

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 18 September 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved West End	
Subject of Report	Print Works House, Ground Floor , 83 Great Titchfield Street, London, W1W 6RH		
Proposal	Variation of Condition 10 of planning permission dated 11 October 2016 (RN: 16/05737/FULL) for the dual/alternative use of the ground floor, including new upper and lower mezzanine levels, for retail purposes (Class A1), of the basement as offices (Class B1), or use of the basement, ground and upper and lower mezzanine levels as a Pilates studio, personal training area, physiotherapy/sports massage treatment rooms and retail floorspace (sui generis); NAMELY, to permit opening of the Pilates studio, personal training area, physiotherapy/sports massage treatment rooms and retail area between 06.00 and 21.30 hours on Monday to Friday (not including Bank Holidays and public holidays) and between 08.00 and 20.00 hours on Saturdays, Sundays, Bank Holidays and public holidays.		
Agent	Pembroke Planning		
On behalf of	Ten Pilates		
Registered Number	18/05444/FULL	Date amended/ completed	28 June 2018
Date Application Received	28 June 2018		
Historic Building Grade	Unlisted		
Conservation Area	East Marylebone		

## 1. RECOMMENDATION

Grant conditional permission, subject to no new substantive issues being raised following the expiry of the consultation period on 21st September 2018.

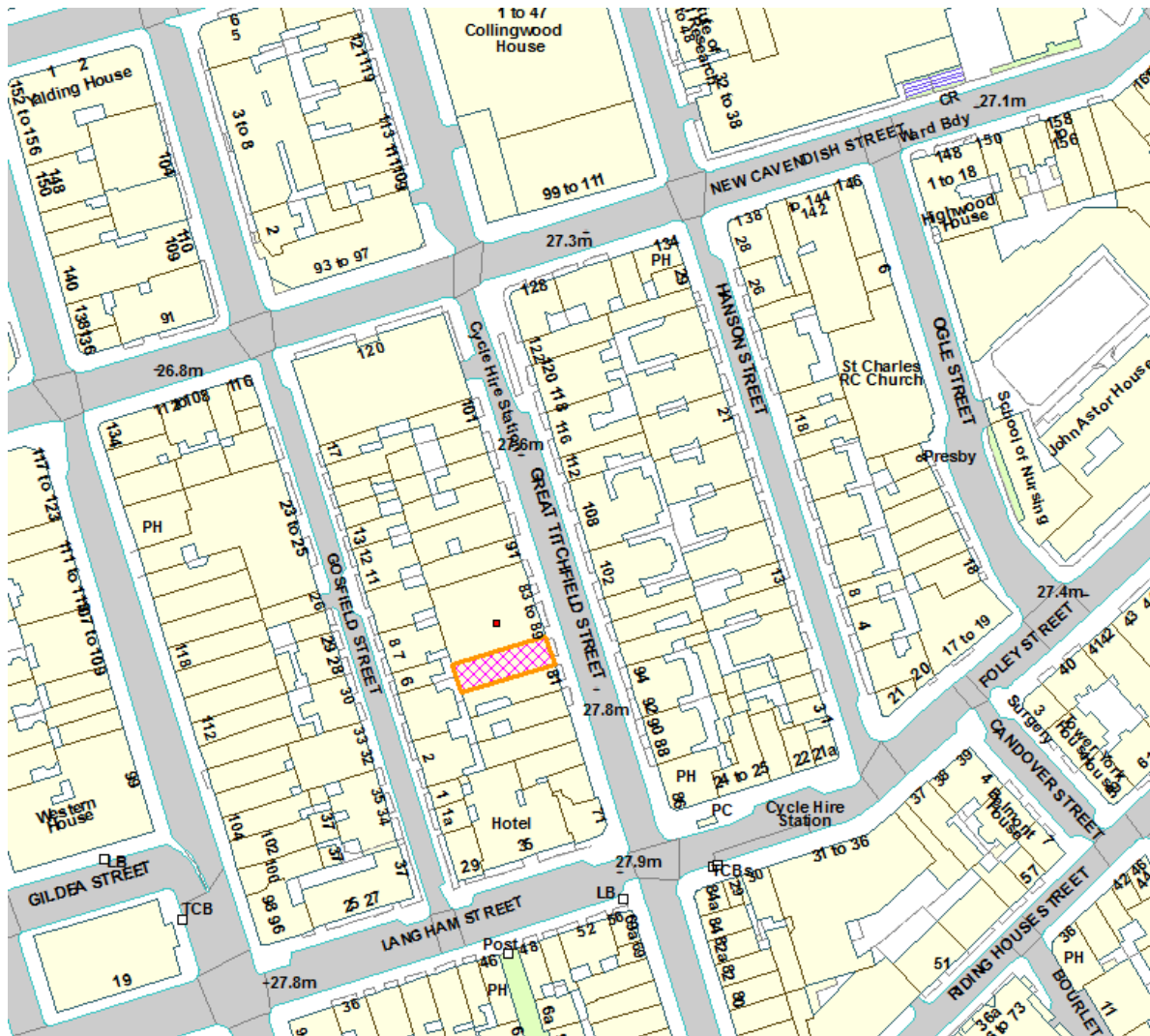
## 2. SUMMARY

Permission was granted in October 2016 for the dual/alternative use of the lower floors of the application premises as basement offices and a retail shop or as a Pilates studio, personal training area, physiotherapy/sports massage treatment rooms and retail floorspace (sui generis). A condition limits the Pilates studio opening hours to between 06.00 and 20.00 hours on Monday to Friday, 08.00 and 18.00 hours on Saturdays and to between 08.00 and 20.00 hours on Sundays, bank holidays and public holidays. Permission is now sought to increase the premises opening hours until 21.30

hours on Monday to Friday and until 20.00 on Saturdays, to enable an additional evening class to take place on these days.

One neighbour objection has been received on the grounds that the extension of operating hours would adversely affect neighbours' privacy and result in increased noise disturbance. However, there is no suggestion that the existing operation has caused any problems and there is no record of any complaints having been received. Given the nature of the use, it is not considered that the extension of opening hours would result in a loss of residential amenity and the application is therefore recommended for approval.

### 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



## 5. CONSULTATIONS

### FITZROVIA NEIGHBOURHOOD ASSOCIATION

Any response to be reported verbally

### ENVIRONMENTAL HEALTH

No objections raised.

### ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 103

One letter of objection on the following grounds:

- \* Use is inappropriate in a residential area
- \* Increased noise disturbance
- \* Loss of privacy to neighbouring residents

PRESS ADVERTISEMENT / SITE NOTICE: Yes

## 6. BACKGROUND INFORMATION

### 6.1 The Application Site

The application site is an unlisted building, comprising basement, ground and four upper floors, located in the East Marylebone Conservation Area, outside of the Core Central Activities Zone. This site is not located on a Named Street or a designated Shopping Centre.

The lower floors are currently occupied as a basement level Pilates studio (70 sqm), retail floorspace at ground floor level (58.5 sqm) and two sports massage/ physiotherapy rooms (total 30 sqm) and a treatment/personal training room (30 sqm) on the mezzanine levels. Changing rooms and showers are provided within the basement. The applicants have advised that this use commenced in May 2017.

The premises are operated by Ten Pilates. Information provided in support of the original application confirmed that ten members of staff would be employed. The company runs several other studios in Westminster. Services are provided on a pay-as-you-go basis, with no membership or joining fees. The premises sells fitness products, such as sports-wear and nutritional products. These goods are displayed in the ground floor shop. Access to the pilates studio and treatment rooms is at the rear of the shop unit. There are secondary access points for use in the case of emergency.

There are residential flats on the first to fourth floors of the application premises, on the upper floors of neighbouring buildings at 79, 81 and 87 Great Titchfield Street) and opposite, at nos. 90-102. There are also numerous flat flats at the rear of the site at nos. 2, 4, 6 and 7-8 Gosfield Street.

This part of East Marylebone is characterised by a mixture of commercial and residential uses however, to the north of Foley Street the street is largely characterised by residential

and office uses. To the south of this junction, the mix is livelier, including numerous cafes and restaurants.

## 6.2 Recent Relevant History

16 June 2016: Permission granted for alterations at 83 Great Titchfield Street including the demolition and replacement of the basement and ground floor rear extensions to the ground floor retail shop (Class A1) with louvres to the pitched roof to accommodate plant located directly beneath the roof ridge; the erection of a first to third floor rear extension and replacement mansard roof extension (with plant enclosed within the rear louvered roof), including an extension over the existing fourth floor rear terrace and a glazed enclosure, accessing a new roof terrace. Use of the building as basement offices, a ground floor shop and three flats on first to fourth floors, installation of a satellite dish to fourth floor level (16/02502/FULL). Implemented.

11 October 2016: Permission granted for the dual/alternative use of the ground floor, including new upper and lower mezzanine levels, for retail purposes (Class A1) and the use of the basement as offices (Class B1) or use of the basement, ground and upper and lower mezzanine levels as a Pilates studio, personal training area, physiotherapy/sports massage treatment rooms and retail floorspace (sui generis) (16/05737/FULL). Whichever use is in existence ten years after the expiry of this permission would become the lawful use.

Condition 10 of this permission limits the hours of use of the Pilates studio, personal training area, physiotherapy/sports massage treatment rooms and retail floorspace to between 06.00 hours and 20.00 hours on Monday to Friday (not including Bank Holidays and public holidays), to between 08.00 and 18.00 hours on Saturdays and to between 08.00 and 20.00 hours on Sundays, Bank Holidays and public holidays. These were the opening hours originally sought by the applicants.

This permission was also the subject of conditions requiring the submission of acoustic reports to demonstrate that:

- i) acceptable noise levels could be achieved within neighbouring residential properties (Condition 5) and
- ii) that the operation of the plant would accord with Council standards (Condition 9).

These details were approved on 30 August 2018 (18/06944/ADFULL). The hours of plant operation were not controlled by condition.

## 7 THE PROPOSAL

This application seeks to vary condition 10 of the existing permission to allow the Pilates studio use to open:

- i) between 06.00 and 21.30 hours on Monday to Friday (not including Bank Holidays and public holidays) which is an extra 90 minutes later in the evening on these days than currently approved and
- ii) between 08.00 and 20.00 hours on Saturdays, Sundays, Bank Holidays and public holidays, which is an extra two hours later on Saturday evenings than currently approved.

## 8. DETAILED CONSIDERATIONS

### 8.1 Land Use

The application does not raise any new land use issues. Given the scale and nature of the Pilates studio use, providing a mixture of leisure, health and medical-type functions, all of which are low key, it was previously considered that the use, which serves the resident and working populations, was acceptable in principle in land use terms.

As previously, the alternative retail (Class A1) and office uses (Class B1) are considered acceptable in land use terms.

### 8.2 Townscape and Design

No building alterations are proposed.

### 8.3 Residential Amenity

City Plan policy S29 seeks to ensure that new developments do not adversely affect the amenities of occupants of neighbouring residents. UDP Policies ENV6 and ENV7 deal with the subject of noise pollution and vibration both from new uses, internal activity and the operation of plant. The policies require the potential for any disturbance to be ameliorated through operational controls and/or attenuation measures. Policy S32 requires disturbance from noise and vibration to be contained.

An objection has been received from an occupant of a flat within the neighbouring property at 87 Great Titchfield Street. This respondent states that he objected to the original application for the Pilates studio on the basis that it would represent 'the thin edge of a wedge' as the frontage between Langham Street and New Cavendish St is primarily residential in character, with the exception of the restaurant and public house at the Langham Street junction, and that other business uses keep regular office hours and generate low footfall.

The objector is concerned that the proposed extension of opening hours would create an unacceptable precedent and would affect the residents' privacy and result in increased noise disturbance at unsociable times. He states that he was assured, when the original application was submitted, that the opening hours would be restricted, as they were, and is concerned that further applications may be made for later opening hours in the future. The objector considers that 'a line should be drawn'. The previous committee report is clear that any future applications for extended opening hours would be determined upon their merits. The objector does not report any concerns relating to the existing operation and there is no record of any complaints having been made to the Council with regard to the existing use which has been operating for over a year.

All activities take place below the level of the residential flats in the adjoining properties and the ground floor shop provides a buffer to new flats on the upper floors of the application building. In submitting the original application, the applicants were keen to stress that the studio accommodates a maximum of 10 clients; that Pilates exercise involves the undertaking of slow movements to quiet music, played on a domestic music system, and that the use does not compare to a general gym use which often includes high impact

exercise to loud music. The sports massage and physiotherapy treatment services, provided on a one-to-one basis, are similarly low-key. The premises layout is restricted by condition.

The original permission was also subject to conditions requiring the submission of a supplementary noise report to demonstrate that noise levels within neighbouring flats meet acceptable limits and that the plant operation would comply with Council standards. These conditions have now been discharged. A further condition limits noise levels from any music that may be played.

The premises are accessed via the ground floor shop and a condition imposed on the original permission limits the use of secondary entrances/exits in the case of emergency only. Given the scale and nature of the use, and the limited numbers of clients visiting the premises at any one time, which is comparable with the potential numbers associated with the lawful office and retail uses, it was not previously considered that activities associated with customers and staff entering and leaving the premises would adversely affect neighbours' amenities.

The objector's concerns are noted. However, all previous operating conditions would apply and the operation of the plant and soundproofing measures appear satisfactory. In these circumstances, it is not considered that the proposed extension of opening hours until 21.30 on Monday to Friday and until 20.00 on Saturday would have a material impact upon residents' amenities and local environmental quality.

#### **8.4 Highways**

The proposal does not have any highways implications

#### **8.5 Economic Considerations**

Any economic benefits generated by the proposal are welcomed.

#### **8.6 Access**

The existing site access arrangements are as previously approved.

#### **8.7 Other UDP/Westminster Policy Considerations**

Not relevant.

#### **8.8 London Plan**

This application does not raise any strategic issues.

#### **8.9 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.

### **8.10 Planning Obligations**

This application does not trigger any planning obligations, nor would it generate CIL payments.

### **8.11 Environmental Impact Assessment**

The scheme does not require the submission of an Environmental Impact assessment.

### **8.12 Other Issues**

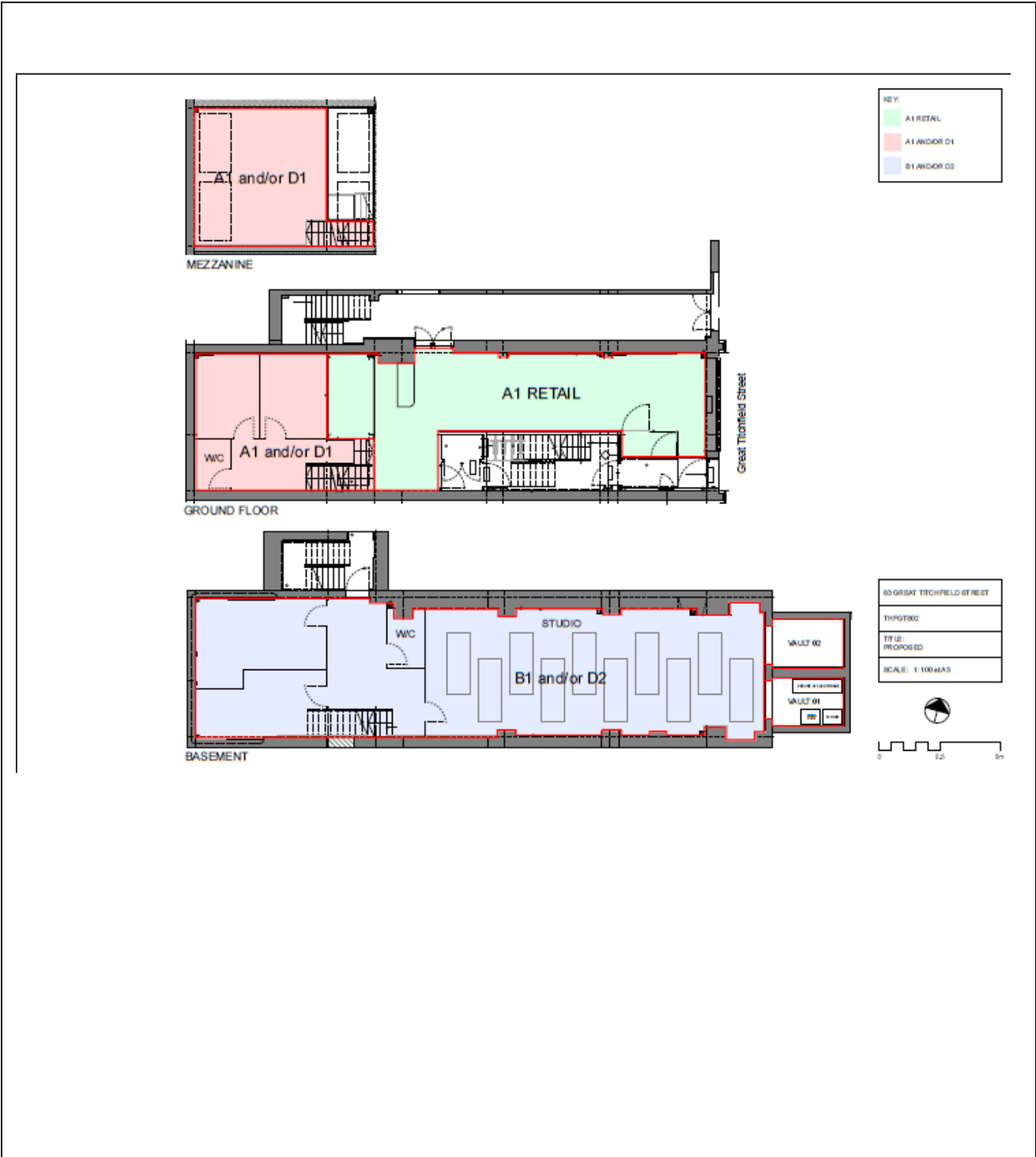
None relevant

(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: JO PALMER BY EMAIL AT [jpalme@westminster.gov.uk](mailto:jpalme@westminster.gov.uk)



9. KEY DRAWINGS



**DRAFT DECISION LETTER**

**Address:** Print Works House, Ground Floor , 83 Great Titchfield Street, London, W1W 6RH

**Proposal:** Variation of condition 10 of planning permission dated 11 October 2016 (RN: 16/05737/FULL) for the dual/alternative use of the ground floor, including new upper and lower mezzanine levels, for retail purposes (Class A1) and the use of the basement as offices (Class B1) or use of the basement, ground and upper and lower mezzanine levels as a Pilates studio, personal training area, physiotherapy/sports massage treatment rooms and retail floorspace (sui generis) NAMELY to permit opening of the Pilates studio, personal training area, physiotherapy/sports massage treatment rooms and retail floorspace between 06.00 and 21.30 hours on Monday to Friday (not including Bank Holidays and public holidays) and between 08.00 and 20.00 hours on Saturdays, Sundays, Bank Holidays and public holidays.

**Reference:** 18/05444/FULL

**Plan Nos:** 18/05444/FULL  
THFGTS02 (PROPOSED)

18/06944/ADFULL:  
Drawing titled "Acoustic Beams Typical Arrangement" Rev. A ;  
Acoustic Design Review by SYNTEGRA dated Feb 2016 ref: 15-1467 ;  
201 Rev. B ; Noise Impact Assessment by SYNTEGRA dated May 2015 ref: 15-1467;

**Case Officer:** Sara Spurrier

**Direct Tel. No.** 020 7641 3934

**Recommended Condition(s) and Reason(s)**

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 You must provide the separate stores for waste and materials for recycling shown on drawing number THFGTS02. You must clearly mark them and make them available at all times to everyone using the basement offices (Class B1), ground floor shop (Class A1), including the new upper and lower mezzanine level, or the Pilates studio, personal training, physiotherapy/sports massage treatment rooms and retail premises (sui generis). (C14FB)

**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)

3 The design and structure of the development shall be of such a standard that it will protect residents within the same building or 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. (R49BA)

4 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 of the Further Alterations to the London Plan

5 Sound insulation measures should be installed and permanently maintained in accordance with details in the acoustic report approved on 30 August 2018 under reference 18/06944/ADFULL or in accordance with details of alternative sound insulation measures submitted to and approved by the City Council as local planning authority which should ensure compliance with condition 3 of this permission.

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.

6 No waste shall be stored on the highway

Reason:

To protect the environment as set out in S44 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

7 (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. (R46AB)

8 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. (R48AA)

9 The plant should operate in accordance with details in the supplementary acoustic report approved on 30 August 2018 under reference 18/06944/ADFULL, demonstrating that the plant will comply with the Council's noise criteria as set out in Condition 7 of this permission, or in accordance with details in an alternative supplementary acoustic report which should be submitted to and approved by the City Council as local planning authority.

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. (R51AB)

10 Customers shall not be permitted within the Pilates studio/physiotherapy treatment rooms/sports massage facility/personal training rooms/retail area (sui generis) before 0600 or after 21.30 hours on Monday to Friday (not including Bank Holidays and public holidays) and before 08.00 or after 20.00 hours on Saturdays, Sundays, Bank Holidays and public holidays. (C12BD)

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 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13FB)

11 All access/egress to the Pilates studio/physiotherapy treatment rooms/sports massage facility/personal training room/retail area (sui generis) shall be via the ground floor shopfront entrance and the basement and ground floor doors leading into the adjacent corridor at 85 Great Titchfield Street, shown on drawing THFGTS01 (PROPOSED) hereby approved, shall only be used in the case of emergency.

Reason:

In accordance with the submitted application and to protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster's City Plan (July 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13FB)

12 The layout of the Pilates studio/physiotherapy treatment rooms/sports massage facility/personal training rooms and retail area (sui generis) must be provided and permanently maintained and the premises occupied in accordance with that layout as shown on drawing THFGTS01 (PROPOSED) hereby approved.

Reason:

In accordance with the submitted application, to prevent a use that would be unacceptable because of the character and function of this part of the East Marylebone Conservation Area and to ensure the provision of a retail trading area at ground floor level. This is in line with S21 and S25 of Westminster's City Plan (July 2016) and SS8 and DES 9 of our Unitary Development Plan that we adopted in January 2007. (R05FC)

13 A retail shopfront display, situated immediately behind the ground floor shop window, and which must not contain any obscured elements shall be provided and permanently maintained for all times that the ground floor is occupied as part of the Pilates studio/physiotherapy

treatment rooms/sports massage facility/personal training rooms and retail use (sui generis).

**Reason:**

To maintain the retail appearance of the premises as set out in SS 17 of our Unitary Development Plan that we adopted in January 2007. (R26IA)

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

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

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

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

**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 (UDP), 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

Item No.
<b>2</b>

level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission. (R47AB)

15 No music shall be played within the Pilates studio/physiotherapy treatment rooms/sports massage facility/personal training rooms and retail area (sui generis) use that is audible outside the premises or within neighbouring properties.

Reason:

To safeguard the amenity of occupiers of noise sensitive properties and the area generally as set out in S32 of Westminster's City Plan (July 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 basement, mezzanine and ground floors can change between within the Pilates studio/physiotherapy treatment rooms/sports massage facility/personal training rooms/retail area (sui generis) or the Class A1 retail and Class B1 offices 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)

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.