

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 14 August 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved Marylebone High Street	
Subject of Report	Regis House, 47 Beaumont Street, London, W1G 6DL		
Proposal	Details pursuant to Condition 22 of planning permission dated 17 April 2018 (RN: 17/07261/FULL), namely the submission of an Operational Management Plan.		
Agent	Howard de Walden Management Ltd.		
On behalf of	Freedom2Train		
Registered Number	18/04763/ADFULL	Date amended/ completed	7 June 2018
Date Application Received	7 June 2018		
Historic Building Grade	Unlisted		
Conservation Area	Harley Street		

1. RECOMMENDATION

Approve details.

2. SUMMARY

Regis House is an unlisted building located within the Harley Street Conservation Area, outside of the Core Central Activities Zone but within the Marylebone and Fitzrovia defined area. The building is mainly in residential use with an area of car parking at lower ground floor level, which is accessed from Beaumont Mews to the rear of Regis House. The ground to fifth floors of the main building fronting Beaumont Street are used as residential flats with a retail unit on the northern side of the block fronting Devonshire Street. At the rear there is a smaller office building at ground and first floor levels adjacent to and over the access ramp to the lower ground floor car-parking.

Planning permission was granted on the 17th April 2018 for, *'Use of lower ground floor level as a gymnasium (Class D2) and installation of a new ground floor front facade and entrance on Beaumont Mews, new roof over rear lightwell and access ramp, frosted glass screen and fire escape doors to Beaumont Street and installation of plant'*.

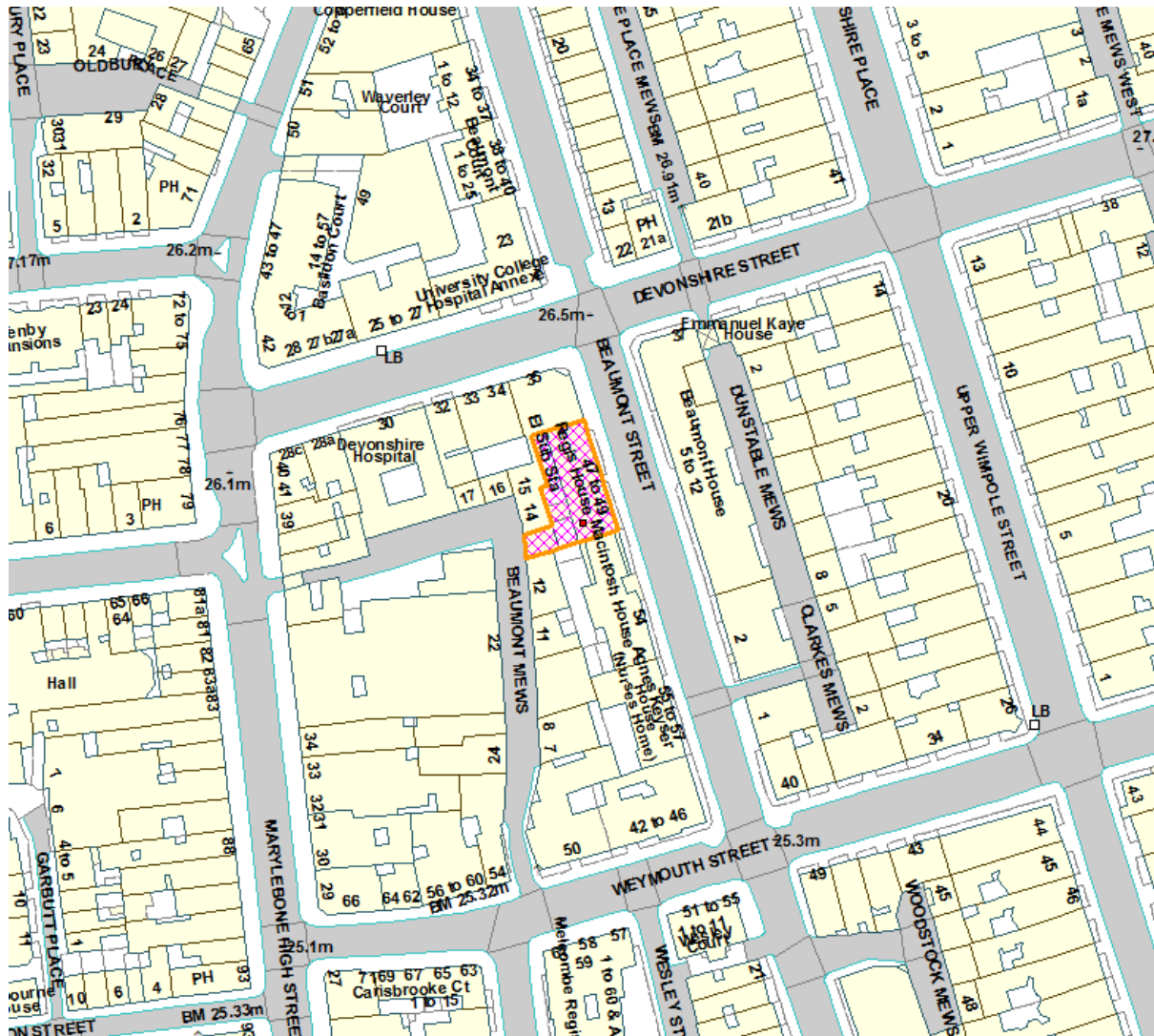
The permission was subject to Condition 22 which requires the submission of an Operational Management Plan (OMP) for the City Council's approval to demonstrate that the operation of the gymnasium would be managed in a way that minimises noise and disturbance to nearby residents.

The key issue in this case is:

* The acceptability of the submitted OMP to minimise noise and disturbance to nearby residents.

The submitted OMP is considered acceptable and it is recommended that the condition be discharged.

3. LOCATION PLAN



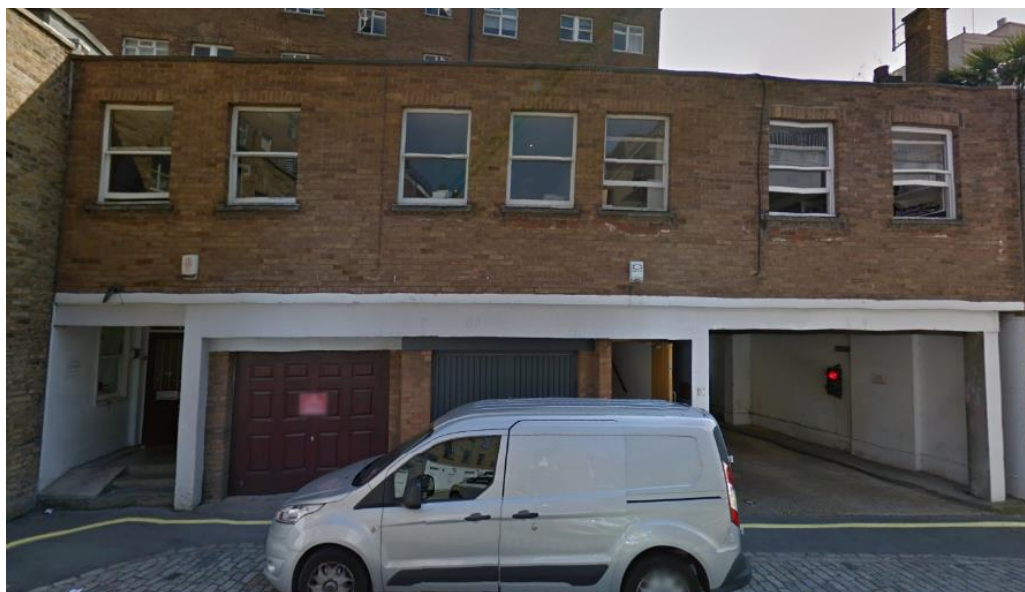
This production includes mapping data licensed from Ordnance Survey with the permission of the controller of Her Majesty's Stationary Office (C) Crown Copyright and /or database rights 2013. All rights reserved License Number LA 100019597

4. PHOTOGRAPHS

Front elevation on Beaumont Street



Rear elevation on Beaumont Mews



5. CONSULTATIONS

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 77
Total No. of replies: 7
No. of objections: 5
Neutral: 1
No. in support: 1

Objections on the following grounds:

- Increased parking pressure on Beaumont Street.
- Noise and disturbance to the residents of Regis House due to deliveries from Beaumont Street (consider servicing should be from Beaumont Mews).
- Potential fire escape implications.
- Implications for property values in Regis House.

Support on the following grounds:

- Proposed use of the lower ground floor as a gym will eliminate the anti-social behaviour which currently takes place within the car park.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

Regis House, 47 Beaumont Street, is a 20th century unlisted building, identified as a neutral building in the Harley Street Conservation Area Audit (2008). The site fronts on to Beaumont Street to the east and access to the lower ground floor level is from Beaumont Mews to the west. Regis House itself is used as residential flats with a retail unit occupying part of the ground floor fronting Devonshire Street to the north. The rear access to the car park is under a building on Beaumont Mews comprising ground and first floors used as office accommodation.

6.2 Recent Relevant History

17/07261/FULL

Use of lower ground floor level as a gymnasium (Class D2) and installation of a new ground floor front facade and entrance on Beaumont Mews, new roof over rear lightwell and access ramp, frosted glass screen and fire escape doors to Beaumont Street and installation of plant.

Application Permitted 17 April 2018

7. THE PROPOSAL

The current application seeks to discharge Condition 22 on the permission dated 17 April 2018. The condition stipulates the following:

'You must apply to us for approval of an operational management plan for the gymnasium to show how you will actively manage the entrance and exit arrangements for customers and staff (including contract cleaning staff), and the access arrangements relating to servicing, and external smoking by customers and staff, in order to minimise nuisance to people in the area, including people who live in nearby buildings.

You must not occupy the approved gymnasium until we have approved what you have sent us. You must then carry out the measures included in the management plan at all times that the gymnasium is in use.'

An OMP has now been submitted for consideration.

8. DETAILED CONSIDERATIONS

8.1 Residential Amenity

The reason for the imposition of the condition requiring the submission of the OMP was to protect neighbouring residents from noise nuisance.

The OMP stipulates that all windows including skylights will be permanently closed with no ability to open them. There is also a maximum capacity for 40 members on the gym floor at any one time with patrons having booked their class / session online beforehand.

The OMP details the opening hours as being Monday to Friday 06:00 till 21:00 and Saturday and Sundays 08:00 till 20:00 which accords with Condition 20 attached to the original permission.

Members will be directed to leave the gym quickly and quietly and signage is to be displayed at the entrance to remind people to keep noise levels to a minimum. The street management policy will be reviewed monthly during the first 12 months of the gym operation and after that period it is to be reviewed quarterly. The OMP also states, *'The gym will proactively find ways to ensure that it operates smoothly with no negative impact on the neighbourhood.'*

Three to six staff members will be on site when the gym opens and closes and will be trained to deal with any issues that might arise. The OMP also states that the Facilities Manager will host quarterly meetings with local residents to ensure that any issues are addressed and the gym will quickly respond to any problems that arise.

Delivery vehicles will use pay and display bays on Beaumont Street and deliveries to the gym will be spread evenly throughout the week between the hours of 09:00 and 17:00. These hours are reasonable and would result in no additional disturbance to local residents given the busy nature of Beaumont Street at these times.

A number of objections have been received arguing that deliveries from Beaumont Street accessing the gym from the front basement lightwell stair will result in increased noise and disturbance for the residential occupiers. This issue was considered as part of the original planning permission and it was determined that Beaumont Street would be a better location for the servicing of the gym than Beaumont Mews as it would have a

greater level of activity during the day. There are a number of commercial operators along the street including the King Edward VII hospital directly opposite Regis House and a pharmacy just to the north. It was not considered the servicing of the gymnasium would result in a significant increase in the noise and disturbance to residents such that the application could be refused on these grounds. Whilst the objections with regard noise from deliveries is noted, the use of Beaumont Street for servicing was considered acceptable in the original application for the gym and the detail of how and when this will take place included in the submitted OMP is also considered acceptable.

The original application proposed cleaning staff would clean the premises before it opened, but this has now been amended in the OMP so that cleaning of the premises takes place between 14:00 and 17:00. This is much less likely to result in any noise nuisance for residents.

It is not anticipated that any staff members would smoke but the OMP says that staff would not be allowed to smoke within the lightwell at the front of the property or outside the gym on Beaumont Street.

8.2 Transportation/Parking

Objections have also been received to the application concerned that the servicing from Beaumont Street will result in increased parking pressures in the area. As detailed above, the original application proposed servicing from pay and display bays in Beaumont Street and this was considered acceptable. The site is within a Controlled Parking Zone (CPZ) and the Highways Planning Manger previously considered the proposed servicing requirements to be acceptable with regard the impact on traffic movements on Beaumont Street. For these reasons it is not considered the objections on these grounds are sustainable and the OMP could not be refused on this basis.

8.3 Other Issues

An objector has commented on the potential for the scheme to impact upon the price of property within Regis House. This is not considered to be a material planning consideration.

A letter of support has been received detailing the levels of anti-social behaviour that has taken place in the car park of the property and expressing support for the development into a gym. Whilst this is noted, the original change of use application has already been granted and this application is solely to consider the content of the conditioned OMP.

Comments have also been made on the application concerned that the steps in the front lightwell serve as a fire escape. Accordance with building regulations is a separate regulatory regime to the planning considerations and the proposal will be considered for fire safety purposes under these requirements. Although it is not foreseen that the proposal will result in any implications for escape in the event of a fire.

(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

DRAFT DECISION LETTER

Address: Regis House , 47 Beaumont Street, London, W1G 6DL

Proposal: Details pursuant to condition 22 of planning permission dated 17 April 2018 (RN: 17/07261/FULL), namely the submission of an Operational Management Plan.

Reference: 18/04763/ADFULL

Plan Nos: Regis House - Operational Management Plan (Freedom2Train)

Case Officer: Matthew Giles

Direct Tel. No. 020 7641 5942

Recommended Condition(s) and Reason(s)

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.