

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 13 September 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved West End	
Subject of Report	Vogue House, 1-2 Hanover Square, London, W1S 1JX,		
Proposal	Change of use of part ground and basement to office accommodation (Class B1) and relocation and expansion of the retail (Class A1) from St George Street to the corner of Hanover Square and St George Street and external alterations to facade.		
Agent	DP9		
On behalf of	CONDE NAST		
Registered Number	15/10420/FULL	Date amended/ completed	29 October 2015
Date Application Received	29 October 2015		
Historic Building Grade	Unlisted		
Conservation Area	Mayfair		

1. RECOMMENDATION

Refuse planning permission – loss of Class A2 floor space.

2. SUMMARY

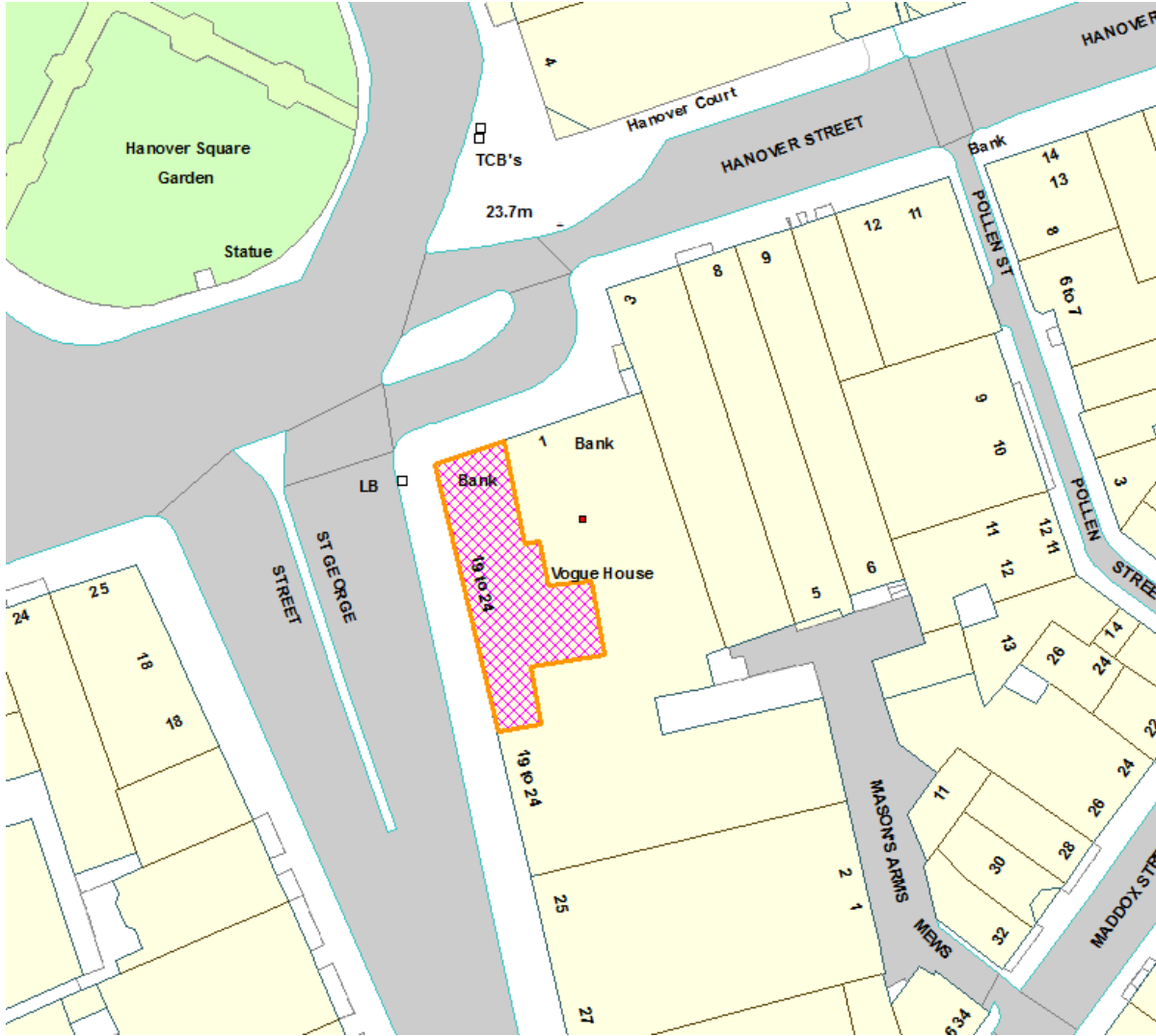
1-2 Hanover Square is an unlisted building in the Mayfair Conservation Area, located on the southern side of Hanover Square with a frontage to St. George Street to the west. The building is currently used primarily as office accommodation but there are two retail (Class A1) units at ground floor level and a bank (Class A2) at part basement and ground floor levels.

This application seeks permission for the change of use of the existing basement and ground floor bank floor space to office accommodation for use in association with the offices in the remainder of the property. The retail unit, which is currently on St. George Street is to be relocated north so it has frontages to Hanover Square and St. George Street.

The key issue for consideration in this case is the loss of Class A2 floor space.

Policies SS5 of the Unitary Development Plan (UDP) and S21 of the City Plan seek to protect non-A1 retail uses from changing to uses which do not serve visiting members of the public. No justification has been provided which might warrant a deviation from the policy requirement to protect this use. The application is therefore contrary to adopted UDP and City Plan Policies and accordingly is recommended for refusal.

3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

RESIDENTS SOCIETY OF MAYFAIR & ST. JAMES'S
No objection.

CROSSRAIL
Requests that an informative is attached to any permission.

CLEANSING
No objection subject to conditions.

HIGHWAYS PLANNING MANAGER
No objection subject to conditions.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 72
Total No. of replies: 0

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

Vogue House is an unlisted building located within the Mayfair Conservation Area and the Central Activities Zone. The property comprises of basement, ground and first to sixth floor levels. The upper floors of the building are used entirely as office accommodation (Class B1) and occupied by the publisher Conde Nast. At ground floor level there are two retail units (Class A1) and a bank (Class A2) as well as further office accommodation, whilst the basement is used partially as office accommodation and partially in association with the bank. One of the retail units at ground floor level fronting St George Street is used to sell magazines published by Conde Nast.

6.2 Recent Relevant History

A planning application was withdrawn on the 27th February 2015 for the; 'change of use from A2 (financial & professional services) to B1 (offices)' The application was withdrawn before determination following concerns being raised in relation to the loss of the shop-type use and compliance with the City Councils mixed use policies.

Planning permission was granted on the 20th September 2010 for the 'use of the ground floor as retail (Class A1) and associated alterations to the ground floor facade.'

7. THE PROPOSAL

Permission is sought for the change of use of the existing retail unit fronting St. George Street at ground floor and the HSBC bank premises at ground and basement floors into office accommodation, to be used in association with the offices in the remainder of the building. The existing ground floor retail unit is proposed to be relocated and expanded to the northern end of the site so it has frontages to both Hanover Square and St. George

Street. Associated external alterations are also proposed to the ground floor elevations on Hanover Square and St. George Street.

Floor space Schedule:-

Use	Existing	Proposed	+/- difference
Office	7,419m ²	7,869m ²	+450m ²
Retail	23m ²	47m ²	+24m ²
Bank	474m ²	0m ²	-474m ²

8. DETAILED CONSIDERATIONS

8.1 Land Use

Retail Accommodation

There is an existing retail unit measuring 23m² fronting St. George Street which sells Conde Nast magazine publications, this unit was granted planning permission on the 20th September 2010. Permission is sought for the relocation of the unit to the northern part of the site so that it has elevations to both St. George Street and Hanover Square. The proposed retail unit would measure 47m², which equates to an uplift in retail floor space of 24m².

Policy S6 of the City Plan states, with regard to the Core CAZ states that, '*retail use is encouraged throughout the area*'. The UDP is also supportive of retail floor space increases within the Core CAZ. Therefore the increase in retail accommodation and the relocation of the retail unit to a more prominent position within the site is welcomed and the application is considered acceptable in this regard.

Loss of bank (Class A2)

It is proposed to convert most of the current bank floor space to office accommodation which results in the overall loss of 450m² of Class A2 accommodation at ground and basement levels.

This part of the building has been vacant since September 2014 when HSBC vacated the premises. The applicant has commented on the fact they will be bringing a vacant premises back into productive use, however, no marketing information has been submitted to demonstrate that the premises has been marketed to other potential A2 occupiers. Indeed, this application is the second to be submitted for the re-configuration and change of use of the bank premises for use by Conde Nast with the first having been withdrawn in February 2015 and Conde Nast appear to be the long term leaseholders of the site and it is not clear whether any marketing for A2 use has been carried out. It is therefore not considered sufficient evidence has been submitted for the City Council to justify the loss of the A2 floor space due to the period of vacancy of the unit.

In the supporting text for Policy SS5 of the Unitary Development Plan which seeks to maintain an appropriate balance of town centre uses in the CAZ and CAZ frontages, paragraph 7.52 states that the, '*loss of A1, A2, A3, or sui-generis uses to uses which do not serve visiting members of the public, such as B1 office will not normally be permitted at*

ground floor or basement levels. Further paragraph 7.65 states that the *'loss of shops and service uses, to uses which do not serve visiting members of the public, e.g. B1 office, is considered to weaken the vitality of CAZ, threaten the viability of shops nearby, and to generally detract from the attractiveness of the CAZ.'*

Policy S21 of the City Plan states that *'existing non-A1 retail uses, and uses occupying shop-type premises within designated shopping centres will be protected from changing to uses that do not serve visiting members of the public and that do not have active shop fronts.'* The applicant contends that this policy is not applicable in this instance as they argue that the unit is not located within a 'designated shopping centre'. However, the applicant has misinterpreted the policy, the policy seeks to protect both existing non-A1 retail uses (as is the case with the current unit), and uses occupying shop-type premises within designated shopping centres. The policy does not require that existing non-A1 retail uses have to be located within a designated shopping centre to be protected.

In support of their application, the applicant also argues that their proposed office frontages would have an 'active frontage', with displays in the windows associated with the Conde Nast brand and magazine provision. An active frontage is described in the City Plan as *'a ground floor frontage which generates passing trade and provides a 'shop-type' window display with interest at street level'*. The applicant contends that the window displays will generate interest and increase trade to their relocated retail unit selling magazines. Whilst these vinyls in the window and displayed magazines may help to enliven the frontage, they would not generate 'passing trade for the unit itself (being office accommodation). The applicant claims these 'displays' in the office windows will help to generate trade and drive footfall to the relocated retail unit. Whilst this is noted, clearly window displays of this nature serving office accommodation cannot be accurately described as an active frontage.

The Highways Planning Manager has commented on the potential for the installation of moving images in the windows which could cause a distraction for drivers. All but one of the windows show the installation of 'contra vision' vinyl coloured images and displayed magazines. One of the windows involves a moving LED digital display. These installations would not require the benefit of planning permission and would benefit from deemed consent under the Advertisement Regulations (subject to the Council's powers of discontinuance action).

The loss of the large amount of floor space (450m²) serving visiting members of the public is contrary to the requirements of Policy SS5 of the UDP and S21 of the City Plan. Whilst the increase in the retail accommodation and its relocation to a more prominent location within the building is welcomed, it does not compensate for these losses and the proposal is therefore recommended for refusal on this basis.

Increase in office (Class B1)

The uplift in office accommodation amounts to 450m²

The site is located within the Core Central Activities Zone, where new offices are directed by City Plan Policy S18 and UDP Policy COM1. Therefore, an increase in office floorspace is acceptable in principle.

The application was submitted with a full viability assessment to assess the ability of the developer to afford the previously required affordable housing payment (£1,101,000) to off-set the provision of the required residential floor space on-site or off-site in the vicinity. Whilst the City Council sought to have this viability assessment independently reviewed the City Councils policies have since changed following adoption of the new City Plan in July 2016. Reviewing the floor space figures in relation to the amended policy context, as the proposed uplift in floor space is only 6% this falls below the 30% threshold within Policy S1 of the adopted City Plan and therefore the scheme does not result in a requirement to provide any residential floor space under the new mixed use policies.

8.2 Townscape and Design

Minor alterations to the existing ground floor windows are proposed. An existing door onto St Georges Street is also replaced with a window. These minor alterations are acceptable in design terms.

8.3 Residential Amenity

The proposal is unlikely to result in any adverse implications for the amenity of nearby residential occupiers.

8.4 Transportation/Parking

It is not considered that the proposal would result in any significant change in relation to the number of people visiting the premises and as the site is within a Controlled Parking Zone and anyone driving to the site would be subject to the on-street parking restrictions. It is also not considered the change of use would result in any increase in servicing requirements for the site and no significant changes to the use of the highway are likely to result from the proposal.

Whilst cycle parking has been shown within the basement for use in association with the office accommodation limited information has been provide on the capacity and layout. The Highways Planning manager requested if the application was recommended for approval that a condition be attached requiring the submission of further details to show adequate cycle parking in this area to be secured.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size.

8.6 Access

Level access is current provided to the bank and this will be retained for the new retail unit. There is also currently level access to the office accommodation and this will provided access to the new office accommodation.

8.7 Other UDP/Westminster Policy Considerations

The Cleansing Manager requested a condition requiring the submission of amended drawings to show the provision of waste and recycling storage facilities within the demise

of the premises. If the application had been recommended for approval this condition would have been proposed.

8.8 London Plan

This application raises no strategic issues.

8.9 National Policy/Guidance Considerations

The City Plan and UDP policies referred to in the consideration of this application are considered to be consistent with the NPPF unless stated otherwise.

8.10 Planning Obligations

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

8.11 Environmental Impact Assessment

An Environmental Impact Assessment is not required for a scheme of this size.

9. BACKGROUND PAPERS

1. Application form.
2. Response from the Crossrail Safeguarding Team dated 13 November 2015.
3. Response from Residents Society of Mayfair & St. James's, dated 7 December 2015.
4. Response from Cleansing - Development Planning, dated 26 November 2015.
5. Response from the Highways Planning Manager, dated 5 January 2016.

Selected relevant drawings

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

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: JO PALMER BY EMAIL AT jpalme@westminster.gov.uk

DRAFT DECISION LETTER

Address: Vogue House, 1-2 Hanover Square, London, W1S 1JX,

Proposal: Change of use of part ground and basement to office accommodation (Class B1) and relocation and expansion of the retail (Class A1) from St George Street to the corner of Hanover Square and St George Street and external alterations to facade.

Reference: 15/10420/FULL

Plan Nos: Drawings: 1411 0 ELE 00 RevB, 1411 0 GA 01 RevC, 1411 00 ELE 01 RevC.

Case Officer: Matthew Giles

Direct Tel. No. 020 7641 5942

Recommended Condition(s) and Reason(s):

Reason:

- 1 Your plans would lead to the loss of a substantial amount of Class A2 floor space which would harm the character and function of this part of the Central Activities Zone. This would not meet the requirements of Policies S21 of Westminster's City Plan adopted July 2016 and SS5 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 so far as practicable. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (July 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service. However, we have been unable to seek solutions to problems as the principle of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.