

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 20 September 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Bryanston And Dorset Square	
Subject of Report	7 Homer Street, London, W1H 4NU,		
Proposal	Use of basement and part ground floor as residential (Class C3) to provide additional floorspace to an existing maisonette and external alterations including the creation of a front light well.		
Agent	G1 Architecture		
On behalf of	Mr Ariel Zeckler		
Registered Number	15/10488/FULL	Date amended/ completed	25 February 2016
Date Application Received	11 November 2015		
Historic Building Grade	Unlisted		
Conservation Area	Portman Estate		

1. RECOMMENDATION

Refuse Permission – Loss of a Public House

2. SUMMARY

The application premises comprises basement ground and three upper floors situated on the southern side of Homer Street, which runs between Old Marylebone Road and Crawford Street. The site is in Marylebone located within the Portman Estate Conservation Area. The basement and ground floors are vacant, formerly in use as the Beehive Public House, the upper floors are in use as a single residential maisonette.

Permission is sought for alterations to create a front lightwell in connection with conversion of the basement and ground floors to residential, to provide additional floorspace to an existing residential dwelling.

The key issues for consideration are :

*The acceptability of the proposal in land use terms and the impact of the loss of the Public House on the character and function of the area;

*The impact of the alterations to the appearance of the building in design terms.

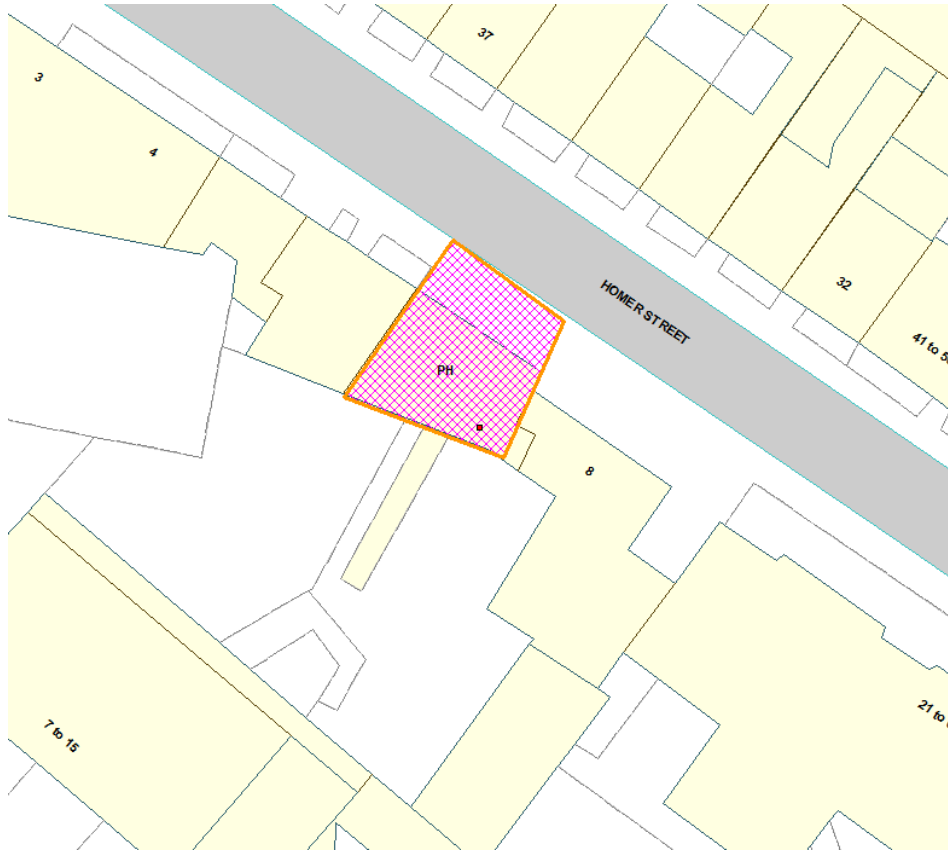
The public house has been vacant since June 2015, prior to which it was occupied by an independent publican. The applicant advises that despite a significant investment of over £2m the public house operated at a loss and its continued use is not viable. A letter has been submitted from property consultants advising that they act on behalf of the current owners and have received no interest from parties wishing to continue the Public House use.

There has been a limited response to consultations with only one objection to that the loss of the public house would be detrimental to the character of the area. Traditional public houses are generally considered to add to the character and function of a locality as they provide a recognised service use. As such their loss will only be considered acceptable in they have been vacant and marketed for use as a public house use for at least 18 months without success.

Although in this instance the applicant and property consultant advance the argument that continued use as a public house is not viable, no marketing information that supports this case has been provided. There are a number of neighbourhood public houses in the vicinity of the site which are operating successfully. In the absence of any marketing information which supports the applicants' argument and successfully demonstrates that continued use of the public house is not viable it is considered premature to allow the loss of the public house which would provide a service to the locality. The application is therefore considered unacceptable in principle contrary to policies SS8 of the UDP and policies S21 and S13 of the City Plan.

With regards to the second main issue; namely the impact that the provision of a front lightwell would have in design terms, lightwells are a characteristic of the street. The principle of the works is therefore considered acceptable. Had the application been considered acceptable in land use terms details of the lightwell would have been secure via a condition. The proposal is however contrary to adopted policies in the adopted UDP and City Plan which seek to ensure that service uses are retained outside the Core CAZ to ensure the residential character is maintained, accordingly the application is recommended for refusal.

3. LOCATION PLAN



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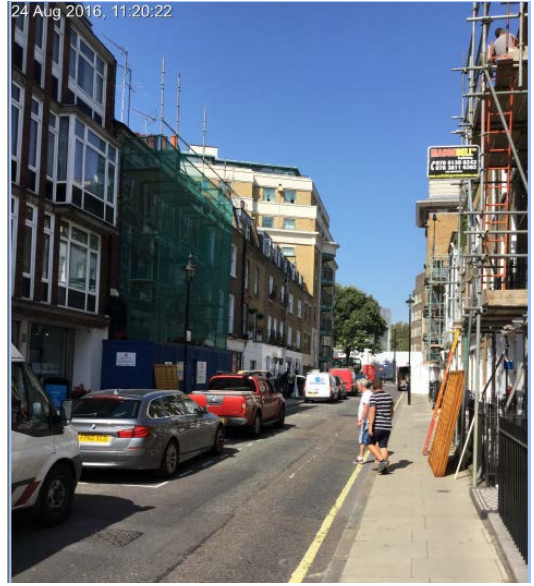
4. PHOTOGRAPHS



Front elevation



Homer Street looking east



Homer Street looking west

5. CONSULTATIONS

WARD COUNCILLORS FOR BRYANSTON AND DORSET SQUARE

Any response to be reported verbally.

MARYLEBONE ASSOCIATION

No objection

EH CONSULTATION

No objection

HIGHWAYS PLANNING - DEVELOPMENT PLANNING

No objection

CLEANSING - DEVELOPMENT PLANNING

No objection

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 21 Total No. of replies: 1

1 objection received on the grounds that the loss of the Public House would be harmful to the character of Marylebone

PRESS ADVERTISEMENT / SITE NOTICE:

Yes

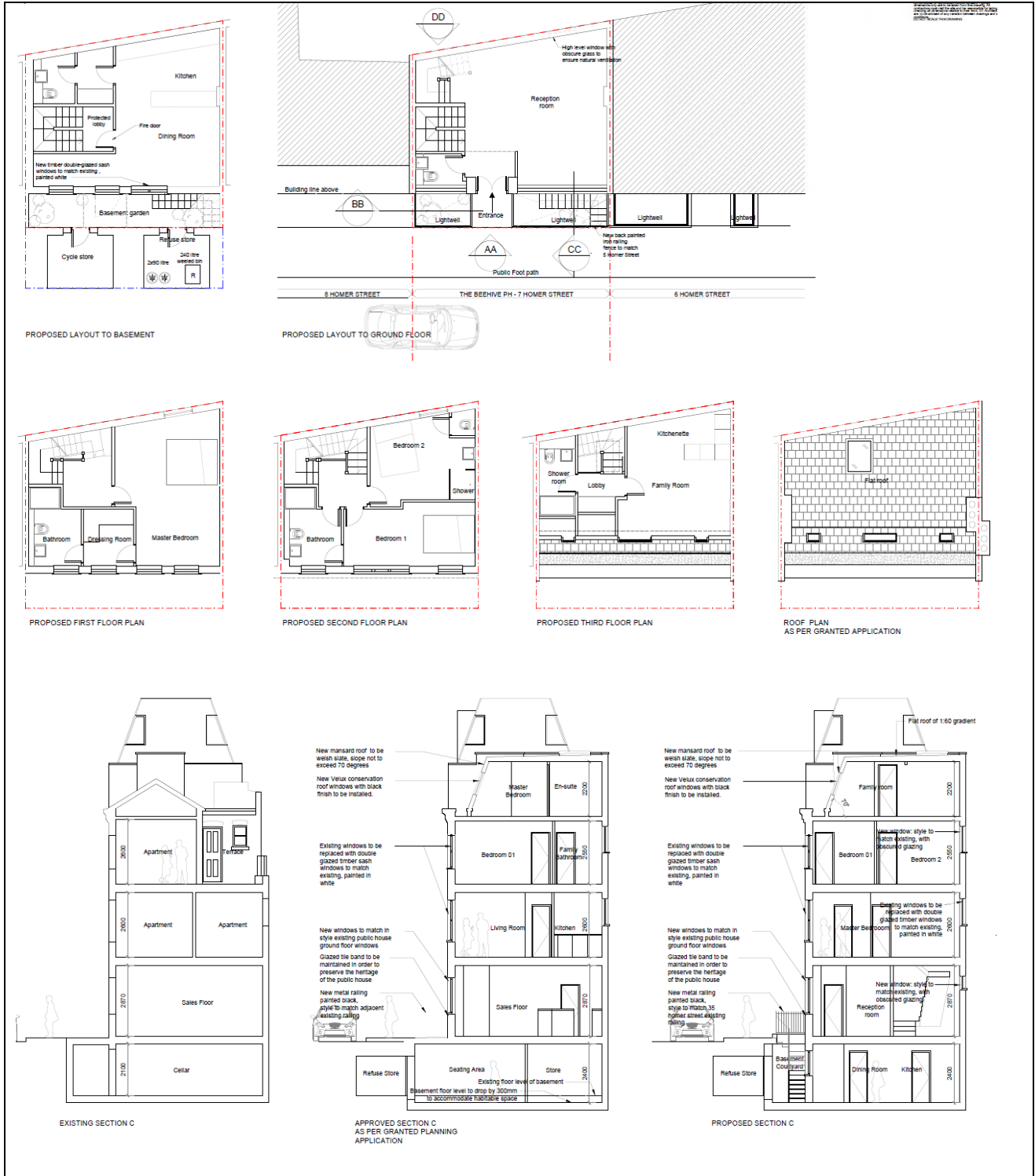
1. Application form and email dated 21 July 2016
2. Memorandum from Environmental Health Consultation, dated 30 June 2016
3. Memorandum from Environmental Health Consultation, dated 21 March 2016
4. Memorandum from Cleansing Consultation, dated 11 March 2016
5. Memorandum from Highways Consultation, dated 14 March 2016
6. Letter from occupier of 9 The Old Aeroworks, 17 Hatton St, dated 19 June 2016
7. Letter from Drake and Company dated 19 July 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: MIKE WALTON BY EMAIL AT MWALTON@WESTMINSTER.GOV.UK

6. KEY DRAWINGS





DRAFT DECISION LETTER

Address: 7 Homer Street, London, W1H 4NU,

Proposal: Change of use of basement and part ground floor from Drinking establishment (Class A4) to Residential (Class C3).

Reference: 15/10488/FULL

Plan Nos: Drawing 1348-P1-101 B, 1348-P1-303,

Case Officer: Damian Lavelle

Direct Tel. No. 020 7641 5974

Recommended Condition(s) and Reason(s):

Reason:

- 1 Your development would lead to the loss of a public house resulting in the loss of a valued community facility, which would harm the surrounding community, contrary to Policy SS8 of our Unitary Development Plan that we adopted in January 2007 and Policies S13 and S21 of the City Plan: Strategic Policies that we adopted in November 2013. The proposal is also contrary to the London Plan (October 2013) and the advice contained in the National Planning Policy Framework (March 2012).

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. 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.

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.