

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 18 July 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved Churchill	
Subject of Report	11 Pimlico Road, London, SW1W 8NA,		
Proposal	Use of the public highway for the placing of 3 tables, 12 chairs and two planters in an area measuring 1.7m (at its widest point) x 7.6m on the Ranelagh Grove frontage.		
Agent	Mr Adam Wilkinson		
On behalf of	Darwin and Wallace		
Registered Number	17/02635/TCH	Date amended/ completed	6 April 2017
Date Application Received	24 March 2017		
Historic Building Grade	Unlisted		
Conservation Area	Belgravia		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

11 Pimlico Road is an unlisted building in the Belgravia Conservation Area which comprises a public house (No.11 Pimlico Road) at basement and ground floors with residential above. Located on a corner it has frontages on Pimlico Road and Ranelagh Grove, the latter has a predominantly a residential character.

Permission was refused in 2001 for the use of the public highway for the placing of 7 tables and 28 chairs in areas measuring 2.75m x 1.65m, 3.85m x 1.65m and 7.9m x 1.65m along the Ranelagh Grove frontage in connection with the former Ebury Arms. The reason for refusal was on the grounds of noise disturbance to surrounding residential occupiers.

The current application initially proposed 4 tables, 16 chairs and 2 planters on the Ranelagh Grove frontage and two benches on the corner with Pimlico Road. This has since been reduced due to highways concerns. Permission is now sought for the placing of 3 tables, 12 chairs and two planters in an area measuring 1.7m (at its widest point) x 7.6m on the Ranelagh Grove frontage.

One letter of objection has been received from a local resident on highways and amenity grounds.

The tables and chairs would leave 2.1m of clear footway for safe pedestrian movement which meets the minimum standard of 2m set out in the Westminster Way. Pedestrian flow and directness of movement should not be unduly affected. Following the amendments to reduce the area and amount of furniture the proposal is considered acceptable in highways terms.

With regard to noise and disturbance, the objector has an existing problem with drinks, empty glasses and cigarettes butts being left on their porch and from noise caused by music and customers. This is an existing issue, most likely caused by customers standing on the pavement. This is outside of planning control and is a matter for the Licensing Inspectors. Notwithstanding this the applicant has provided an Operational Noise Management Plan which provides assurances which include staff monitoring of the tables and chairs area, clearing the area of litter, that no external music be played, and to appoint a neighbourhood liaison and provide contact details. It is recommended that this be secured by condition.

The hours sought for the tables and chairs are between 0900 and 2200 hours on Monday to Saturday and between 0900 and 2100 hours on Sundays and Public Holidays. The hours also represent a reduction to those originally sought. This in conjunction with the reduced amount of furniture and the operational noise management plan, it is considered that the proposal will not result in an unacceptable loss of amenity to neighbouring occupiers.

For the reasons set out in the report, the proposals are considered acceptable and in accordance with the relevant Unitary Development Plan UDP and Westminster's City Plan policies. The application is recommended for approval on a temporary one year basis so that any future proposal for tables and chairs in this location can be assessed in light of past experience.

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4. PHOTOGRAPHS



11 Pimlico Road



Ranelagh Grove frontage

5. CONSULTATIONS

BELGRAVIA SOCIETY

No response to date.

BELGRAVIA RESIDENTS ASSOCIATION

No response to date.

BELGRAVIA NEIGHBOURHOOD FORUM

No response to date.

HIGHWAYS PLANNING

No objection subject to a one year temporary permission.

CLEANSING

No objection.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 6

Total No. of replies: 1

No. of objections: 1

Objections have been received from an individual resident of 2 Ranelagh Grove on the following grounds:

Amenity

- The tables and chairs would cause a noise nuisance to residents.
- Noise caused by music and visitors of the No.11 restaurant and bar is already above the acceptable levels.
- A similar application has been refused on the grounds of unacceptable degree of noise and disturbance of adjoining properties contrary to the policy of the City Council.

Other

- The customers leave their drinks, empty glasses and cigarette butts on the porch which causes nuisance to residents.

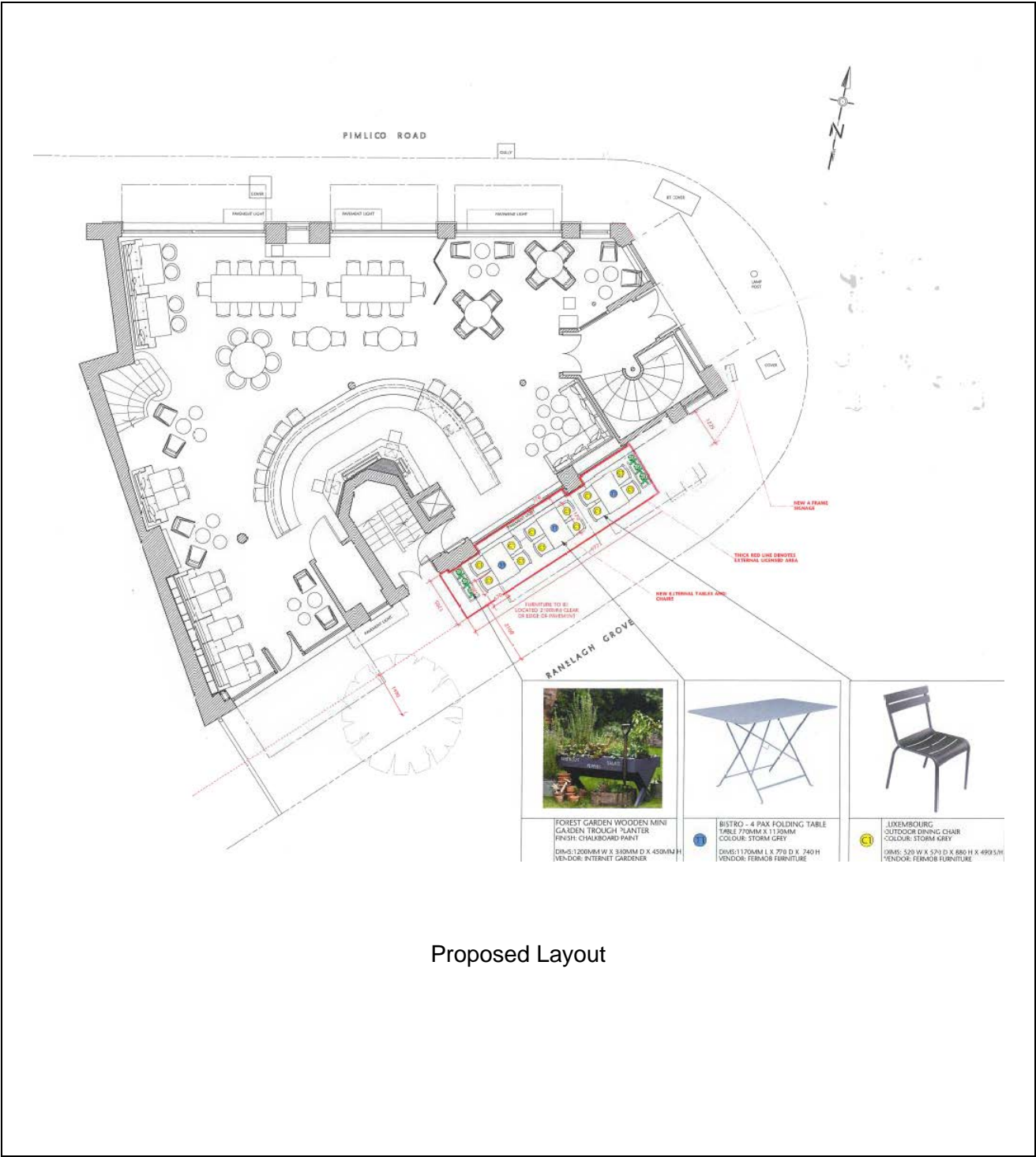
6. BACKGROUND PAPERS

1. Application form.
2. Memorandum from Cleansing dated 3rd July 2017.
3. Memorandum from Highways Planning dated 4th July 2017.
4. Letter from occupier of 2 Ranelagh Grove dated 6th May 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



DRAFT DECISION LETTER

Address: 11 Pimlico Road, London, SW1W 8NA,

Proposal: Use of the public highway for the placing of 3 tables, 12 chairs and two planters in an area measuring 1.7m (at its widest point) x 7.6m on the Ranelagh Grove frontage.

Reference: 17/02635/TCH

Plan Nos: Site plan; 133.01/EXT01; Tables and Chairs Operational Noise Management Plan.

Case Officer: Seana McCaffrey

Direct Tel. No. 020 7641 1091

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 not put the tables and chairs in any other position than that shown on drawing 133.01/EXT01. (C25AA)

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan (November 2016) and TACE 11 of our Unitary Development Plan that we adopted in January 2007. (R25AC)

- 3 The tables and chairs must only be used by customers of the public house at No.11 Pimlico Road. (C25CA)

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan (November 2016) and TACE 11 of our Unitary Development Plan that we adopted in January 2007. (R25AC)

- 4 This use of the pavement may continue until 31st July 2018. You must then remove the tables and chairs. (C25DA)

Reason:

We cannot give you permanent permission as the area in question is, and is intended to remain, public highway and Section 130 (1) of the Highways Act 1980 states that "It is the duty of the

highway authority to assert and protect the rights of the public to the use and enjoyment of any highway for which they are the highway authority". We also need to assess the effect of this activity regularly to make sure it meets S41 of Westminster's City Plan (November 2016) and TACE 11 of our Unitary Development Plan that we adopted in January 2007. For the above reasons, and not because this is seen as a form of trial period, we can therefore only grant a temporary permission.

- 5 You can only put the tables and chairs on the pavement between 09.00- 22.00 Monday to Saturdays and 10.00-21.00 Sundays and public holidays (C25BA)

Reason:

To protect neighbouring residents from noise and disturbance as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and TACE 11 of our Unitary Development Plan that we adopted in January 2007.

- 6 You can only put out on the pavement the tables and chairs shown on drawing 133.01/EXT01. No other furniture, equipment or screening shall be placed on the pavement in association with the tables and chairs hereby approved.

Reason:

To make sure that the type and appearance of the tables and chairs (and where appropriate other furniture or equipment) is suitable and that no additional furniture, equipment or screening is placed on the pavement to the detriment of the character and appearance of the area. This is as set out in TACE 11 and DES 7 of our Unitary Development Plan that we adopted in January 2007.

- 7 You must undertake the measures set out within the Operational Noise Management Plan received on 19 June 2017 for as long as the tables and chairs hereby approved are in situ.

Reason:

To protect neighbouring residents from noise and disturbance as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and TACE 11 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), Westminster's City Plan: Strategic Policies Consolidated Draft Version incorporating Basement Revision, Mixed Use Revision, Regulation 19 and Main Modifications dated June 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 must keep the tables and chairs within the area shown at all times. We will monitor this closely and may withdraw your street trading licence if you put them outside this area. (I48AA)
- 3 You cannot put tables and chairs in the area unless you have a street trading licence., , If you want to know about the progress of your application for a licence, you can contact our Licensing Service on 020 7641 8549. If you apply for a licence and then decide to change the layout of the tables and chairs, you may have to apply again for planning permission. You can discuss this with the planning officer whose name appears at the top of this letter., , Please remember that once you have a licence you must keep the tables and chairs within the agreed area at all times. (I47AB)

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.