

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS SUB COMMITTEE</b>	<b>Date</b> 01 September 2020	<b>Classification</b> For General Release	
<b>Report of</b> Director of Place Shaping and Town Planning		<b>Ward(s) involved</b> Tachbrook	
<b>Subject of Report</b>	<b>55 Moreton Street, London, SW1V 2NY</b>		
<b>Proposal</b>	Use of basement and ground floors as a Community Cat café (sui generis).		
<b>Agent</b>	N/A		
<b>On behalf of</b>	Ms Florence Heath		
<b>Registered Number</b>	20/02850/FULL	<b>Date amended/ completed</b>	11 May 2020
<b>Date Application Received</b>	3 May 2020		
<b>Historic Building Grade</b>	Unlisted		
<b>Conservation Area</b>	Pimlico		

## 1. RECOMMENDATION

Grant conditional permission.

## 2. SUMMARY

55 Moreton Street is a four-storey building including basement. The application relates to the basement and ground floor levels, which are currently vacant but were last in use as an estate agent (Class A2). The rear basement has access to an external courtyard area. The upper floors are in residential use as flats.

The site forms part of non-core frontage within the Moreton Street Local Shopping Centre. The building is not listed but is within the Pimlico Conservation Area.

Planning permission is sought for the use of the basement and ground floors as a community cat café (sui generis) 'La Maison Du Chat', which has elements of A1 (shop), D2 (assembly and leisure) and A3 (cafe).

The cat café aims to promote the role pets can play in promoting mental health and wellbeing, as well as provide an informal local community hub providing a social resource for residents to help combat isolation and loneliness, as well as a café area to socialise.

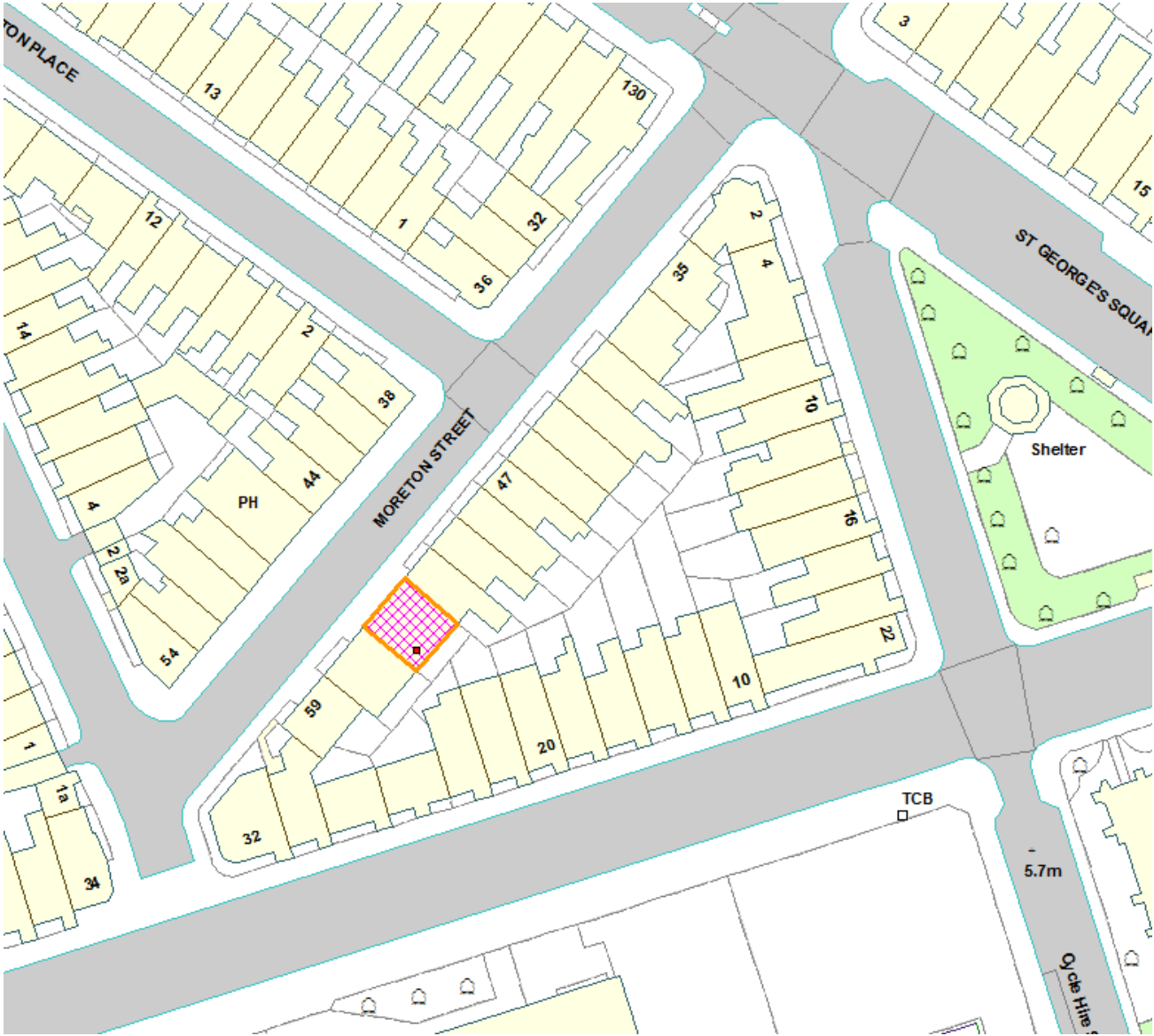
The key issues are:

- The impact on the amenity of surrounding residents; and
- The impact on the character and function of the Moreton Street Local Shopping Centre.

Objections have been received primarily from occupiers of residential properties to the rear in Lupus Street. These residents are concerned about noise and disturbance from the use of the rear basement courtyard for outdoor seating. The applicant had intended using the rear courtyard area as an outdoor seating area for customers but has now omitted this from the proposal in response to the concerns raised. A condition is recommended to restrict customers from using this area but members of staff may use this area. The proposal has also received a significant number of letters in support.

The proposed use of the basement and ground floor as a community cat café (Sui Generis) is considered acceptable in land use and amenity terms subject to the recommended conditions, which are discussed in the report and set out in the draft decision letter. The proposal complies with the relevant policies in Westminster's City Plan (November 2016) 'City Plan' and Unitary Development Plan (2007) 'UDP' and is recommended for approval.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Front elevation 55 Moreton Street

## 1. CONSULTATIONS

### PIMLICO FREDA:

No comment received.

### PIMLICO NEIGHBOURHOOD FORUM:

No comment received.

### ENVIRONMENTAL HEALTH:

No objection, subject to a condition preventing primary cooking on the premises.

### WASTE PROJECT OFFICER:

No objection, subject to condition to secure waste store.

### HIGHWAYS PLANNING:

No objection, subject to conditions incl. no delivery service.

### ADJOINING OWNERS/OCCUPIERS & OTHER REPRESENTATIONS RECEIVED:

Moreton Street properties notified on the 12 June 2020.

Lupus Street properties notified on the 23 June 2020.

No. Consulted: 57

Total No. of replies: 41

No. of objections: 20

No. in support: 19

No. neutral: 2.

### Objections on some or all of the following grounds:

#### Land use issues

- Proposal not policy compliant in relation to Pimlico.
- New commercial uses should be directed to the Warwick Way/ Tachbrook Street Central Activity Zone.
- Area not large enough to accommodate numerous cats.
- Surplus of cafes and coffee shops in the Pimlico Area (Moreton Street and Lupus Street).

#### Amenity issues

- Noise and disturbance through use of rear courtyard/ garden area by customers.
- No noise assessment included.
- Use would impact on tranquillity and privacy of rear gardens of both Lupus Street and Moreton Street.
- Premises will serve alcohol.
- Use of a residential garden as a commercial cafe is contrary to policy.

#### Highways issues

- No parking assessment plan has been provided; surrounding area is already congested.

#### Other issues

- Lupus Street properties not notified of proposals.
- No site notice placed on Lupus Street.
- No visit done to Lupus Street properties.
- Postpone determination of application to organise a noise assessment report.
- Enough places to eat in the area.
- Applicant has not engaged with local residents.
- Labelled a community cafe but will be a commercial venture attracting visitors from elsewhere.
- Animals can act as fomites.

#### Support on some or all of the following grounds:

##### Land use issues

- Need more community spaces.
- Great community initiative to bring community together with animals.
- Provides a place for people to meet who cannot have animals in their homes.
- Short on community spaces and a family friendly cat cafe is welcomed.
- Facility provides an opportunity to bring groups together in a safe and relaxing way.
- Children interacting with cats can be therapeutic and educational.
- A place like this provides an important hub to bring the community together.
- Far better use of space rather than another utilitarian space.

##### Amenity issues

- Cats are generally quiet.
- Pimlico needs an accessible cafe/hub where the many isolated residents and others can meet.
- Many people live in flats and this is a great place for people to come and meet and interact with the cats.
- The premises is not going to be a pub and most cafes serve alcohol these days.
- Most children in Pimlico do not have the space to have a pet, so this is welcome addition in the neighbourhood.

#### Highways issues

- Traffic problems will not be applicable as the site has public transport nearby.

#### Other issues

- Cats provide a form of therapy.
- Beneficial for a health and wellbeing perspective.
- Provides a safe space for parents and toddlers.
- Hygiene issues will be covered by Environmental Health.
- The café will add to the variety and experience of living and working in Pimlico.

#### PRESS ADVERTISEMENT / SITE NOTICE:

Yes

## **2. BACKGROUND INFORMATION**

### **2.1 The Application Site**

55 Moreton Street comprises of basement, ground and two upper floors. The basement and ground floors are currently vacant but were last in use as an estate agent (Class A2). The basement has access to an external courtyard to the rear of the site. The upper floors are in residential use as flats and have a separate entrance.

To the rear, the site backs onto residential properties on Lupus Street, which are mostly flats and have gardens.

The site forms part of non-core frontage within the Moreton Street Local Shopping Centre. The building is not listed but is within the Pimlico Conservation Area.

### **2.2 Recent Relevant History**

105 Great Portland Street, W1:

Planning permission was granted for the use of the ground and basement levels as a 'Cat Café' (sui generis) (19/05927/FULL).

## **3. THE PROPOSAL**

Planning permission is sought for the use of the basement and ground floor as a community cat café (Sui generis) 'La Maison Du Chat', which has elements of A1 (shop), D2 (assembly and leisure) and A3 (cafe).

The cat café aims to promote the role pets can play in promoting mental health and wellbeing, as well as provide an informal local community hub and social resource for residents to help combat isolation and loneliness, as well as a café area to socialise.

The café would have several resident cats on site (approximately 7-10 cats), where they will be accommodated within a designated 'Cat Room' at ground floor level but allowed to roam within the café under supervision. At basement level a small office area, function room, WC and a kitchen area will be provided.

Unlike other cat cafes the proposed community cat café would not operate a pre-booked slot basis and no entrance fee is charged to visit the café to see the cats. The proposed hours of opening are from 0700 to 1900 Monday to Friday and from 0800 to 1900 hours Saturday and Sunday. There will be five members of staff (two full-time and three part-time). To the rear of the site there is an existing courtyard area, but this will not be open to members of the public, although members of staff would be permitted to use this area.

The proposed café element will serve hot and cold drinks and pastries and homemade cakes. The applicant has indicated their intention to expand to providing afternoon teas, savoury snacks, soups and salads, as well as applying for an alcohol licence but basic cooking is restricted to making waffles, boiled eggs, and pancakes etc using appropriate appliances. No primary cooking will take place on site. A small section of the café would provide retail goods such as pet food and other pet accessories. It is also proposed to provide coffee mornings for over-65s on Monday mornings; and for parents with new-

born babies (0-6 months) on Tuesday mornings. The function room is intended to be used as a child friendly space, as well as for hosting toddler educational activities.

The applicant states the proposed Cat Café at 55 Moreton Street is based on the following principles:

- Accessible to all
- Free access, no booking slots or fees
- Local community is key
- We are a compassionate business
- We will support social enterprise, charities and small businesses

#### 4. DETAILED CONSIDERATIONS

##### 4.1 Land Use

The existing and proposed floorspace figures are set out in the table below:

	Existing GIA (sqm)	Proposed GIA (sqm)
Estate Agent (A2)	145	0
Community cat café (Sui generis)	0	145

The site is located within Pimlico and forms part of non-core frontage within the Moreton Street Local Shopping Centre

Moreton Street runs between Belgrave Road and Moreton Terrace and is characterised by a mix of residential and commercial uses. The surrounding area is predominately residential, but this part of Moreton Street contains a small pocket of independent specialist shops.

On the applicant's/ western side of Moreton Street the ground floor of nos. 35, 39, 41, 47, 51 and 59 (vacant) are in retail use; a beauty salon at no. 43; landscape design firm at no. 45; no. 55 (the application site) formerly an estate agent but currently vacant; and a dry cleaner at No. 57.

On the opposite/ eastern side of the street nos. 34, 40, 42, 44, 48 and 54 are in retail use; nos. 36, 38 and 46 are in restaurant use, no. 50 unknown commercial at ground floor level and no. 52 is an estate agent.

The upper floors of these premises are in residential use and there are existing residential flats at basement level of nos. 32, 34, 37, 39, 45, 49A, 51, 54B, 57A and 59A.

##### Existing use

The basement and ground floor were occupied by an estate agent (Class A2) for approximately four and half years but have been vacant since December 2018. The premises has been marketed during this time using various commercial estate agency



websites and a 'To Let' board (advertising the premises for A1 use) has been placed within the ground floor unit. Despite several viewings, prospective tenants have expressed interest in using the premises for non-retail purposes (e.g. sui generis, A3, D1, D2, B1 etc.). The property remains on the market, but interest has fallen since March 2020 as a result of the current pandemic.

### Policy context

Policy S10 of the City Plan relates to 'Pimlico' and states 'This area will be primarily for residential use with supporting retail, social and community and local arts and cultural provision. Retail and other appropriate town centre uses will be directed to the Warwick Way/Tachbrook Street CAZ Frontages and the Local Shopping Centres'. The policy recognises the predominately residential nature of this area, and 'village' character with associated local uses and sense of small-scale shops and services.

Policy SS 7 of the UDP relates to 'Local Centres' and aims to protect the designated local shopping centres for the service they provide to residents, visitors and workers, and because they reduce the need to travel.

Paragraph 7.87 of Policy SS 7 states that the introduction of non-A1 uses should not have a harmful effect on the vitality or viability of the centre or have a detrimental effect on character and function. Such effects include the following: weakening local convenience offer, weakening a concentration of specialist shopping, creating dead frontage, threatening the viability of individual shops by effectively isolating them from other shopping facilities, or introducing unacceptably high levels of activity. The balance of A1 uses and non-retail uses should be such as to maintain the attractiveness of the centre to both shoppers and retailers.

Policies S34 of the City Plan and SOC1 of the UDP seek to encourage social and community facilities throughout Westminster.

### Proposed use

Details of the use are set out above in section 3.

Objections have been received on grounds that the proposed use is not suited to this area and is not policy compliant. Objectors also comment that there are already too many existing cafes and restaurants in this area.

There are three restaurants on the opposite side of the Moreton Street, nos. 36, 38 and 46.

The primary aim of the community cat café is to act as a local community hub to provide a space for local people to come for food, drink and company and to help people combat isolation experienced by using pets as therapy. The proposed community cat café, whilst open to all members of the public, places an emphasis on catering for the local community in terms of providing a place for people to visit and socialise.

The nature of the proposed use, which provides a café, cats as therapy and proposed educational use to allow visitors to interact with the cats and for other resources provides

a unique use within this part of Moreton Street. The use is considered to be acceptable in the context of policies S10 and S34 of the City Plan, and SS7 and SOC 1 of the UDP and on this basis is considered acceptable in land use terms.

Conditions are recommended to control opening hours, ensure no primary cooking takes place on site, and also that the rear courtyard is not used by members of the public but restricted to staff use. In terms of the alcohol licence this would be subject to a separate application to the licensing team.

#### 4.2 Townscape and Design

No external changes to the elevations are proposed as part of this application.

The applicant has stated their intention to widen the existing entrance door to facilitate accessible access into the premises. No details have been provided and an informative is recommended to advise the applicant that this requires a separate application for planning permission.

#### 4.3 Residential Amenity

The nearest residents are located in flats above as well as in some basements below the commercial units in this part of Moreton Street. To the rear, the site backs onto residential properties on Lupus Street, which are mostly flats with gardens for those on the lower level.

The rear of the site has a small courtyard area measuring approximately 20sqm, which is enclosed by a low level boundary wall. The land to the rear of this part of Moreton Street and Lupus Street is in triangular formation, with both sets of building in this area coming closer together. Objectors cite that the height of the Lupus Street buildings and the proximity to the Moreton Street properties creates a canyon like effect, whereby the even the slightest noise is noticeable.

Many of the objections raised concerned about noise and disturbance from the use of the rear basement courtyard for outdoor seating. The applicant had intended using the rear courtyard area as an outdoor seating area for customers but has now omitted this from the proposal in response to the concerns raised. A condition is recommended to restrict customers from using this area but to allow members of staff to use this area.

Concern has been raised that no site visit has been done to the Lupus Street properties. Considering the current pandemic, it has not been possible to visit the properties affected. However, site photos do show the relationship of the rear courtyard area with the properties to the rear and the condition restricting use of the courtyard to staff only is considered reasonable in the circumstances. Given that the main concerns raised by the Lupus Street properties is the use of the courtyard area in terms of noise and disturbance it is not necessary to visit the inside of the Lupus Street properties in this instance.

Objectors raise concerns that no noise assessment has been provided. A noise assessment report would only be required if new mechanical plant was being installed. The proposal does not include any new plant and a condition is proposed to restrict

primary cooking from taking place.

Those in support of the application have stressed that a cat café would be quiet because of the nature of the use and that Pimlico needs an accessible café/hub where the many isolated residents and others can meet. Further reiterating that many people live in flats in the area and this would be an ideal place for people to come and meet and interact with the cats. In addition, supporters consider that the café will provide opportunities, particularly for children, who may live in a house without enough space for a pet. Supporters also emphasise that cats can provide a form of therapy and the café can provide a safe space for parents and toddlers.

It is considered that with conditions controlling the hours of use as well as the use of the rear courtyard, the proposal is acceptable in amenity terms.

#### **4.4 Highways**

##### Car Parking

The site is within a Controlled Parking Zone, which means anyone driving to the site would be subject to those controls.

##### Trip Generation

The site is well served by public transport, including bus transport links on Belgrave Road and Lupus Street and Pimlico underground station all within walking distance from the site, which also provides connection to Victoria underground and overground stations and Victoria Coach Station and beyond. It is accepted that most trips associated with the site (excluding servicing activity) will be via public transport or other sustainable modes (e.g. walking, cycling).

##### Servicing

The change of use is unlikely to materially alter the servicing generated when compared to an A2 unit (existing use). Given the sites location it is felt that any change in servicing can be accommodated within the existing on-street restrictions without significant impact on the operation of the highway network.

An objection has been raised that no parking assessment plan has been provided as the surrounding area is already congested. Given the scale of the proposal a transport assessment is not required. In support of the proposal comment has been made stating that there would not be traffic issues as the site has public transport links nearby.

The Highways Planning Manager has no objection subject to a condition requiring that no delivery service operates from the site as would reduce the availability of parking for other uses.

#### **4.5 Economic Considerations**

It is intended that the use would create employment for five members of staff (two full-time and three part-time).

#### **4.6 Access**

There is existing level access into the building.

#### **4.7 Westminster City Plan**

The City Council is currently working on a complete review of its City Plan. Formal consultation on Westminster's City Plan 2019-2040 was carried out under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 between Wednesday 19 June 2019 and Wednesday 31 July 2019 and on the 19 November 2019 the plan was submitted to the Secretary of State for independent examination. In the case of a draft local plan that has been submitted to the Secretary of State for Examination in Public, under Regulation 22(3) of the Town and Country Planning Act (Local Planning) (England) Regulations 2012, having regard to the tests set out in para. 48 of the NPPF, it will generally attract very limited weight at this present time.

#### **4.8 Neighbourhood Plans**

There are currently no neighbourhood plans applicable to the assessment of this application.

#### **4.9 London Plan**

This application raises no strategic issues.

#### **4.10 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.

#### **4.11 Planning Obligations**

Planning obligations are not relevant in the determination of this application.

#### **4.12 Environmental Impact Assessment**

Environmental Impact Assessment not required.

#### **4.13 Other Issues**

##### Cat Welfare

The supporting information places an emphasis on the benefits provided by animal assisted therapy for visitors but also for people who may experience isolation or find it difficult to socialise with others. The community cat café provides an opportunity for members of the public to engage with animals and learn more about caring for animals and their behaviour. The animals will be accommodated in a special cat room within the premises.

The applicant will primarily be working with animal rescue charity RANA (UK registered charity No. 1166028), a no kill small charity that often rehomes responsibly to elderly or special needs adopters. The applicant has advised that all the cats in the café will be available for adoption to suitable homes; which will be managed by RANA and subject to their usual safeguards and the cats selected for the café will be specifically those that enjoy human company. A condition is recommended to secure details of this arrangement.

It is proposed that the cats will arrive in groups of 7-10 that are already used to each other at the shelters that they come from, in order to minimise stress and would remain in the café for four weeks (unless a cat becomes stressed) in order to provide stability and ensure that RANA has time to undertake the necessary checks for any future adoption.

The applicant has indicated that a proportion of their annual profits would be donated to RANA Rescue to help fund their programme of trapping, neutering and releasing animals.

In October 2018 the Animal Welfare (Licensing Activities Involving Animals) (England) Regulations came into force. Under this Regulation, the applicant is required to obtain a licence to keep or train animals for 'Exhibition'. This licence has not yet been obtained, but the applicant is aware of this and will apply once the planning application has been determined. It is considered appropriate in this instance to have a condition that the use cannot commence until evidence of this licence has been submitted, along with arrangements of a working relationship with a registered animal shelter/charity.

### Consultation

Several objections received from properties in Lupus Street complained about not been formally notified by the council of the proposals. This oversight was corrected on the 23<sup>rd</sup> June 2020 when formal neighbour notification letters were sent to the Lupus Street properties immediately adjoining the rear of the application site.

Comment has also been made that a site notice was not placed in Lupus Street. Site notices are usually placed in front of the application property. However, the absence of a site notice on Lupus Street does not prejudice the consultation process, as the Lupus Street properties would have received individual neighbour notification letters.

### Covid 19

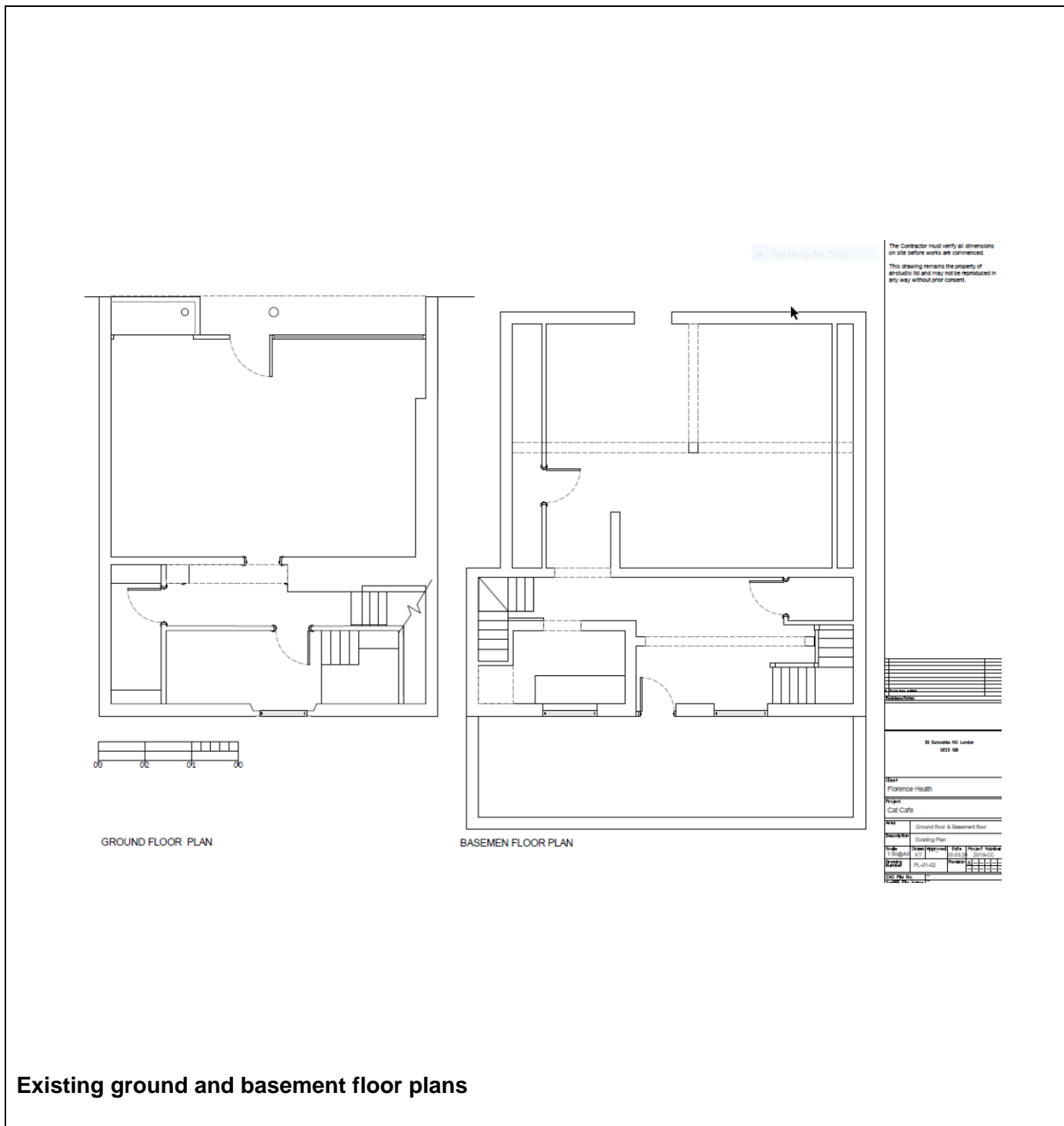
An objector raises concerns that animals, particularly cats could act as carriers of the Covid 19 virus. The cases that have arisen appear to have been animals being infected by humans, as opposed to the other way around. Whilst this remains a sensitive and concerning issue the advice from the British Veterinary Association website is "There is currently no definitive evidence that pets can pass Covid-19 to their owners. According to the OIE (The World Organisation for Animal Health) the current spread of Covid-19 is a result of human-to-human transmission, and, to date, there is no reason to conclude that companion animals can spread the disease. The OIE states that there is a possibility for some animals to become infected through close contact with infected

humans. The advice from the British Veterinary Association website to pet owners who have Covid-19 or who are self-isolating with symptoms "is to restrict contact with their pets as a precautionary measure and to practise good hygiene, including regular hand washing". It is noted that this advice is not definitive and may change given the evolving situation. The application is assessed on its merits and it is considered that with the involvement of the pet charity it is expected that the applicant would adopt the most appropriate precautionary measures to comply with current guidelines.

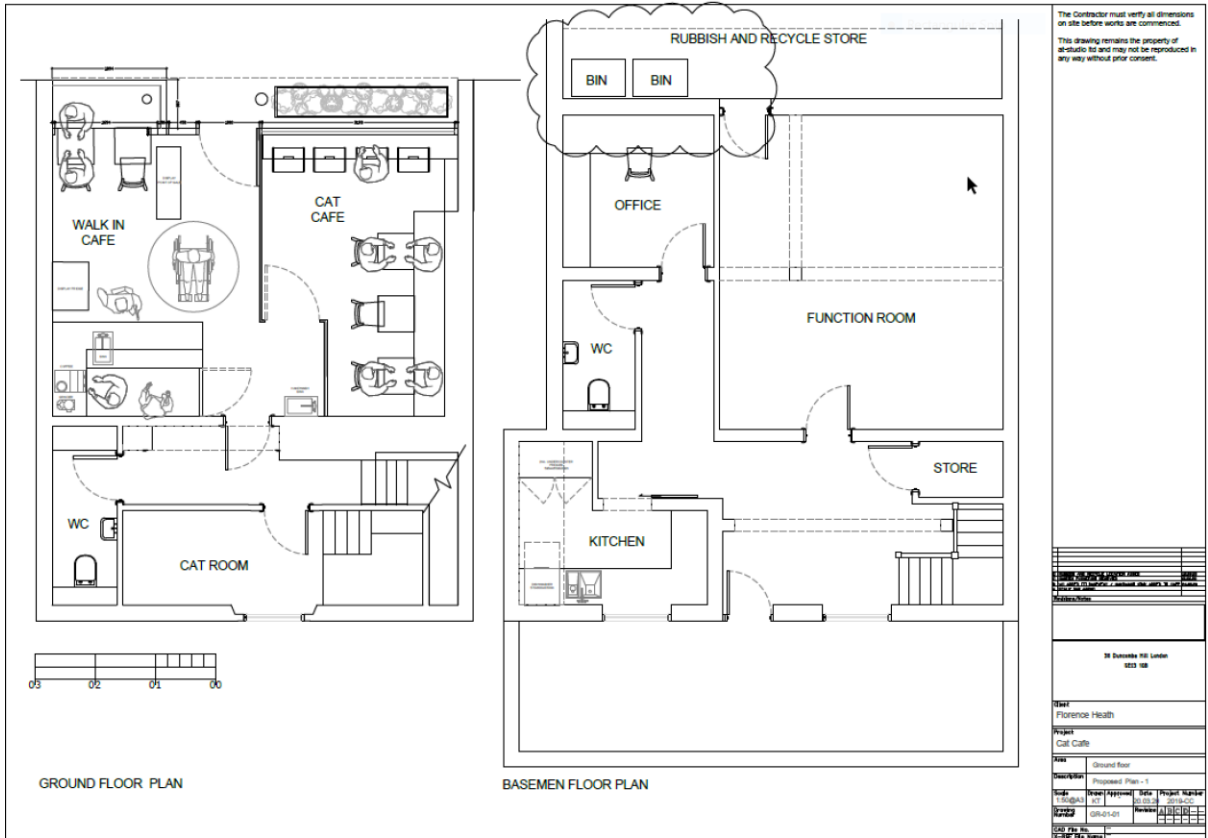
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: DAVID DORWARD BY EMAIL AT [DDORWARD@WESTMINSTER.GOV.UK](mailto:DDORWARD@WESTMINSTER.GOV.UK)

5. KEY DRAWINGS



Existing ground and basement floor plans



Proposed ground and basement floor plans



**DRAFT DECISION LETTER**

**Address:** 55 Moreton Street, London, SW1V 2NY

**Proposal:** Use of basement and ground floors as a Community Cat Cafe (sui generis use).

**Reference:** 20/02850/FULL

**Plan Nos:** Site location plan, PL-01-02 Rev. A, GR-01-01 Rev. D, Letting information prepared by Andrew Reeves Commercial Property and Flood risk assessment: 55 Moreton Street.

**Case Officer:** Zulekha Hosenally

**Direct Tel. No.** 020 7641  
07866037615

**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 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 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. (R11AC),

- 3 The use hereby approved shall not commence (i.e. open to the public) until you have applied to the council as local planning authority for written approval of the following:
- a) evidence that the proposed use will be carried out with the support of a registered animal shelter or charity, and
  - b). a copy of the licence obtained in accordance with the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.

You must only carry out the development according to the approved arrangements.

Reason:

To make sure that the development is completed and used as agreed, and because of the special circumstances of the case.

- 4 You must not allow customers to use the rear basement garden area as external amenity space for sitting out or for any other purpose unless we have given you our written approval beforehand. You can however use the rear garden area for staff members of the cat community cafe and in case of emergencies and for maintenance purposes only.

Reason:

To protect the privacy and environment of people in neighbouring properties. This is 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. (R21BC)

- 5 There shall be no primary cooking on site such that you must not cook raw or fresh food on the premises. The reheating of food, the cooking equipment used and hot food products served shall be limited only to those described in the 'La Maison du Chat - a Cat Cafe with a difference: Planning Statement.

Reason:

We cannot grant planning permission for unrestricted use in this case because it would not meet SS7 of our Unitary Development Plan that we adopted in January 2007. (R05AB)

- 6 Customers shall only be permitted within the basement and ground floor premises between 0700 to 1900 Monday to Friday and from 0800 to 1900 hours Saturday and Sunday.,

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 SS 7 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 7 You must provide the waste store shown on drawing GR-01-01 Rev. D before anyone moves into the property. You must clearly mark it and make it available at all times to everyone using the Cat community cafe (sui generis). 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 and materials for recycling 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. (R14CC)

- 8 You must not operate a food or drink delivery service from the premises.

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 SS 7 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

### **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, neighbourhood plan (where relevant), 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 As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the, provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk). Application forms should be completed on line via, [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section., , As per Building regulations part H paragraph 2.21, drainage serving kitchens in commercial hot food premises should be fitted with a grease separator complying with BS EN 1825-:2004 and designed in accordance with BS EN 1825 -2:2002 or other effective means of grease removal. Thames Water further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local

watercourses. Please refer to our website, for further information:  
[www.thameswater.co.uk/advice](http://www.thameswater.co.uk/advice)

- 3 You must register your food business with the Council, please use the following link:  
[www.westminster.gov.uk/registration-food-business](http://www.westminster.gov.uk/registration-food-business). Please email the Environmental Health Consultation Team (Regulatory Support Team 2) at [ehconsultationteam@westminster.gov.uk](mailto:ehconsultationteam@westminster.gov.uk) for advice on meeting our standards on ventilation and other equipment. Under environmental health legislation we may ask you to carry out other work if your business causes noise, smells or other types of nuisance.
- 4 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)
- 5 This decision does not permit any external alterations to the premises. You will need to make a separate application for planning permission should you wish to alter the existing entrance door/ shopfront or carry out any other external alterations.

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.