

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 27 June 2023	Classification For General Release	
Report of Director of Town Planning & Building Control		Ward(s) involved West End	
Subject of Report	18 - 19 St Christopher's Place, London, W1U 1NN		
Proposal	Use of the ground (including forecourt) and basement as a mixed-use wine shop/wine bar (sui generis)		
Agent	Rolfe Judd Planning Ltd		
On behalf of	SCP Estate Ltd		
Registered Number	23/01197/FULL	Date amended/ completed	23 February 2023
Date Application Received	23 February 2023		
Historic Building Grade	Unlisted		
Conservation Area	Stratford Place		
Neighbourhood Plan	Not applicable		

1. RECOMMENDATION

Grant conditional permission

2. SUMMARY & KEY CONSIDERATIONS

The application relates to the basement and ground floor unit of 18-19 St Christopher Place (only 91 sqm in size), which is currently vacant having last been in use as retail accommodation. Planning permission is now sought for the use of the basement and ground floor (including forecourt) as a 'mixed-use wine shop/wine bar' (Sui Generis).

The key considerations in this case are:

- The acceptability of the proposed use on the character and function of the area, and
- The impact on the amenity of neighbouring residential properties.

For the reasons set out in the main report, it is considered that the proposal, with conditions, is acceptable in land use and amenity terms and neighbouring residential occupiers would not be unduly harmed. As such, the application is recommended for approval.

3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

5.1 Application Consultations

AMENITY SOCIETY (Marylebone Association) - Any response to be reported verbally.

ENVIRONMENTAL HEALTH - No objection subject to conditions.

PROJECT OFFICER FOR WASTE - No objection.

HIGHWAYS PLANNING MANAGER - No objection.

ADJOINING OWNERS / OCCUPIERS

No. of original consultees: 34

No. Replies: 1 Objection on the following grounds:

- Wine bar inappropriate and do not consider that the acoustic report sufficiently demonstrates that the use will not result in noise nuisance.
- Use of forecourt will further increase amenity issues include increase noise, litter, odour/smoke.
- The use of the shared entrance will intensify due to the increase storage of goods.
- Increased pest/rodent activity due to food being stored in a building.
- Hours of use are beyond opening hours of restaurants in the vicinity with operate from 08:00 and no later than 22:00

SITE & PRESS NOTICE - Yes.

5.2 Applicant's Pre-Application Community Engagement

The Applicant has not submitted a Statement of Community Involvement and the other application documents do not indicate that engagement was carried out by the Applicant with the local community and key stakeholders in the area, prior to the submission of the planning application. However, the Early Community Engagement guidance only expects such engagement to take place where proposals of this nature may have a significant impact on residential amenity or other noise sensitive receptors, and it would not be expected for a small scale application like this one.

6. WESTMINSTER'S DEVELOPMENT PLAN

6.1 City Plan 2019-2040 & London Plan

The City Plan 2019-2040 was adopted at Full Council on 21 April 2021. The policies in the City Plan 2019-2040 are consistent with national policy as set out in the National Planning Policy Framework (NPPF) (July 2021) and should be afforded full weight in accordance with paragraph 219 of the NPPF. Therefore, in accordance with Section 38 of the Planning and Compulsory Purchase Act 2004, it comprises the development plan for Westminster in combination with the London Plan, which was adopted by the Mayor of London in March 2021 and, where relevant, neighbourhood plans covering specific parts of the city (see further details in Section 6.2).

As set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 49 of the NPPF, the application must be determined in accordance with the development plan, unless material considerations indicate otherwise.

6.2 Neighbourhood Planning

The application site is not located within an area covered by a Neighbourhood Plan.

6.3 National Policy & Guidance

The City Plan 2019-2040 policies referred to in the consideration of this application have been examined and have been found to be sound in accordance with tests set out in Paragraph 35 of the NPPF. They are considered to remain consistent with the policies in the NPPF (July 2021) unless stated otherwise.

7. BACKGROUND INFORMATION

7.1 The Application Site

The application site is an unlisted building located in the Stratford Place Conservation Area, the West End Retail and Leisure Special Policy Area (WERLSPA) and the CAZ Central Activities Zone (CAZ). It is located on the western side of the pedestrianised portion of St. Christopher Place and comprises of basement, ground and four upper floors. The basement and ground were last in use as a retail accommodation (Class E). The first to fourth floors accommodate a mixture of both permanent residential units and short term lets and are independent to the lower floors of the property with the exception of a secondary access route to the basement, although access through this area falls outside the Applicant's lease.

7.2 Recent Relevant History

Planning permission was granted on 3 July 1975 (A/TP/5811) for the "remodelling and additions to rear of existing building and interior, to improve existing shops at basement and ground floors, provide offices on first floor and residential flats on second, third and fourth floors including reinstating the access system at 15-20 St Christopher Place W1."

A certificate of lawfulness was issued on 11 October 2017 (RN: 17/07276) which confirmed that it would be lawful to use of the second to fourth floors of Greengarden House and St Christopher's House (neighbouring property) as 24 dwellinghouses (Class C3).

8. THE PROPOSAL

Permission is sought for the use of the basement and ground floor (including forecourt) as a 'mixed-use wine shop/wine bar' (Sui Generis) totalling 91 sqm GIA.

The unit is intended to be occupied by SCP Estate Limited under the name 'Angelique's Wine House'. They intended to provide the following:

- A premises to sell wine to consume off the premises or alternatively to consume

- wine on the premises along with food platters and light snacks.
- Sale of wine for consumption on the premises will be by waiter service only.
- Bottled wines for sale or consumption will be from a selection of some 120-150 bins of wine and champagne from across the globe including half bottles and magnums.
- Food platters will comprise artisanal cheese and charcuterie with warmed focaccia, a caprese salad, hummus and grilled haloumi and a bruschetta selection. From time to time and according to the season, platters will include Chorizo Al Vino, whole warmed Camembert and also freshly sliced Jamon Ibérica Bellota
- No primary cooking will take place on within the premises.

Such a use falls between a drinking establishment (also a Sui Generis use) and retail (Class E), offering elements of both of these uses.

The indicative layout plan provided by the applicant shows the ground floor containing seating for up to 32 customers and well as display cabinets and a W/C to the rear. The property also benefits from a private forecourt to the front of the property which the Applicant indicates has the capacity for a further 8 seated customers. There is a further storage area and a W/C at basement level.

An Operational Management Plan (included in the background papers) setting out the operational details has been submitted in support of this application. The key points are as follows:

- Maximum seated capacity of the premises 40 customers (including 8 customers seated externally);
- The proposed opening hours are from 11:00 to 23:00 Monday to Saturday and from 11:00 to 22:30 on Sundays;
- Tables and chairs will be on the forecourt from 12:00 until 21:00 daily.
- Guests will enter the venue via the front door during operating hours. A member of staff will greet them.
- Ashtrays for cigarettes outside the front entrance of the venue if our guests want to smoke.
- Only background music will be played within the unit. There will be no live music.
- Signage within the unit will request that patrons are quiet when leaving the premises.

A Premises Licence has been granted by the Council for the proposed use – a copy is included in the background papers.

9. DETAILED CONSIDERATIONS

9.1 Land Use

Policy background

London Plan Policy SD4(E) provides general support for the proposed use in the CAZ, stating, 'The unique concentration and diversity of cultural, arts, entertainment, night-time economy and tourism functions should be promoted and enhanced'. Support for the evening and night-time economy within the WERLSPA can be found within City Plan

Policy 2(C) that set out as one of the priorities for the intensification of the WERLSPA is to deliver, 'A diverse evening and night-time economy and enhanced cultural offer', as well as within City Plan Policy 14(C)(ii) that states, 'The WERLSPA will provide a wide mix of commercial uses that support the West End's role as a retail, employment and cultural hub, and as a centre for the visitor, evening and night-time economy'.

London Plan Policy HC6(B) states that planning decisions should, 'Promote the night-time economy, where appropriate, particularly in the Central Activities Zone, strategic areas of night-time activity, and town centres where public transport such as the Night Tube and Night Buses are available', whilst at the same time, 'Address[ing] the cumulative impact of high concentrations of licensed premises on anti-social behaviour, noise pollution, health and wellbeing and other issues for residents and nearby uses, and seek ways to diversify and manage these areas'.

This balance of competing interests within the CAZ is underlined by City Plan Policy 1(A)(4) that states that Westminster will continue to grow, thrive and inspire at the heart of London as a World City by, 'Balancing the competing functions of the Central Activities Zone (CAZ) as a retail and leisure destination, visitor attraction, global office centre, and home to residential neighbourhoods. City Plan Policy 7 seeks to protect and where appropriate enhance local environmental quality, whilst City Plan Policy 33(A) outlines how, 'The council will make sure that quality of life and health and wellbeing of existing and future occupiers, and the natural environment are not adversely affected by harmful pollutants and other negative impacts on the local environment'.

City Plan Policy 16(A) states, 'Proposals for food and drink and entertainment uses will be of a type and size appropriate to their location. The over-concentration of those uses will be further prevented where this could harm residential amenity, the vitality and character of the local area or the diversity that defines the role and function of the town centre'.

Assessment

An objection has been submitted on behalf of the company who manages both the permanent and short term letting accommodation located within the second, third and fourth floors of Greengarden House (which the application site forms part of) and St Christopher's House (neighbouring property) on the basis that they consider that the use of the premises and forecourt as a wine bar is inappropriate. They consider that the proposal will increase amenity issues, and the cumulative impacts thereof, such as increased noise, litter, odour/smoke and vermin. They believe that the use of the shared entrance to their property will intensify due to the increased storage of goods and will exacerbate existing issues. They also consider that the hours of use proposed are inappropriate given that (in their opinion) they are beyond the opening hours of restaurants in the vicinity which operate from 08:00 to 22:00.

Given the proposed use would serve visiting members of the public, and there is no policy which specifically protects retail accommodation in this area, in broad land use policy terms the use is considered acceptable.

This area of Marylebone is commercial in character at street level; however, there is a large quantity of short-term lets and permanent residential accommodation in the vicinity of the site including the upper floors of the application site.

There are also other entertainment uses in the vicinity of the site including restaurants at Cote (6-8 St Christopher Place), Ristorante Olivelli (9 St Christopher Place) and Sofra (1 St Christopher Place).

The existing premises falls within Use Class E. As such, the unit could be used as a restaurant without the need for planning as this would no longer be considered development following the government's changes to the use class order.

Having regard to the small proportion of entertainment uses to other commercial units along this section of St Christopher Place and given the potential that the site could be used as a restaurant without any restrictive planning conditions, it is not considered that the proposal would lead to an overconcentration of entertainment uses nor would it be harmful to the character of the area.

During the daytime, this is a busy commercial area and there is therefore less potential that the use would have a detrimental impact on the living conditions of neighbouring residents nor local environmental quality than in other locations across the City. However, in order to quantify the potential noise breakout implications of the proposal, the Applicant has provided an acoustic report which predicts indicative maximum limits from the proposed use. They have also provided proposed separating details of the structure between the proposed unit and the first floor residential accommodation. Being mindful of the indicative noise levels anticipated, the assumption made to inform such noise levels and the proposed separating details, the Council's Environmental Health team has raised no objection to the proposed use, as they consider that the internal noise levels within the adjoining residential properties will meet the Council's standard noise conditions.

As set out in section 9.6 of this report, a condition has been recommended requiring details of waste storage, which is to be in place prior to the use being implemented. As such, it is not considered that it would be reasonable to refuse the application due to potential litter or vermin implications (especially given the limited provision of foodstuffs).

The existing forecourt and indeed the public highway beyond could be used for smoking purposes. It is not considered that it is reasonable to refuse the application due to the potential odour implications associated with people smoking, given the small number of customers.

The proposed opening hours are in line with those generally permissible in mixed commercial and residential areas. Whilst the objector is correct in saying that the entertainment uses at No.6-8 and No.9 St Christopher Place close at 22:00, licences and planning consents for tables and chairs outside both premises allow them to operate external seating areas until 23:00 daily. The entertainment use at 1 St Christopher Place and associated tables and chairs also operates until 23:00. Further, the use of the basement and ground floor unit at No. 22 St Christopher Place as either continued restaurant or as a public house was permitted in 2018 to operate with a capacity of up to 200 customers between 10:00 and 00:30 Mondays to Saturday and between 12:00 or after 00:00 on Sundays. This premises has a similar relationship to the residential properties on the upper floors as the application site. Although this permission was not implemented and the unit has subsequently been occupied for retail purposes, the pre-

existing restaurant license allowed it to operate to the permitted hours and there is no record of any noise complaints being received when it was as a restaurant . Given the above, the size of the proposed unit and the customer capacity, it is considered that the proposed hours are acceptable.

In light of the comment received regarding the shared entrance hall and deliveries/servicing to the new unit, the Applicant has produced their lease plan. The proposed tenant has no right of access over the ground entrance hall. There is a door off the back of the ground floor unit that the tenant will use to access the basement. Therefore, any existing issues with regard to the communal entrance will not be exacerbated as a result of the current proposal.

Having regard to the above, the use is considered to be acceptable as it would be neither harmful to residential amenities or the prevailing character and function of the area and the objection to the contrary cannot be supported subject to the following conditions:

- adherence to an Operational Management Plan;
- ensuring no music is played within the premises which is audible beyond the boundary of the site;
- preventing vertical drinking within the premises;
- restricting the hours of operation (i.e. from 11:00 to 23:00 Monday to Saturday and from 11:00 to 22:30 on Sundays with further restrictions ensuring that no tables and chairs will be outside with the exception of between 12:00 until 21:00 daily;
- limiting the capacity to 40 seated patrons at any one time;
- No primary cooking to take place within the premises;
- All servicing must take place between 07.00 and 19.00 daily;
- Access/egress to/from the basement must be achieved through the ground floor of the application premises only.

9.2 Environment & Sustainability

The application raises no significant environmental or sustainability issues.

9.3 Biodiversity & Greening

The application relates primarily to the use of the site with minimal works. There is no real scope for the incorporation of biodiversity features or greening.

9.4 Townscape, Design & Heritage Impact

No external alterations are proposed.

9.5 Residential Amenity

The local environmental impacts are detailed within Section 9.1 of this report.

9.6 Transportation, Accessibility & Servicing

The site is centrally located and well served by public transport including principal bus

routes and benefits from the highest public transport accessibility (PTAL) rating (6b). The impact upon the local highway network of the proposed drinking establishment with expanded food provision use compared to the previous retail use is not considered to be materially different.

Car Parking

No car parking is proposed, which is supported by City Plan Policy 27.

Cycle Parking

No cycle parking has been shown on the submitted drawings. Given the unit totals 91 sqm GIA (i.e. is less than 100 sqm), there is no requirement to provided cycle parking.

Servicing

The site does not benefit from direct access to the carriageway, goods are delivered to the site on trolleys from Wigmore Street or from the Barrett Street piazza outside hours of pedestrianisation. It is considered that arrivals and departures and servicing would be similar to the existing use and therefore no significant change will occur.

Waste

The project officer for waste has reviewed the proposal and considers that the proposed waste storage is in line with the Council's guidelines. A condition is recommended to ensure it is installed prior to the implementation of the proposed use.

9.7 Economy including Employment & Skills

The West End has been particularly hard hit by the pandemic and there is a need for businesses within the Central Activities Area to be supported to enable their post pandemic recovery. The proposed development will contribute to the recovery of the West End in accordance with Policies 1 and 13 in the City Plan 2019-2040 by bringing a vacant unit back into use and by creating 5 new jobs (4 full time employees and 1 part-time employee).

9.8 Other Considerations

None.

9.9 Environmental Impact Assessment

The proposed development is not of sufficient scale or impact to require an Environmental Impact Assessment.

9.10 Planning Obligations & Pre-Commencement Conditions

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

10. Conclusion

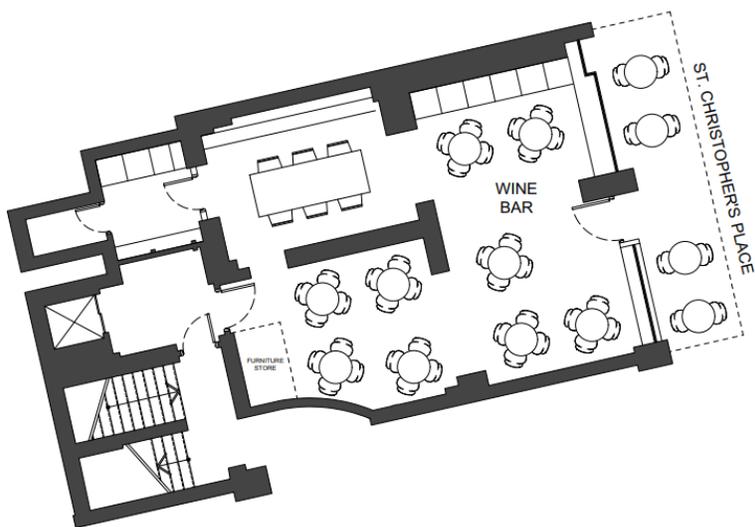
Subject to appropriate conditions the proposal accords with development plan policies, specifically London Plan Policies SD4, HC6 and T5, Policies 1, 7, 13, 16, 27 and 33 of Westminster's City Plan. The application is therefore recommended for conditional approval.

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

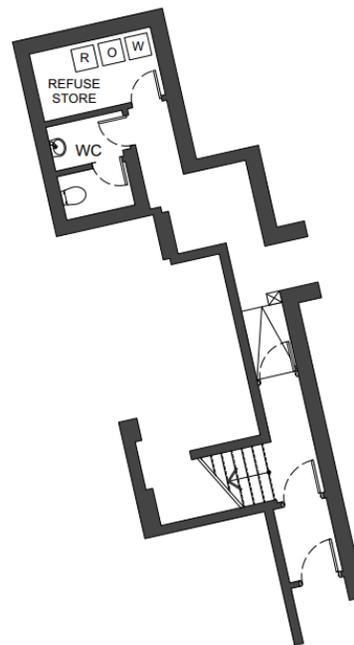
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: PAUL QUAYLE BY EMAIL AT PQUAYLE@WESTMINSTER.GOV.UK.

11. KEY DRAWINGS

Proposed Plans



01 18-19 St Christopher's Place - Proposed Ground Floor Plan
Scale 1:100@A3



02 18-19 St Christopher's Place - Proposed Basement Plan
Scale 1:100@A3

DRAFT DECISION LETTER

Address: 18 - 19 St Christopher's Place, London, W1U 1NN,

Proposal: Use of the ground (including forecourt) and basement as a mixed-use wine shop/wine bar (sui generis)

Plan Nos: (GA)01 Rev PL2

Drawing provided by Rolfe Judd on 30 January 2023 titled '18/19 St Christophers Place' on Page 3 of Technical Memorandum ref: HT: 30499/PTM1

Operational Management Plan (received 20 April 2023)

Case Officer: Damian Lavelle

Direct Tel. No. 07779431364

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 i) You must not allow more than 32 seated customers into the basement and ground floor wine shop/wine bar use hereby approved at any one time.

ii) You must not allow more than 8 seated customers at any one time within the forecourt to the front of the basement and ground floor wine shop/wine bar premises hereby approved.

Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out Policies 7, 16 and 33 of the City Plan 2019 - 2040 (April 2021). (R05GC)

- 3 Customers shall not be permitted within the wine bar/wine shop premises before 11:00 or after 23:00 Monday to Saturday and before 11:00 or after 22:30 on Sundays.

Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out Policies 7, 16 and 33 of the City Plan 2019 - 2040 (April 2021). (R05GC)

- 4 (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 wine shop/wine bar 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 in writing 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 wine shop/wine bar 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 in writing 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 written 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. (C47AC)

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels and as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and 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.

(R47AC)

- 5 The design and structure of the building 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. Inside bedrooms 45 dB L

Amax is not to be exceeded more than 15 times per night-time from sources other than emergency sirens. (C49BB)

Reason:

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, as set out Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022). (R49BB)

- 6 The measures set out within the Operational Management Plan (received 20 April 2023) shall be adhered to at all times.

Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out Policies 7, 16 and 33 of the City Plan 2019 - 2040 (April 2021). (R05GC)

- 7 No vertical drinking shall take within the premises and service for customers wishing to consume products on site must be limited to waiter service only.

Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out Policies 7, 16 and 33 of the City Plan 2019 - 2040 (April 2021). (R05GC)

- 8 No primary cooking shall be carried out within the premises.

Reason:

To protect the environment of people in neighbouring properties as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R14AD)

- 9 All windows must be closed from 21.00 each day, unless for emergency or maintenance.

Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out Policies 7, 16 and 33 of the City Plan 2019 - 2040 (April 2021). (R05GC)

- 10 You can only put tables, chairs and any other furniture on the forecourt for use by customers between 12.00 and 21:00 daily. Outside these times all furniture must be removed from the forecourt and stored within the premises.

Reason:

To protect neighbouring residents from noise and disturbance as set out Policies 7, 33 and 43 of the City Plan 2019 - 2040 (April 2021). (R25BE)

- 11 All servicing must take place between 07.00 and 19.00 daily. Servicing includes loading and unloading goods from vehicles and the collection of waste and recyclable materials.

Reason:

To protect the environment of people in neighbouring properties as set out in Policies 7, 16 and 33 of the City Plan 2019 - 2040 (April 2021).

- 12 Before anyone moves into the property, you must provide the separate stores for waste and materials for recycling shown on drawing number (GA)01 Rev PL2 prior to occupation and thereafter you must permanently retain them for the storage of waste and recycling. You must clearly mark them and make them available at all times to everyone using the premises. (C14FC)

Reason:

To protect the environment and provide suitable storage for waste and materials for recycling as set out in Policies 7 and 37 of the City Plan 2019 - 2040 (April 2021). (R14CD)

- 13 Other than in an emergency, access and egress to/from the basement must be achieved through the ground floor of the application premises only.

Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out Policies 7, 16 and 33 of the City Plan 2019 - 2040 (April 2021). (R05GC)

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 the City Plan 2019 - 2040 (April 2021), neighbourhood plan (where relevant), supplementary planning documents, the London Plan (March 2021), 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 ensure that the environment within a workplace meets the minimum standard set out in the Workplace (Health, Safety and Welfare) Regulations 1992 with respect to lighting, heating and ventilation. Detailed information about these regulations can be found at www.hse.gov.uk/pubns/indg244.pdf. (I80DB)
- 3 Regulation 12 of the Workplace (Health, Safety and Welfare) Regulations 1992 requires that every floor in a workplace shall be constructed in such a way which makes it suitable for use. Floors which are likely to get wet or to be subject to spillages must be of a type which does not become unduly slippery. A slip-resistant coating must be applied where necessary. You must

also ensure that floors have effective means of drainage where necessary. The flooring must be fitted correctly and properly maintained.

Regulation 6 (4)(a) Schedule 1(d) states that a place of work should possess suitable and sufficient means for preventing a fall. You must therefore ensure the following:

- * Stairs are constructed to help prevent a fall on the staircase; you must consider stair rises and treads as well as any landings;
- * Stairs have appropriately highlighted grip nosing so as to differentiate each step and provide sufficient grip to help prevent a fall on the staircase;
- * Any changes of level, such as a step between floors, which are not obvious, are marked to make them conspicuous. The markings must be fitted correctly and properly maintained;
- * Any staircases are constructed so that they are wide enough in order to provide sufficient handrails, and that these are installed correctly and properly maintained. Additional handrails should be provided down the centre of particularly wide staircases where necessary;
- * Stairs are suitably and sufficiently lit, and lit in such a way that shadows are not cast over the main part of the treads.

- 4 Buildings must be provided with appropriate welfare facilities for staff who work in them and for visiting members of the public.

Detailed advice on the provision of sanitary conveniences, washing facilities and the provision of drinking water can be found in guidance attached to the Workplace (Health, Safety and Welfare) Regulations 1992. www.opsi.gov.uk/SI/si1992/Uksi_19923004_en_1.htm

The following are available from the British Standards Institute - see shop.bsigroup.com/:

BS 6465-1:2009: Sanitary installations. Code of practice for the design of sanitary facilities and scales of provision of sanitary and associated appliances

BS 6465-3:2009: Sanitary installations. Code of practice for the selection, installation and maintenance of sanitary and associated appliances. (I80HA)