

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 12 April 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved West End	
Subject of Report	59 Greek Street, London, W1D 3DZ,		
Proposal	Use of part basement and part ground floor as two retail units (Class A1) and part basement and part ground and upper floors as residential (Class C3) to create up to 10 residential units, external alterations including infill of front lightwells and installation of pavement lights, removal of railings and new shop fronts.		
Agent	Jon Dingle Ltd		
On behalf of	Soho Housing Association		
Registered Number	16/00096/FULL	Date amended/ completed	6 January 2016
Date Application Received	6 January 2016		
Historic Building Grade	Unlisted		
Conservation Area	Soho		

1. RECOMMENDATION

Refuse permission – loss of specialist housing.

2. SUMMARY

The property (comprising basement, ground and four upper floors) has a long-standing history as a hostel ('a sui generis' use), most recently used by Centrepoint to provide accommodation for homeless young people (26 bed-spaces). However, due to lack of funding they had to vacate the building in July 2014 and alternative accommodation was provided for the occupants in other nearby hostels. The freeholder, the Soho Housing Association (SHA), now wishes to convert the upper floors to 10 residential units and create two small Class A1 retail units on most of the basement and ground floor.

Council policy H 6 (C) of the Unitary Development Plan adopted January 2007 states:

"Planning permission will only be granted for the change of use of hostels to housing. The existing hostel must be surplus to the requirements of the existing operator and there must be no demand from another organisation for a hostel in that location."

The more recent adopted policy S15 of 'Westminster's City Plan: Strategic Policies' Adopted November 2013 states:

“Hostels... will be protected... All specialist housing floorspace and units will be protected to meet those specific needs except where the accommodation is needed to meet different residential needs as part of a published strategy by a local service provider. Where this exception applies, changes of use will only be to residential care or nursing homes, hostel, Houses in Multiple Occupation or dwelling houses use.”

The reasoned justification to Policy S15 notes that whilst it is important to safeguard specialist housing, this type of accommodation can become obsolete because of its layout, or changes in the delivery of local services or the client group it was intended to serve. Therefore, flexibility is required in order to deliver the published strategies of local service providers.

The applicant considers the hostel to be outdated and that considerable investment would be required to bring the building up to contemporary standards expected for modern hostel accommodation. Their costing exercise indicates that refurbishment as a hostel would cost about £725,000 (though this has not been assessed by the Council). The applicant also argues that insofar as Centrepoint had no funding, the premises are effectively surplus to their requirements, especially given the outdated nature of the accommodation. Furthermore the hostel use has been identified as being surplus to the requirements of the City Council, in terms of their role in providing accommodation for homeless people within Westminster, and they would be happy for it to be converted to intermediate rented accommodation (a situation previously confirmed by the Council's Housing department).

The planning policy presumption is that the building is retained for specialist housing purposes. Officers consider that it would not be necessary in this case for the applicant to undertake a marketing exercise to demonstrate that there is no demand for continued hostel use. However, there is a policy presumption that any proposed residential scheme should provide an alternative type of specialist housing. This could include conversion to affordable housing (such as intermediate rented housing), which would be secured in perpetuity by a S106 legal agreement.

The applicant is an acknowledged 'local service provider' and their published strategy sets out their aim to provide affordable housing to support local communities without financial support from local or central government in order to maintain their independence and financial sustainability. Their new developments include a mix of types of residential units as well as commercial spaces, with one use subsidising / funding another.

The applicant has offered to make the 9 No. 1-bedroom units available as affordable housing in the form of affordable rent at approximately 50% of the market rate, but only for a limited period of 30 years from the date of first occupation. This would be delivered without grant funding, with the subsidy being generated from the rent of the retail units and the 3-bedroom market unit on the fourth floor.

The nine units are offered as affordable housing for a 30-year period in order to allow SHA to value the building as market housing and therefore support their balance sheet, financial standing and ability to raise finance. They would seek to raise finance in future in order to acquire more property and deliver more affordable housing. They state that they have no intention other than to provide the units on an affordable basis in perpetuity, but they require the long term flexibility for these reasons. This is not a case based upon viability in terms of the delivery of the scheme, rather the long term financial stability of SHA.

The affordable units will be let at discounted rents to local residents who have been identified by SHA as being in housing need. This is entirely in accordance with the published strategy of this particular local service provider and therefore meets the planning policy test. However, in the long run there is no

guarantee that the accommodation would remain affordable after 30 years. Nor is there any guarantee that income generated by the proposals would provide alternative affordable housing investment within Westminster. These concerns are shared by the Council's Head of Affordable Housing and Private Sector Housing.

Furthermore, it is considered that the 3-bedroom unit should also be offered as affordable accommodation.

Therefore whilst sympathetic to the applicant's aims, the long term loss of all specialist housing from the site is contrary to the adopted policy and the application is recommended for refusal on these grounds.

The basement and ground floors have previously been used as communal accommodation for the hostel (rather than bed-spaces). Whilst the policy presumption is to also retain these floors as part of the specialist housing floorspace, it is considered that in this busy location, conversion of these floors to fully habitable living accommodation would not be ideal. This would also help generate income for this local service provider. The creation of two small retail units would be in accordance with policies encouraging new retail accommodation (UDP policy SS 4 and City Plan policies S6 and S7) and would help enliven the street frontage.

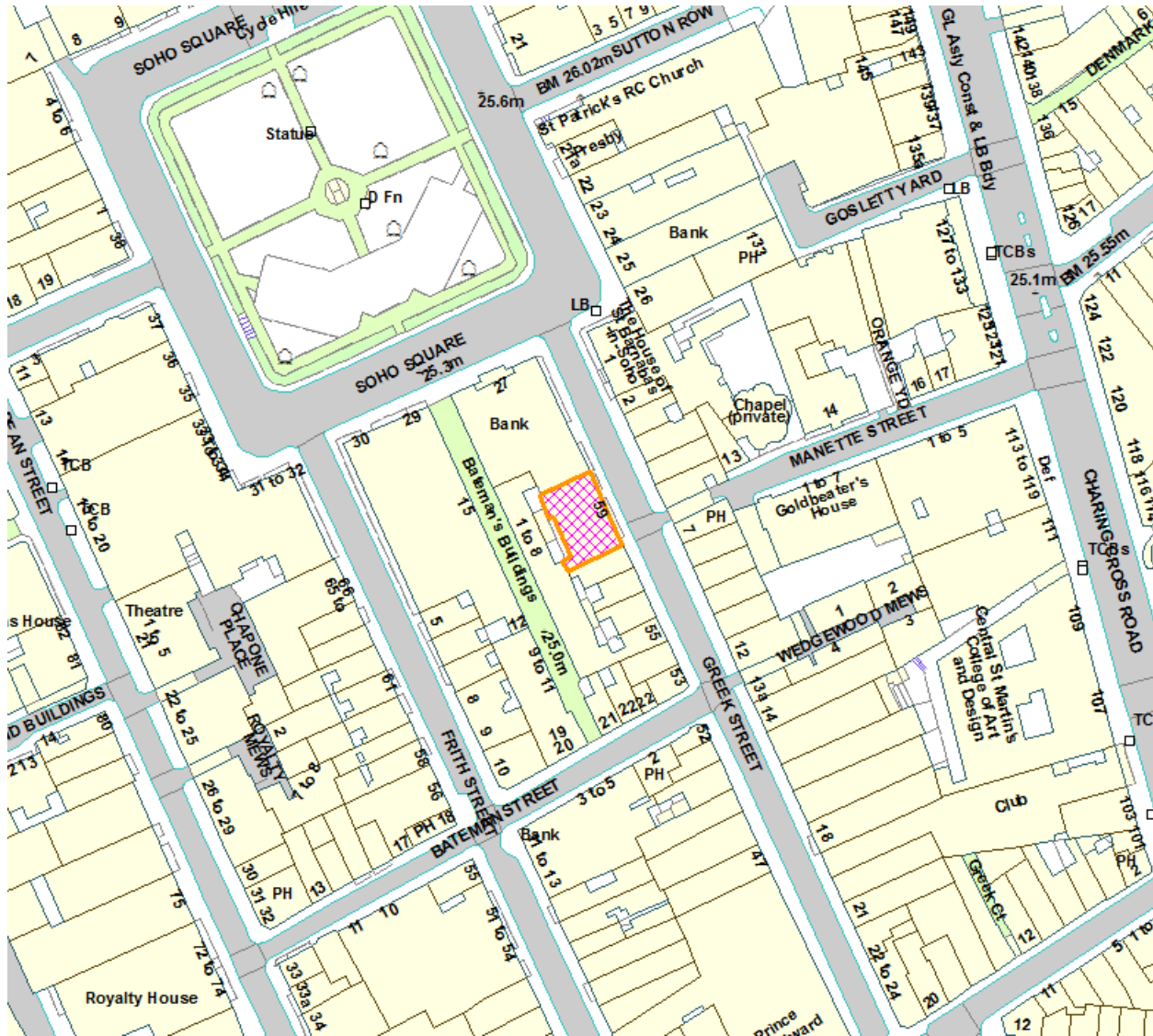
Policy H 5 of the UDP seeks to ensure an appropriate mix of unit sizes and a range of 1-, 2- and 3-bedroom units would be preferred. The mix of units proposed has been devised to ensure that the maximum number can be provided by SHA as affordably as possible to local residents. Given its small size and restrictions of converting the existing floorplates, the mix is considered to be acceptable in this instance, and the 3-bedroom unit is welcomed. City Plan policy S14 also seeks to optimise the number of residential units. Six of the proposed units are 35 sqm in size (the three other 1-bedroom units are 50/51 sqm and the 3-bedroom unit is 124 sqm). The minimum size prescribed by national housing standards/The London Plan is 37 sqm for a one person 1-bedroom unit – although six of the units are just below this, the standard of accommodation is considered to be acceptable.

The proposed alterations for the new shopfronts are acceptable and in keeping with the building's designation as an unlisted building of merit in the Soho Conservation Area Audit. There is no design objection to infilling the pavement lightwell in this instance.

Site constraints prevent the provision of on-site car parking but this is considered to be acceptable in this highly accessible location. 11 cycle storage spaces are provided at basement level for the flats, which is welcomed.

The one objection from the adjoining commercial occupier is mainly concerned with disruption during building works, which does not represent a sustainable reason for refusing permission. Although they also object to a door in the completed development causing noise nuisance from slamming, the risk of this is minimal.

3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

SOHO SOCIETY

No objection

CROSS LONDON RAIL LINKS LTD

Do not wish to comment.

HEAD OF AFFORDABLE HOUSING AND PRIVATE SECTOR HOUSING

Although he welcomes the proposed conversion to self-contained residential accommodation, of which nine of the units would be offered as intermediate rented affordable housing, he is concerned that this is only for a limited period and that the affordable housing should be offered in perpetuity;

He also notes that no financial viability evidence has been submitted in support of the period of affordable housing provision, nor any evidence that income generated from the proposal would subsequently be used to provide affordable housing elsewhere in Westminster.

ENVIRONMENTAL HEALTH

Initial holding objection about unacceptable layout (in terms of fire safety) and acceptable internal noise levels subsequently overcome by additional information, subject to the imposition of relevant conditions.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 31

Total No. of replies: 1 – one objection from the adjacent restaurant on grounds of potential disruption during building works, including noise, debris and dust, obstruction to access and impact on their prospective application for outdoor tables and chairs; also concerned about potential noise from slamming of a secondary door to one of the retail units.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND PAPERS

1. Application form
2. Response from Soho Society, dated 2 February 2016
3. Email from Crossrail Limited dated 20 January 2016
4. Memorandum dated 8 March 2016 and emails dated 16 and 23 March 2016 from the Council's Head of Affordable Housing and Private Sector Housing
5. Memoranda from Environmental Health Consultation Team dated 2 February and 30 March 2016
6. Letter from occupier of 58 Greek Street, dated 10 February 2016

(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 PAUL QUAYLE ON 020 7641 2547 OR BY EMAIL AT mhollington2@westminster.gov.uk

7. KEY DRAWINGS



DRAFT DECISION LETTER

Address: 59 Greek Street, London, W1D 3DZ,

Proposal: Use of part basement and part ground floor as two retail units (Class A1) and part basement and part ground and upper floors as residential (Class C3) to create up to 10 residential units, external alterations including infill of front lightwells and installation of pavement lights, removal of railings and new shop fronts.

Reference: 16/00096/FULL

Plan Nos: 449 GA 101; 449 GA 102; 449 GA 103; 449 GA 104; 449 GA 105; 449 GA 106; 449 GA 107; 449 GA 201; 449 GA 202; 449 GA 203; 449 GA 204; 449 GA 205; 449 GA 206.

Case Officer: Paul Quayle

Direct Tel. No. 020 7641 2547

Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:

Reason:

- 1 Your development would lead to the long term loss of specialist/affordable housing which would not meet policy H 6 (C) of the Unitary Development Plan adopted January 2007 and S15 of Westminster's City Plan: Strategic Policies adopted November 2013. We do not consider that the circumstances of your case justify an exception to our policy.

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 so far as practicable. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan: Strategic Policies adopted November 2013, 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 the applicant has been given every opportunity to submit an application which is likely to be considered favourably. In particular, guidance was offered to the applicant at the pre-application stage by letter dated 11 December 2014 advising what amendments would be required to address those elements of the scheme considered unacceptable. You are therefore encouraged to consider submission of a fresh application incorporating the material amendments set out below which are necessary to make the scheme acceptable.

Required amendments: all of the proposed residential accommodation offered as intermediate rented affordable housing (in accordance with the Council's relevant housing guidelines), to be secured in perpetuity by S106 legal agreement.