

CITY OF WESTMINSTER			
PLANNING (MAJOR APPLICATIONS) SUB-COMMITTEE	Date 12 November 2019	Classification For General Release	
Report of Director of Place Shaping and Town Planning		Ward(s) involved West End	
Subject of Report	52 - 54 Davies Street, London, W1K 5JF		
Proposal	Use of 52-54 Davies Street for a temporary period until 2 July 2022 as ancillary back-of-house theatre space (sui generis) in connection with immersive theatre space and ancillary uses (sui generis) at 56 Davies Street.		
Agent	Gerald Eve LLP		
On behalf of	Hartshorn - Hook Enterprises LTD		
Registered Number	19/07004/FULL	Date amended/ completed	11 September 2019
Date Application Received	9 September 2019		
Historic Building Grade	Grade II		
Conservation Area	Mayfair		

1. RECOMMENDATION

Grant conditional permission for a temporary period until 2 July 2022.

2. SUMMARY

The application site comprises 52 and 54 Davies Street; two Grade II listed buildings within the Core Central Activities Zone (Core CAZ) and the Mayfair Conservation Area. The buildings are currently vacant but, along with 56 Davies Street, are in lawful use as the Territorial Army Reserve Centre and Rifles Club (*Sui Generis*). Permission is sought to use the two buildings for a temporary period until 2 July 2022 as ancillary back-of-house theatre space (*Sui Generis*) in connection with the immersive theatre currently being fitted out at 56 Davies Street. This follows temporary planning permission being granted for this immersive theatre on 2 July 2019 for a three-year period.

The buildings are likely to be occupied by members of staff running productions within 56 Davies Street, as well as other productions elsewhere in the UK and abroad. In addition, theatre marketing and ticketing companies are also likely to occupy this floorspace. Storage will also take place on site. No access to visiting members of the public will be permitted.

Subject to conditions, there is no objection to the proposal. It is recommended that temporary permission be granted.

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



5. CONSULTATIONS

RESIDENTS SOCIETY OF MAYFAIR & ST. JAMES'S:

- Any response to be reported verbally.

MAYFAIR RESIDENTS GROUP:

- Any response to be reported verbally.

WASTE PROJECT OFFICER:

- Request that a condition be imposed requiring the submission of details of storage of waste and recyclable material.

HIGHWAYS PLANNING MANAGER:

- No objection subject to conditions securing cycle parking provision and off-street servicing (subject to confirmation that the neighbouring building at 56 Davies Street is within the applicant's control).

CROSS LONDON RAIL LINKS LTD:

- No comment.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED:

No. Consulted: 129

Total No. of replies: 0

No. of objections: 0

No. in support: 0

PRESS ADVERTISEMENT / SITE NOTICE - Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

This application site comprises 52 and 54 Davies Street, two former townhouses arranged over basement, ground and four upper floors. Both buildings are Grade II listed. The site is located within the Mayfair Conservation Area and the Core CAZ. The site is not located within a 'stress area'.

The floorspace that is the subject of this application formed part of the former Territorial Army Reserve Centre and Rifles Club (*Sui Generis*) that occupied 52, 54 and 56 Davies Street between c.1890 and March 2018. The three buildings have been vacant since the F (Rifles) Company relocated to Hammersmith and the Rifles Officer's London Club relocated to 127 Piccadilly. Permission was granted on 2 July 2019 to convert 56 Davies Street into an immersive theatre space and ancillary uses (*sui generis*) for a period of 36 months (i.e. until 2 July 2022). The applicant has taken occupation of 56 Davies Street and are preparing the space for the opening of their first immersive theatre event. The application site is linked internally to 56 Davies Street at second floor level and both townhouses are internally connected at all floor levels.

Records indicate that the nearest residential properties are eight flats within 5 Davies Mews, a third floor flat within 21 South Molton Street, a flat on the upper floors of 24 South Molton Street, a flat on the upper floors of 13 South Molton Street, 3 x flats on the upper floors of 26 South Molton Street and 11 x flats within 59 Davies Street.

Once complete, to the west of the application site will be Bond Street West Crossrail Station with over-station development that will provide office floorspace. To the north-west of the site is Bond Street Underground Station. The site is location within an Area of Surface Interest under the Crossrail Safeguarding Direction (2008).

6.2 Recent Relevant History

19/02978/FULL

Use of 56 Davies Street as immersive theatre space and ancillary uses (*sui generis*) for a period of 36 months (i.e. until 2 July 2022).

Permitted - 02.07.2019

7. THE PROPOSAL

Permission is sought to convert the entirety of both 52 and 54 Davies Street into ancillary theatre space (*Sui Generis*) in association with the authorised immersive theatre permitted within 56 Davies Street for a temporary period until 2 July 2022. This is the same temporary period at the permitted immersive theatre.

The buildings are likely to be occupied by members of staff running productions within 56 Davies Street, as well as other productions elsewhere in the UK and abroad. In addition, theatre marketing and ticketing companies are also likely to occupy this floorspace. Storage will also take place on site. No access to visiting members of the public will be permitted.

The land use impact is summarised below:

	Existing GIA (sqm)	Proposed GIA (sqm)	+/-
Territorial Army Reserve Centre and Rifles Club (<i>Sui Generis</i>)	608.6	0	-608.6
Ancillary theatre space (<i>Sui Generis</i>)	0	608.6	+608.6
Total	608.6	608.6	0

No alterations to the building are proposed. As such, the special interest of the listed building is not affected and therefore listed building consent is not required. An informative is recommended reminding the applicant that these buildings are listed and that advice from the City Council should be sought before undertaking any physical alterations.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The lawful use of 52-56 Davies Street is as a variety of military-related uses. The F (Rifles) Company Reserve regiment had control of the three buildings which contain a large drill hall at first floor level within 56 Davies Street, a large garage accessed from the rear on South Molton Lane within 56 Davies Street, an armoury, a firing range, stores, a mess hall and ancillary meeting rooms. It is understood that activities revolved around the organisation of the regiment, including military training, drills, equipment storage and administrative desk work and meetings.

The existing use of the buildings is not considered to be of international and / or national importance and therefore is not protected by City Plan Policy S27. There is therefore no objection to the loss of the existing lawful use of the buildings.

This part of Mayfair is mixed use in character, comprising primarily commercial offices and retailers, although there are some residential properties. The proposed use would, in part, directly support the running of the adjacent immersive theatre space. This, combined with the site's location in the Core CAZ close to excellent public transportation connections, means that the proposal is in accordance with City Plan Policies S6, S18 and S22 and UDP Policy TACE 5. Subject to a condition preventing access to visiting members of the public, the proposed use is compatible with the character and function of the area, will not result in an adverse impact on residential amenity, and will cause no adverse environmental or traffic effects.

8.2 Townscape and Design

No alterations are proposed to the buildings and therefore the character and appearance of the Mayfair Conservation Area will be preserved. The proposal would see two vacant listed buildings being brought back into use, albeit temporarily. This is welcome.

8.3 Residential Amenity

Given that visiting members of the public will not have access to the building, the proposed use is not considered to give rise to any unacceptable amenity impacts.

8.4 Transportation/Parking/Waste

Although outside of the application site, an amended site location plan has been submitted clarifying that the building immediately to the north (i.e. 56 Davies Street) is within the control of the applicant and therefore it is permissible to impose conditions securing off-street cycle parking, storage for waste and recyclable materials and off-street servicing within the rear garage of 56 Davies Street (Section 72(1)(a) of the Town and Country Planning Act (1990) (as amended).

Subject to such conditions, neither the Highways Planning Manager nor the Projects Officer (Waste) raise any objection to the proposal.

8.5 Economic Considerations

Any economic benefits generated by the proposal are welcome.

8.6 Access

The building does not currently have level access or lift access to the upper floors. This will remain unchanged as a result of the proposal. Given that these buildings are listed and the permission sought is temporary, this is acceptable in this instance.

8.7 Other UDP/Westminster Policy Considerations

None.

8.8 Westminster City Plan

The City Council is currently working on a complete review of its City Plan. Following informal consultation in 2018, the draft plan has been revised and formal consultation was carried out under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 between 19 June 2019 and 31 July 2019. Following this consultation period, the City Council is now reviewing the comments received before submitting the City Plan for examination. In the case of a draft local plan that has been published for consultation under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012, including a second revision Regulation 19 plan, it remains at a pre-submission stage (i.e. has yet to be submitted to the Secretary of State for Examination in Public) and therefore, having regard to the tests set out in para. 48 of the NPPF, it will generally attract very limited weight at this present time.

8.9 Neighbourhood Plans

The examiner's report on the Mayfair Neighbourhood Plan was published on 11 June 2019 with recommendations. The City Council accepted all these recommendations and a local referendum is due to take place on 31 October 2019. The publication of the examiner's report means that the Mayfair Neighbourhood Plan is now a material consideration for making planning decisions in the area. However, it will not have full development plan weight until the referendum process has been properly completed. An update on the outcome of the referendum will be reported verbally to Sub-Committee. In any event, there are no policies in the emerging plan that are of particular relevance to this development proposal.

8.10 London Plan

This application raises no strategic issues.

8.11 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.

No pre-commencement conditions are recommended to be imposed.

8.12 Planning Obligations

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

The scheme is not CIL-liable as no increase in floorspace is proposed.

8.13 Environmental Impact Assessment

The scheme is of insufficient size and impact to require assessment under the Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015.

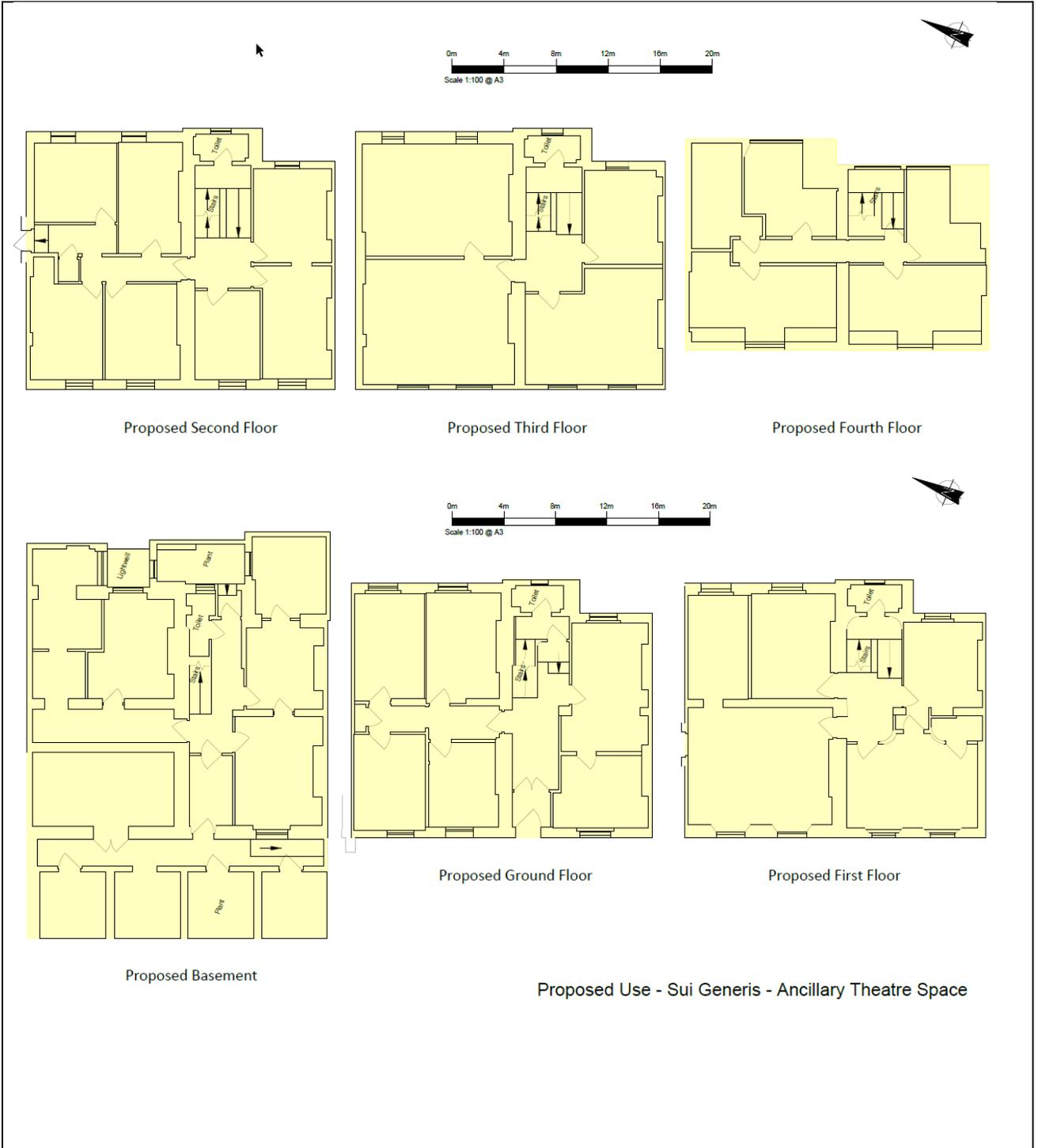
8.14 Other Issues

None.

(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

9. KEY DRAWINGS



DRAFT DECISION LETTER

Address: 52 - 54 Davies Street, London, W1K 5JF,

Proposal: Use of 52-54 Davies Street for a temporary period until 2 July 2022 as ancillary back-of-house theatre space (sui generis) in connection with immersive theatre space and ancillary uses (sui generis) at 56 Davies Street.

Plan Nos: 52-54 DavSt-P01 and 52-54 DavSt-P02.

Case Officer: Mark Hollington

Direct Tel. No. 020 7641 2523

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 You must apply to us for approval of details of how waste and recycling is going to be stored on the site or within 56 Davies Street. You must not occupy the ancillary back-of-house theatre space (Sui Generis) use hereby approved until we have approved what you have sent us. You must then provide the waste and recycling store in line with the approved details prior to occupation, and clearly mark it and make it available at all times to everyone using the ancillary back-of-house theatre space (Sui Generis) use. You must not use the waste and recycling store for any other purpose.

Reason:

To protect the environment and provide suitable storage for waste 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. (R14BD)

- 3 With the exception of collecting rubbish, no goods (including fuel) that are delivered or collected by vehicles arriving at or leaving the building must be accepted or sent out if they are unloaded or loaded on the public road. You may accept or send out such goods only if they are unloaded or loaded within 56 Davies Street.

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan (November 2016) and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

- 4 You must apply to us for approval of details of secure cycle storage for the ancillary back-of-

house theatre (Sui Generis) use. 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 2016 (R22FA)

- 5 No visiting members of the public shall be permitted within 52 and 54 Davies Street.

Reason:

To prevent the expansion of the adjacent immersive theatre use and to protect the environment of people in neighbouring properties, as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 13 and TACE 5 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

- 6 The ancillary back-of-house theatre space (Sui Generis) use allowed by this permission can continue until 2 July 2022. After that the part of the building we have approved for ancillary back-of-house theatre space (Sui Generis) use must return to its previous use. (C03BA)

Reason:

At the request of the applicant.

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, neighbourhood plan (where relevant), 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 This permission does not act as listed building consent. You must apply for this separately for any works that affect the special architectural or historic character of the building. It is a criminal offence to carry out work on a listed building without listed building consent. (I01AA)

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.