doors of the Class A1 retail unit in the lower ground floor of No.5 Abbey Road shut at all times and you must not allow customers of the retail shop to enter the garden area to the rear between Nos.3 and 5 Abbey Road at any time. You can however use the doors and rear garden area to escape in an emergency.

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

- 7 Customers shall not be permitted within the retail shop premises in the lower ground floor of No.5 Abbey Road before 09.00 or after 20.00 on Monday to Saturday and before 10.00 or after 18.00 on Sundays. (C12BD)

Reason:

To protect the environment of people in neighbouring properties as set out in S21, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7 and SS 10 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 8 You must only service the retail shop use between the hours of 08.00 and 22.00 daily and the retail shop servicing shall be carried out on the forecourt of No.3 Abbey Road.

Reason:

To protect the environment of people in neighbouring properties and minimise disruption to the public highway as set out in S21, S29, S32 and S42 of Westminster's City Plan (November 2016) and ENV 6, SS 10 and TRANS 20 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 9 You must not play live or recorded music within the retail shop premises in the lower ground floor of No.5 Abbey Road that is audible outside the shop premises and you must not play live or recorded music in the front garden area outside the retail shop premises at No.5 Abbey Road. (C13IA)

Reason:

To protect the environment of people in neighbouring properties as set out in S21, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and SS 10 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 10 You must operate the retail shop unit located in the lower ground floor of No.5 Abbey Road, including the management of customers entering and leaving the premises, in accordance with the Retail Management Strategy set out in Section 3.7 of the management plan (titled 'Abbey Road Studios Site Management Report v4') dated 18 May 2018.

Reason:

To protect the environment of people in neighbouring properties as set out in S21, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and SS 10 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 11 You must block up the rear door to the new recording studio facing Hill Road, in accordance with the drawings hereby approved, prior to first use of the studios within this building.

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 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 12 The new recording studio facing Hill Road shall be serviced between 08.00 and 22.00 hours and the servicing shall be carried out on the forecourt of the studio premises in Hill Road.

Reason:

To protect the environment of people in neighbouring properties and minimise disruption to the public highway as set out in S21, S29, S32 and S42 of Westminster's City Plan (November 2016) and ENV 6, SS 10 and TRANS 20 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 13 You must operate the new recording studio facing Hill Road, including the management of studio staff and artists/ guests entering and leaving the premises, in accordance with the management plan (titled 'Abbey Road Studios Site Management Report v4') dated 18 May 2018.

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 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 14 The design and structure of the development shall be of such a standard that it will protect residents in adjoining buildings from noise and vibration from the development, so that they 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.

Reason:

As set out in ENV6 of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at section 9.76, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the same or adjoining buildings from noise and vibration from elsewhere in the development.

- 15 You must carry out the development in accordance with the details of the new timber vehicular gates to the Hill Road frontage of the Studios site and the new gates to the front boundary of No.5 Abbey Road that were previously approved on 9 February 2018 (RN: 17/11340/ADFULL).

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the St. John's Wood Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 16 (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 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.

- 17 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.

- 18 Prior to operation of each item of mechanical plant hereby approved you must install any associated noise attenuation measures as set out in the Noise Impact Assessment (Second Addendum) dated 6 May 2015 (with updates dated 22 November 2016) and the Noise Impact Assessment Addendum dated 15 December 2016 and as shown on the drawings hereby approved (including acoustic screens and enclosures as may be amended by details submitted pursuant to Condition 24 attached to this decision letter). Thereafter you must permanently retain the noise attenuation measures hereby approved unless or until the mechanical plant to which the screen or enclosure is related is permanently removed from the building.

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.

- 19 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.

- 20 You must carry out the development in accordance with the details of hard and soft landscaping that were previously approved on 9 February 2018 (RN: 17/11340/ADFULL). You must carry out the approved landscaping and planting within one planting season of completing the development (or within any other time limit we agree to in writing).

If you remove any trees that comprise part of the landscaping scheme that we approved or find that they are dying, severely damaged or diseased within 5 years of planting them, you must replace them with trees of a similar size and species. (C30CB)

Reason:

To improve the appearance of the development, to make sure that it contributes to the character and appearance of the neighbouring St. John's Wood Conservation Area, and to improve its contribution to biodiversity and the local environment. This is as set out in S25, S28 and S38 of Westminster's City Plan (November 2016) and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R30CD)

- 21 Phase 1 of the development hereby approved (as shown on construction phasing plans (00)-025 Rev.P, (00)-026 Rev.P and (00)-027 Rev.P) shall be carried out in accordance with the tree protection measures set out in the Arboricultural Method Statement by Barrell Tree Consultancy dated 26 June 2015 and shown on 14001-BT6.

Phase 2 of the development hereby approved (as shown on construction phasing plans (00)-025 Rev.P, (00)-026 Rev.P and (00)-027 Rev.P) shall be carried out in accordance with the tree protection measures set out in the Arboricultural Method Statement by Barrell Tree Consultancy dated 20 December 2016 (Ref: 14001-AMS8-AS) and as shown on drawing 14001-BT11.

Reason:

To make sure that the trees on the site are adequately protected during building works. This is as set out in S38 of Westminster's City Plan (November 2016) and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R31AC)

- 22 You must provide the climbing planting to the north east elevation of the Dolby Atmos studio and the new tree in the townscape gap between Nos.3 and 5 Abbey Road that we approve under Condition 20 prior to occupation of the new Dolby Atmos studio. Thereafter, you must permanently retain the climbing planting and new tree in accordance with the details that we approve under Condition 20.

Reason:

To improve the appearance of the development, to make sure that it contributes to the character and appearance of this part of the St. John's Wood Conservation Area, and to improve its contribution to biodiversity and the local environment. This is as set out in S25, S28 and S38 of Westminster's City Plan (November 2016) and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R30CD)

- 23 You carry out the works in accordance with the samples of facing materials hereby approved and those facing materials that were previously approved on 10 December 2015 (RN: 15/08627/ADFULL).

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.129 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26ED)

- 24 You must carry out the development in accordance with the details of acoustic enclosures and screens that were previously approved on 9 February 2018 (RN: 17/11340/ADFULL).

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.129 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26ED)

- 25 Notwithstanding the annotations on the approved drawings, the extended recording studio and transformer room extension at the south eastern boundary with Abbey House must be finished in smooth white render and thereafter retained in this colour and finish.

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.129 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26ED)

- 26 The retail shop at lower ground floor level within No.5 Abbey Road shall only display and sell the range of Abbey Road Studios and music related goods listed in Appendix A of the document titled Abbey Road Studios Site Management Report dated 9 August 2016 that is hereby approved.

Reason:

To ensure that the retail shop use does not harm the vitality and viability of nearby designated local and district centres in accordance with Policy SS10 in the Unitary Development Plan that we adopted in January 2007 and Policy S21 in 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 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)

- 3 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)
- 4 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.
- 5 You are advised to permanently mark the plant/ machinery hereby approved with the details of this permission (date of grant, registered number). This will assist in future monitoring of the equipment by the City Council if and when complaints are received.
- 6 Some of the trees on the site are protected by a Tree Preservation Order. You must get our permission before you do anything to them. You may want to discuss this first with our Tree Officer on 020 7641 6096 or 020 7641 2922. (I30AA)

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.