

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 20 March 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved West End	
Subject of Report	32A St George Street, London, W1S 2FJ		
Proposal	Use of basement, ground, first and second floors as either / or retail (Class A1), financial and professional service (Class A2) and / or office (Class B1).		
Agent	Gerald Eve LLP		
On behalf of	Mr Mohammed Zaman		
Registered Number	18/00050/FULL	Date amended/ completed	4 January 2018
Date Application Received	4 January 2018		
Historic Building Grade	Unlisted		
Conservation Area	Mayfair		

1. RECOMMENDATION

Grant conditional planning permission.

2. SUMMARY

32A St George Street is an unlisted building located within the Mayfair Conservation Area, the Core Central Activities Zone (Core CAZ) and West End Special Retail Policy Area.

The property is located on the east side of St George Street and comprises basement, ground, first and second floors and is situated to the rear of taller buildings on St George Street and Conduit Street. The property is currently vacant and under construction. The lawful use of the property is retail (Class A1).

Planning permission is sought for the use of the entire property to continue the existing use as a shop (Class A1) or as financial and professional service (Class A2) or office (Class B1).

The property has an unusual formation for a retail use in the fact that there is no real street frontage.

The key issues are:

- Loss of retail floorspace within the West End Special Retail Policy Area.

Item No.

5

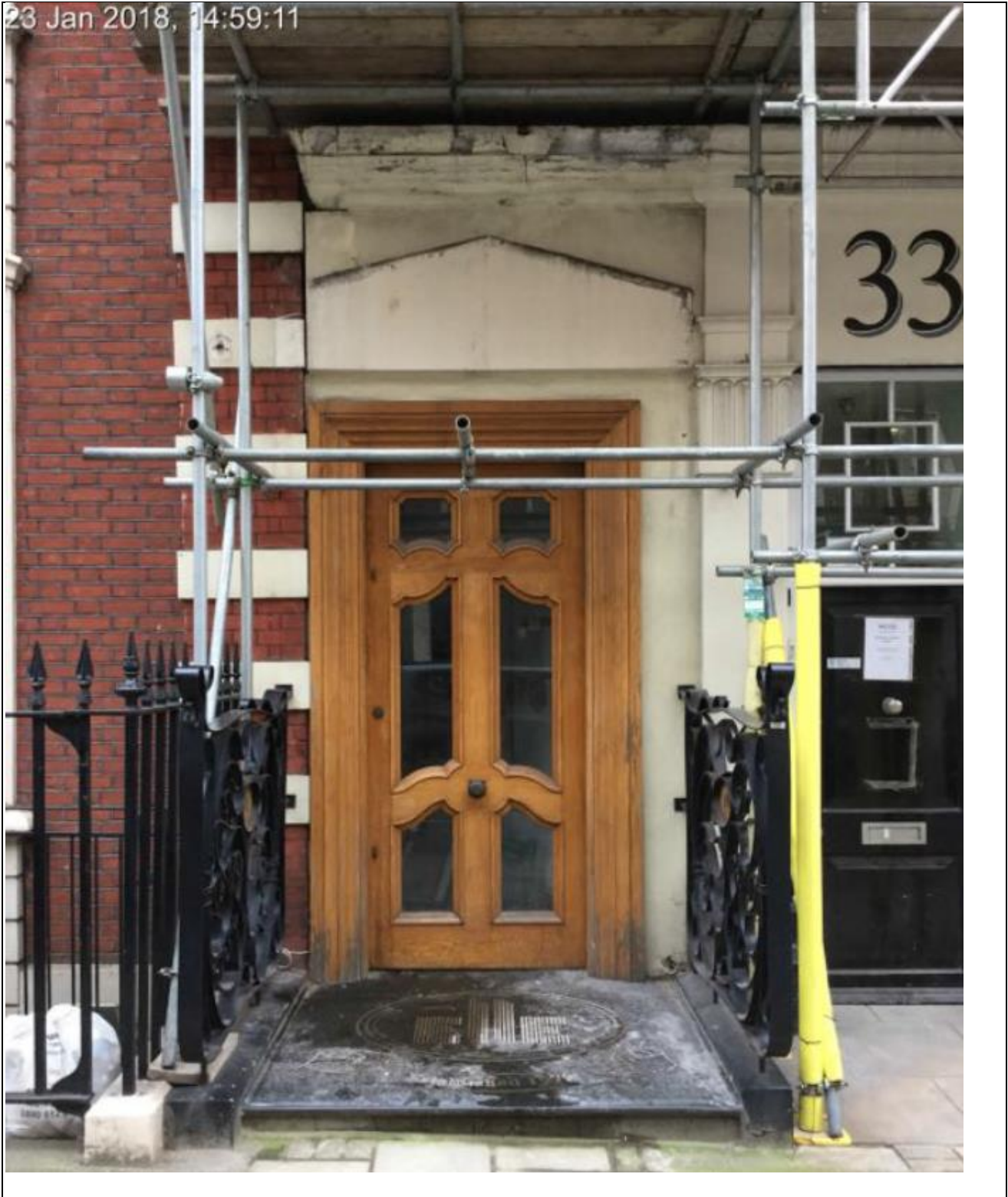
<p>The loss of retail accommodation is considered to be acceptable in this instance taking into account the lack of retail frontage, the limiting layout of the premises and the lack of material harm to the unique status and offer of the West End Special Retail Policy Area.</p>

3. LOCATION PLAN



This production includes mapping data licensed from Ordnance Survey with the permission of the controller of Her Majesty's Stationary Office (C) Crown Copyright and/or database rights 2013. All rights reserved License Number LA 100019597

4. PHOTOGRAPHS





23 Jan 2018, 15:03:51



5. CONSULTATIONS

RESIDENTS SOCIETY OF MAYFAIR AND ST JAMES

Any response to be reported verbally

HIGHWAYS MANAGER

Subject to a condition requiring cycle parking, no objection.

CLEANSING

Request that a revised plan detailing waste storage be secured by condition.

ADJOINING OWNERS/OCCUPIERS

No. consulted - 15

No. objections - 0

SITE AND PRESS:

Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

32A St George Street is an unlisted building located within the Core CAZ, the Mayfair Conservation Area and the West End Special Retail Policy Area. It comprises retail (Class A1) accommodation at basement, ground, first and second floors. The property is currently vacant and under construction to implement permission to erect a single storey side extension at first floor level and new mansard roof storey, which was permitted in August 2015.

6.2 Recent Relevant History

Permission was granted on 4th August 2015 for the 'Erection of single storey side extension at first floor level and erection of new mansard roof storey to enlarge existing shop unit (Class A1)'. (RN: 15/02654/FULL)

7. THE PROPOSAL

Permission is sought for the use of the premises, either to continue in its current use as retail or as financial and professional service (Class A2) or office (Class B1).

The current retail use is set over basement, ground, first and second floors with a total floorspace of 186sqm.

8. DETAILED CONSIDERATIONS

8.1 Land Use

Loss of retail

The proposal could result in the loss of retail floorspace (Class A1).

Policy S21 of the City Plan states that 'existing A1 retail will be protected throughout Westminster except where the Council considers that the unit is not viable, as demonstrated by long term vacancy despite reasonable attempts to let'. The supporting text advises that this approach will ensure that the needs of customers and retailers across the city are met through the retention of the number of shops and overall amount of retail floor space. Policy SS5 of the UDP also seeks to resist the loss of retail floorspace within the Core CAZ. Outside of the Prime Shopping Frontages the policy aims to encourage a balanced mix of appropriate street level activities, whilst maintaining and safeguarding residential communities. Policy S7 of the City Plan protects the unique status and offer of the West End Special Retail Policy Area.

The retail premises at the site is currently vacant and under construction. The applicant confirms that the site has been vacant since December 2013. The applicant confirms that the site has not been advertised, partially due to major works being undertaken since the consented August 2015 permission was granted and partially due to the anticipation of these works being undertaken. The applicant has submitted a short marketing statement from a commercial property agents (Ashwell Rogers LLP). They state that the unusual building cannot be defined as a typical retail unit due to the limiting space for signage and restricted natural light. They suggest that there are a number of reasons which would restrict the commercial let-ability of the building as a pure retail unit and strongly recommend a wider use class to take into consideration the uniqueness of the property.

The applicant argues that, owing to the lack of a street frontage and the fact that it is accessed via a long corridor from the entrance door, the front entrance could easily be mistaken for an office or residential entrance. Given the vacancy of the site and the configuration of the unit, the applicant considers that the potential loss of retail at this site would not be detrimental to the character and function of the area or to the vitality or viability of shopping frontage.

The unit is located just to the east of Regent Street. St George Street does still have a retail character with a rare book shop at No. 32 and a tailors at No. 33. Directly opposite is Sotheby's and a mixture of retail and office floorspace.

Whilst it is acknowledged that the proposal would not result in three consecutive ground floor premises on the eastern side of St George Street in non-A1 use, compliant with Part C of Policy SS5, the loss of retail floorspace is contrary to Policy S21 of the City Plan given the failure of the applicant to demonstrate that the property of long-term vacant. However, the previous occupier of the site (a tailor) has relocated to No. 33 St George Street which is a more suitable premises that it boasts a retail frontage. Taking into account the unsuitability of the unit for retail occupiers given the lack of retail frontage and unusual internal layout, widening the options for occupiers of this unit is considered to be acceptable in this instance and would not harm the unique status and offer of the West End Special Retail Policy Area.

Proposed financial and professional service use

Policy S18 of the City Plan encourages commercial development within the Core CAZ, adding that commercial uses must be appropriate in terms of scale and intensity. The

modest size of the proposed financial/professional (Class A2) use is considered to be acceptable in principle.

Proposed office use

Policies S18 and S20 of the City Plan encourage office growth within the Core CAZ and therefore the increase in office floorspace is acceptable. The increase in office floorspace is below the 400 sq.m threshold set out within Policy S1 of the City Plan and therefore the development is not 'mixed use liable'.

8.2 Townscape and Design

No external alterations are proposed as part of this application.

8.3 Residential Amenity

It is not considered the change of use would have any detrimental impact upon neighbouring residential properties.

There have been no objections received in relation to this application and it is not considered that the proposed uses would have a significant impact on amenity.

8.4 Transportation/Parking

Cycle parking has not been indicated in association with the financial and professional service or office use. The Highways Planning Manager has confirmed the office floorspace would require 2 cycle parking spaces, this has been secured by condition.

If the existing retail use was retained it would not be possible to require the provision of cycle parking.

8.5 Economic Considerations

Any economic benefits generated by the proposals are welcome.

8.6 Access

Whilst there is not level access to the property, there are lifts providing access to all floors of the property. This arrangement will be retained with the proposed alternative uses.

8.7 Other UDP/Westminster Policy Considerations

Refuse /Recycling

No waste store is included within the proposal. It is recommended that details of waste storage be secured by condition.

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 and, as the proposal does not result in an increase in the floor space of the building, there is no CIL payment required.

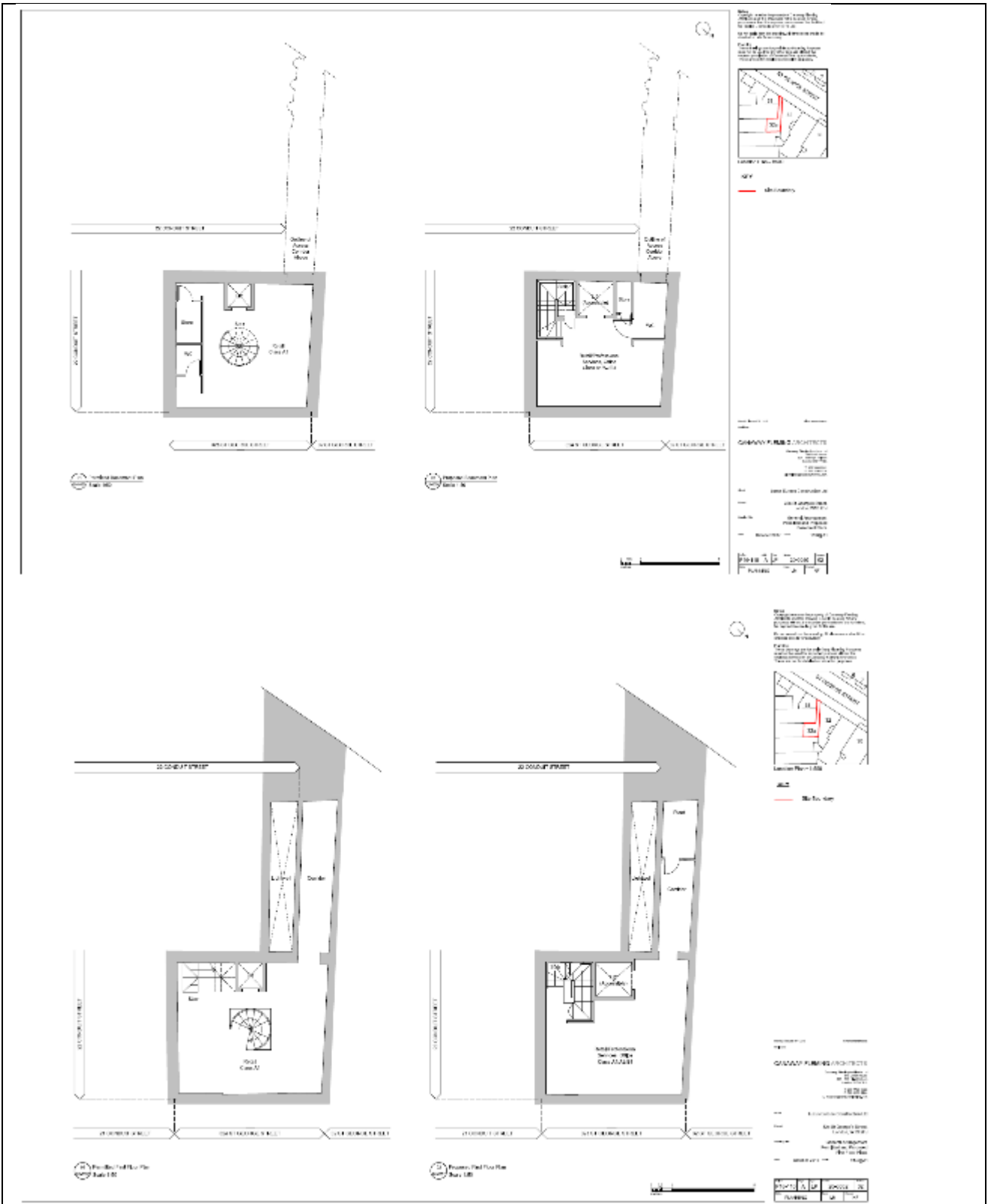
9. BACKGROUND PAPERS

1. Application form
2. Response from the Cleansing Manager dated 18 January 2018
3. Response from the Highways Planning Manager dated 22 January 2018

(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: MARK HOLLINGTON BY EMAIL AT mhollington2@westminster.gov.uk

10. KEY DRAWINGS



DRAFT DECISION LETTER

Address: 32A St George Street, London, W1S 2FJ,

Proposal: Use of basement, ground, first and second floors as dual / alternative use as either retail (Class A1), financial and professional service (Class A2) or office (Class B1)

Reference: 18/00050/FULL

Plan Nos: 20-0050 REV 02, 20-0051 REV 02, 20-0052 REV 02, 20-0053 REV 03

Case Officer: Shaun Retzback

Direct Tel. No. 020 7641 6027

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 carry out any building work which can be heard at the boundary of the site only:

- * between 08.00 and 18.00 Monday to Friday
- * between 08.00 and 13.00 on Saturday; and
- * not at all on Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours. (C11AA)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 Prior to the occupation of the premises for either office (Class B1) or financial and professional services (Class A2) uses, you must apply to us for approval of details of how waste is going to be stored on the site. You must then provide the waste store in line with the approved details, and clearly mark it and make it available at all times to everyone using the office (Class B1) or financial and professional services (Class A2) use. You must not use the waste store for any other purpose. (C14CD)

Reason:

To protect the environment and provide suitable storage for waste and materials for recycling as set out in S44 of Westminster's City Plan (November 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14CC)

- 5 You must hang all doors or gates so that they do not open over or across the road or pavement. (C24AA)

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 TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

- 6 You must apply to us for approval of details of secure cycle storage for the office (Class B1) use. You must not start any work on this part of the development until we have approved what you have sent us. You must then provide the cycle storage in line with the approved details prior to occupation. You must not use the cycle storage for any other purpose.

Reason:

To provide cycle parking spaces for people using the development as set out in Policy 6.9 (Table 6.3) of the London Plan 2015.

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), 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 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. (I54AA)
- 3 Please contact our District Surveyors' Services to discuss how you can design for the inclusion of disabled people. Email: districtsurveyors@westminster.gov.uk. Phone 020 7641 7240 or 020 7641 7230. If you make a further planning application or a building regulations application which

relates solely to providing access or facilities for people with disabilities, our normal planning and building control fees do not apply., , The Equality and Human Rights Commission has a range of publications to assist you, see www.equalityhumanrights.com. The Centre for Accessible Environment's 'Designing for Accessibility', 2004, price £22.50 is a useful guide, visit www.cae.org.uk. , , If you are building new homes you must provide features which make them suitable for people with disabilities. For advice see www.habinteg.org.uk , , It is your responsibility under the law to provide good access to your buildings. An appropriate and complete Access Statement as one of the documents on hand-over, will provide you and the end user with the basis of a defence should an access issue be raised under the Disability Discrimination Acts.

- 4 Please contact our Cleansing section on 020 7641 7962 about your arrangements for storing and collecting waste. (I08AA)
- 5 The term 'clearly mark' in condition 4 means marked by a permanent wall notice or floor markings, or both. (I88AA)
- 6 You need to speak to our Highways section about any work which will affect public roads. This includes new pavement crossovers, removal of redundant crossovers, changes in threshold levels, changes to on-street parking arrangements, and work which will affect pavement vaults. You will have to pay all administration, design, supervision and other costs of the work. We will carry out any work which affects the highway. When considering the desired timing of highway works in relation to your own development programme please bear in mind that, under the Traffic Management Act 2004, all works on the highway require a permit, and (depending on the length of the highway works) up to three months advance notice may need to be given. For more advice, please phone 020 7641 2642. However, please note that if any part of your proposals would require the removal or relocation of an on-street parking bay, this is unlikely to be approved by the City Council (as highway authority). (I09AC)

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.