

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 22 November 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved St James's	
Subject of Report	5 - 6 St Matthew Street, London, SW1P 2JT,		
Proposal	Dual/ alternative use of third and fourth floor as either office (Class B1) or two self-contained residential units (Class C3) with alterations to ground floor frontage and one additional window to rear lightwell.		
Agent	Paul O'Neill		
On behalf of	Bolton Group Ltd		
Registered Number	16/08383/FULL	Date amended/ completed	12 September 2016
Date Application Received	23 August 2016		
Historic Building Grade	Unlisted		
Conservation Area	Broadway And Christchurch Gardens		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

5 - 6 St Matthew Street is a five storey building built originally for mixed office and residential purposes pursuant to planning permission granted in 1987. The original approved scheme provided for a garage and entrance foyer at ground floor level, offices at first and second floor levels and two residential flats at third and fourth floor levels.

The building is currently vacant but has most recently been occupied entirely for office purposes.

On 7 July 2016 planning permission was refused for a retrospective application for the continued use of building as office (Class B1) on the grounds that this would result in the loss of two residential units.

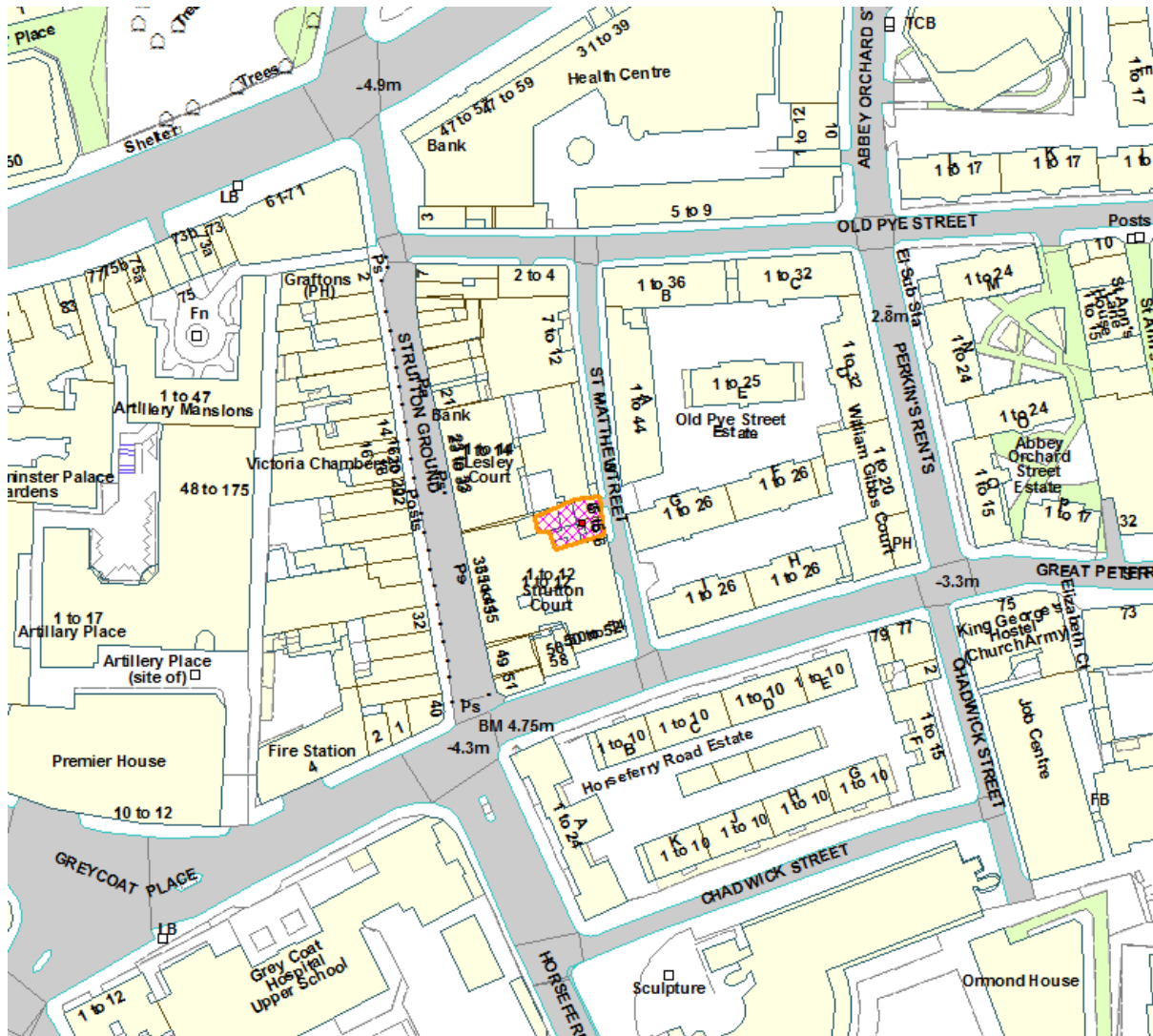
The applicant now seeks planning permission for the dual/ alternative use of the third and fourth floors as either office (Class B1) or two self-contained residential units (Class C3) with alterations to ground floor frontage and one additional window to rear lightwell as before. The application is also supported by additional information about the way in which the building has been occupied since it was first built.

The main issues for consideration are:

- The acceptability of the proposals in land use terms;
- The impact of the external alterations on character and appearance of the building and the conservation area;
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There is no evidence to suggest that the third and fourth floors of the building have ever actually been occupied as permanent residential accommodation. Based on information provided by the applicant it would appear that these floors have been used as ancillary to the offices on the floors below, either as additional office space or as temporary sleeping accommodation. There is therefore no loss of existing permanent residential accommodation. The flexible use proposed would allow for the use of the third and fourth floors as office accommodation or as two permanent residential flats. The creation of additional small scale office space is supported by the Thorney Island Society. The proposal is considered to comply with the Council's policies in the City Plan and the Unitary Development Plan (UDP) and is accordingly recommended for approval.

3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

THORNEY ISLAND SOCIETY

The applicant has justified a B1 office use for this building, particularly given small-scale office accommodation is needed within the area. Therefore, it is not understood why the proposal is for a dual/ alternative use.

WESTMINSTER SOCIETY

Given the complex planning history of the premises, the Society is reluctant to come to a firm view but unless circumstances have materially changed since the most recent refusal of planning consent, we suggest that the City Council maintains the position it adopted at that time.

HIGHWAYS PLANNING MANGER

Would object to the loss of residential off-street car parking but there is no requirement for off-street parking for office use. Provision of cycle parking should be secured by condition.

CLEANSING MANGER

No objection subject to condition requiring refuse storage accommodation.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 49

Total No. of replies: 0

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

5 - 6 St Matthew Street is a five storey building dating from the 1980s. Originally built for mixed office and residential purposes the building has most recently been used entirely as offices.

The building is unlisted and lies within the Broadway and Christchurch Gardens Conservation Area. The property is outside the Core Central Activities Zone.

6.2 Recent Relevant History

On 7 July 2016 planning permission was refused for the 'continued use of building as office (Class B1); alterations to ground floor frontage and one additional window to rear lightwell' on the grounds the development would result in the loss of two residential units.

On 4 September 2007 planning permission was granted for the 'erection of rear extension at ground, first, second and third floor level, conversion of upper floors to form five self-contained flats and office at ground floor level.' (Not implemented).

On 10 June 2005 an application for a Certificate of Lawful Development (Existing) was refused for the 'use of third and fourth floors as temporary sleeping accommodation' on

the grounds that it had not been demonstrated the floors had been in this use for a continuous period of at least 10 years.

On 19 October 2004 an application for a Certificate of Lawful Development (Existing) was refused for the 'use of 3rd and 4th floors as temporary sleeping accommodation' on the grounds that it had not been demonstrated the floors had been in this use for a continuous period of at least 10 years.

On 18 September 1986 planning permission was granted for the 'erection of 5 storey building for office and residential purposes'.

7. THE PROPOSAL

The applicant seeks planning permission for the dual/ alternative use of third and fourth floor as either office (Class B1) or two self-contained residential units (Class C3) with alterations to ground floor frontage and one additional window to rear lightwell.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The Proposed Flexible Use at Third and Fourth Floors:

Policy S20 of the City Plan states new office development will be encouraged in the Core Central Activities Zone, Named Streets and Opportunity Areas because these areas have been identified as capable of predominately providing Westminster's office growth capacity. The application site is not within one of these areas but it is close to the Core Central Activities Zone and the Victoria Opportunity Area. In support of their application, the applicant highlights the fact that there is a significant shortage of suitable office space for smaller businesses within the area, and suggests that the space provided by the large office developments within the core commercial areas is unlikely to be able to fully serve the variety of business sizes and types which contribute to Westminster's diverse economy. It is acknowledged that there is a shortage of office spaces suitable for small and medium sized businesses and that many small offices have been lost to residential use. The provision of additional small office space as part of this application is therefore supported.

Policy H3 of the UDP and S14 of Westminster's City Plan seek to protect and increase permanent residential accommodation. The proposed flexible use would allow for the third and fourth floors to be used as either two residential flats or office accommodation. The option for the floors to also be used to provide residential accommodation which would contribute to Westminster's permanent housing stock is therefore also welcomed.

Conversion of Ground Floor Garage to Office Accommodation:

The ground floor garage area is considered to be ancillary to the office use on the floors above. Planning records indicate that this area has not been in use as off-street residential parking; rather it has been used for car parking in connection with the office use. As such, there are no land use implications with its conversion into office accommodation.

8.2 Townscape and Design

Policy DES 5 of the UDP and S28 of the City Plan aim to ensure the highest standards of design in alterations and extensions. Policy DES 9 of the UDP and S25 of the City Plan aim to preserve or enhance the character or appearance of conservation areas.

The external alterations include changes to the ground floor and seek to introduce three sections of full height glazing with fascia panels above. It is considered that these changes would improve the frontage of the property and therefore enhance the character and appearance of the conservation area.

The installation of a new window at rear ground floor level is not opposed on design grounds.

8.3 Residential Amenity

Amenity of Neighbours:

Policies S29 of the City Plan and ENV13 of the UDP seek to protect residential amenity in terms of light, privacy, sense of enclosure and encourage development which enhances the residential environment of surrounding properties.

It is not considered that either use proposed here would be harmful to neighbours over the existing/ pre-existing arrangements. A condition is recommended to ensure the fire escape is not used as an amenity space.

Amenity of Proposed Residential Units:

The residential units comprise two one bedroom flats. The units would provide an adequate internal living environment being dual aspect and providing space in excess of those required by the London Plan.

8.4 Transportation/Parking

Car Parking:

The garage area would no longer be provided. Policy TRANS 22 of the UDP states that offices should have a maximum of one space for each 1,500sqm of floorspace. The office option results in a building of approx. 316sqm of floorspace. The provision of no off-street parking would therefore be compliant with TRANS 22. However, the Highway Planning Manager has objected to the proposal on the grounds that policy TRANS 23 resists the loss of any existing off-street residential car parking spaces. The ground floor garage area is considered to be ancillary to the office use, and therefore this office car parking is not protected by this policy.

Policy TRANS 23 also sets standards for the provision off-street parking in residential developments. If the residential option is implemented it is not considered that the creation of two residential units would have a significant impact on on-street parking demand in the area.

Cycle Parking:

The London Plan policy 6.9, as outlined in table 6.3, requires one cycle parking space per 90 sqm for office uses and one space per one bedroom flat. The applicant has noted this

requirement in the Planning Statement, but no detail has been provided. Therefore, this provision is recommended to be secured by condition.

8.5 Economic Considerations

The economic benefits of the proposed development are recognised.

8.6 London Plan

This application raises no strategic issues.

8.7 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.

8.8 Planning Obligations

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

8.9 Environmental Impact Assessment

The proposal is of insufficient scale to require environmental impact assessment.

9. BACKGROUND PAPERS

1. Application form
2. Response from Westminster Society, dated 20 September 2016.
3. Response from Thorney Island Society, dated 21 September 2016.
4. Response from Cleansing Manager, dated 20 September 2016.
5. Response from Highways Planning Manager, dated 28 September 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: AMANDA JACKSON BY EMAIL AT ajackson@westminster.gov.uk

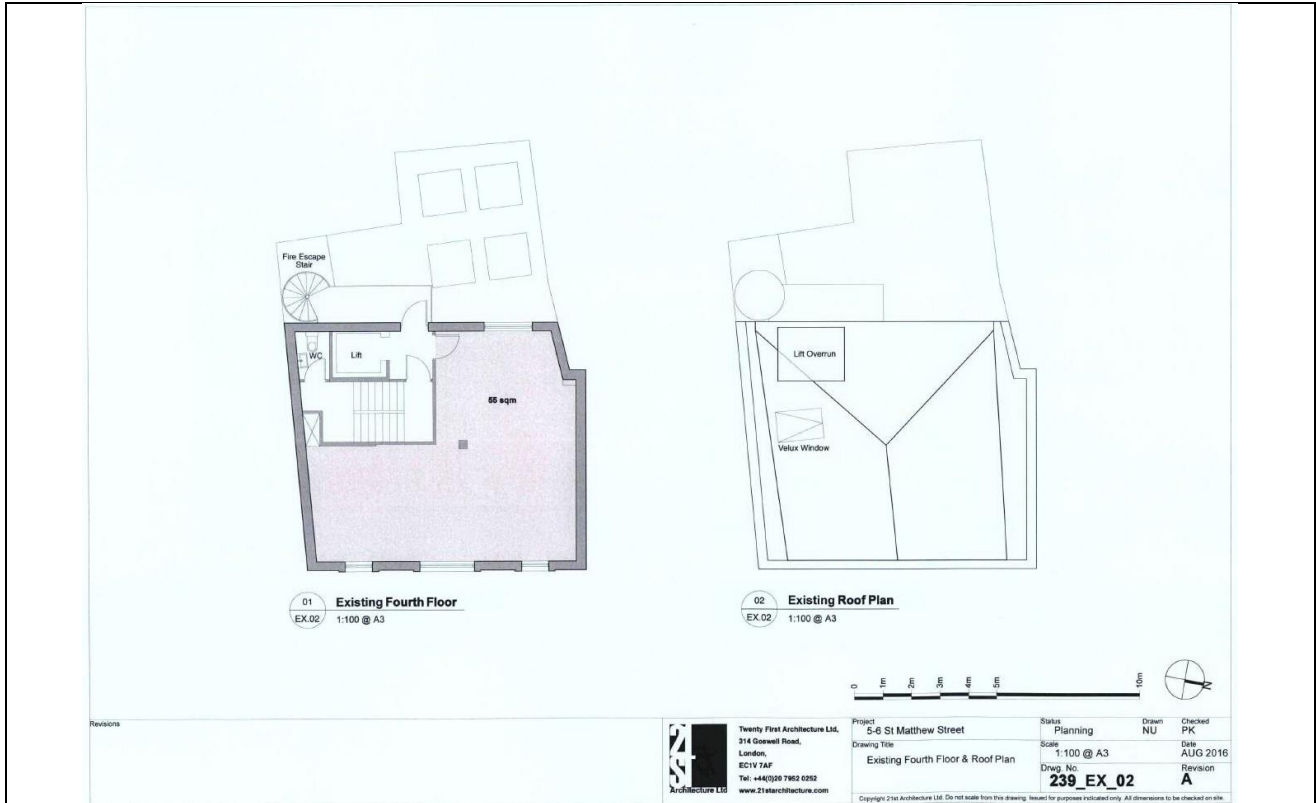
10. KEY DRAWINGS



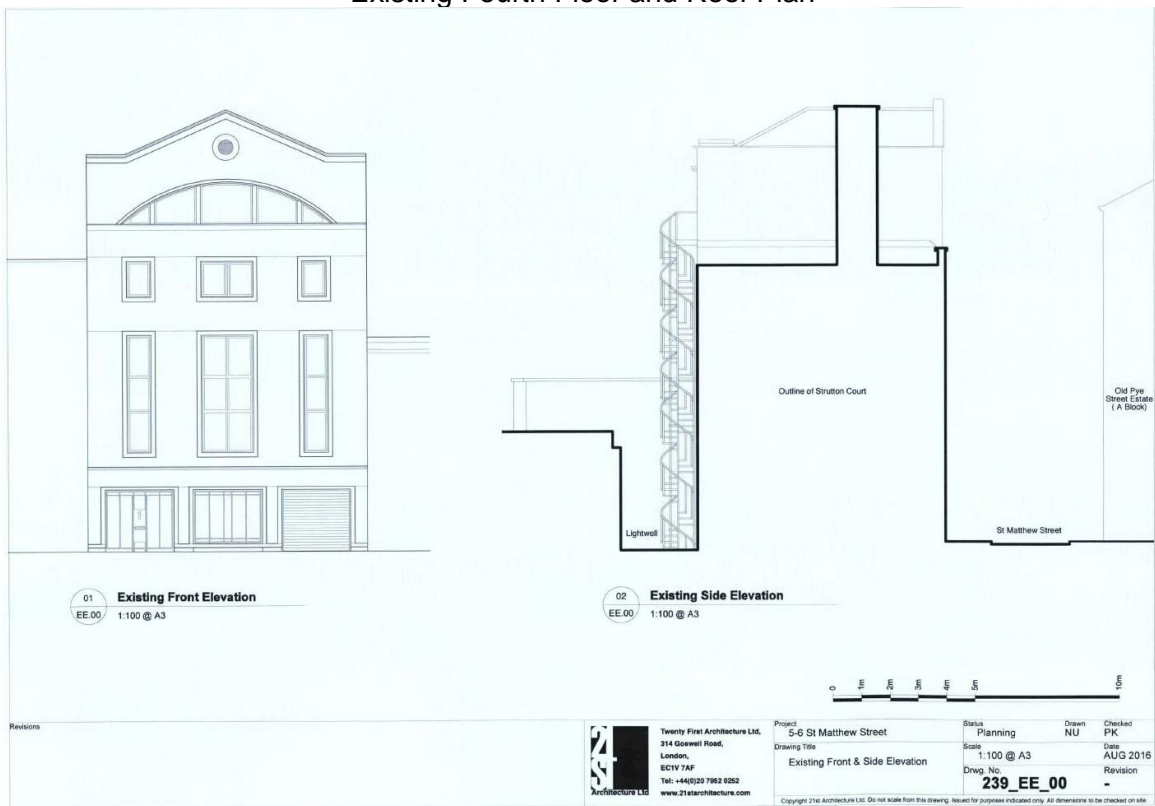
Existing Ground and First Floor Plans



Existing Second and Third Floor Plans



Existing Fourth Floor and Roof Plan



Existing Front and Side Elevations



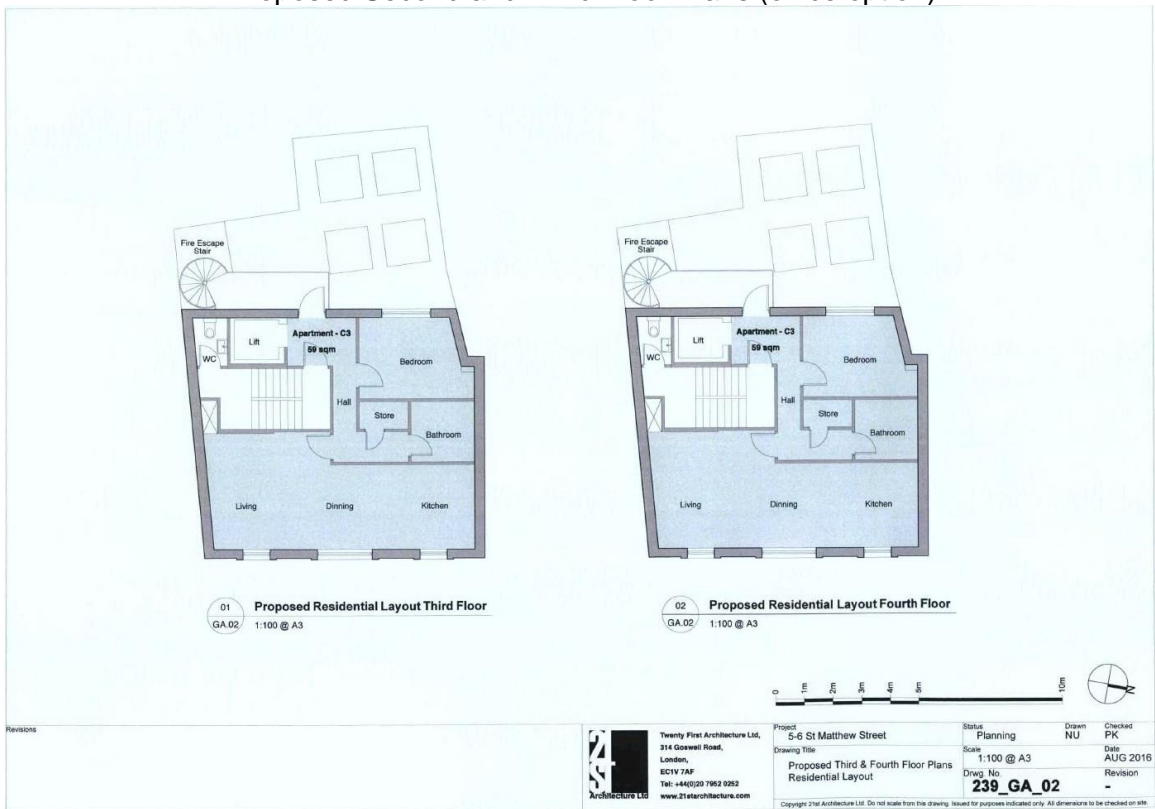
Proposed Ground and First Floor Plans (both options)



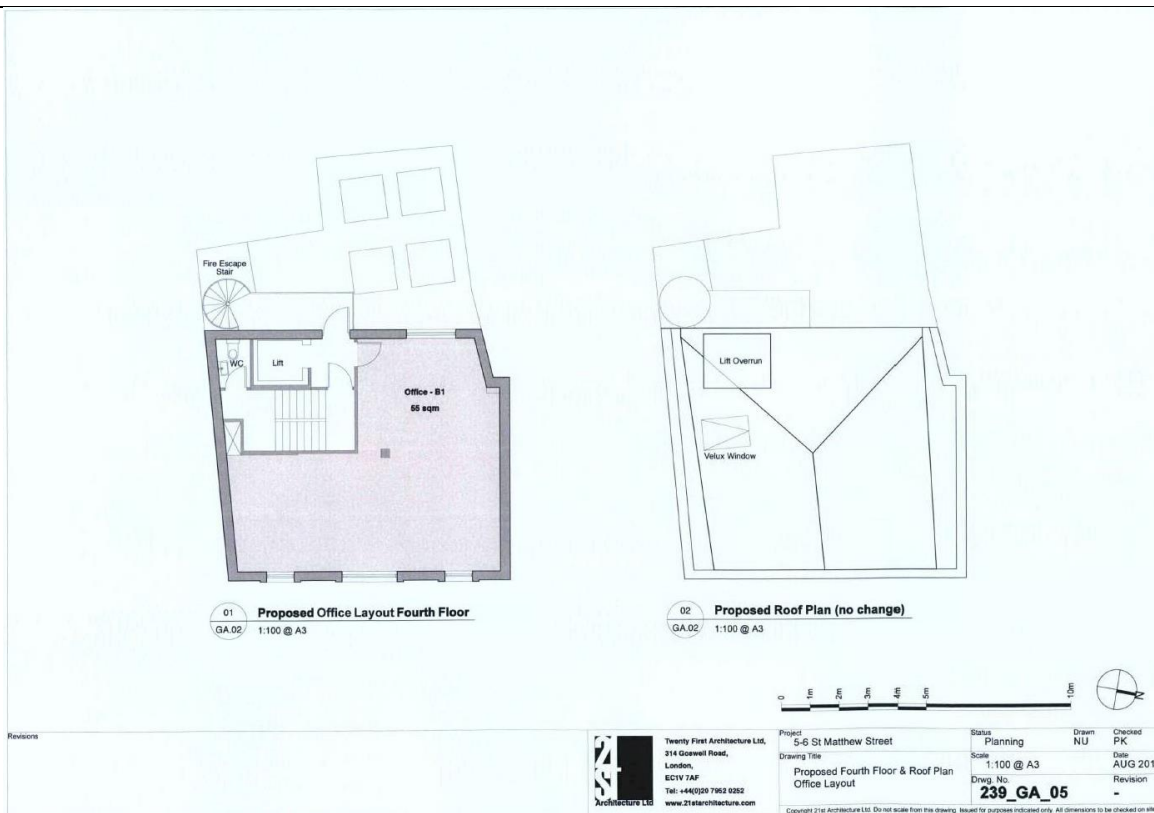
Proposed Second Floor Plan (residential option)



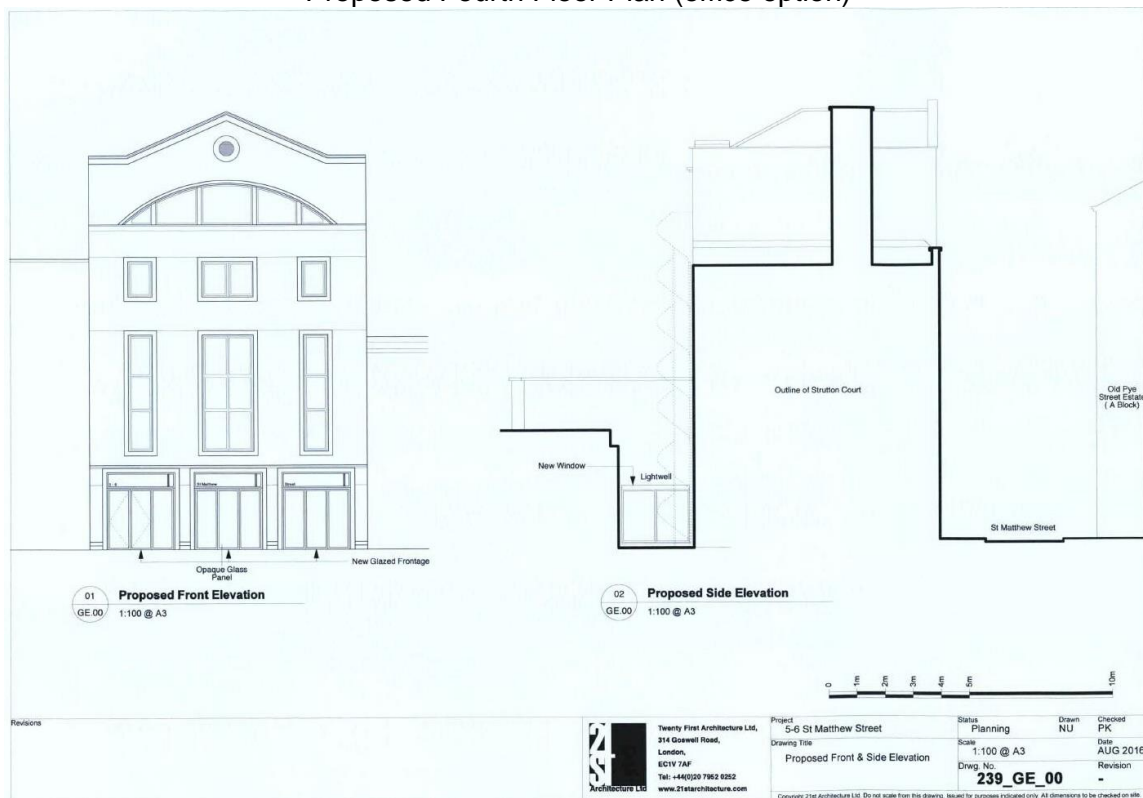
Proposed Second and Third Floor Plans (office option)



Proposed Third and Fourth Floor Plan (residential option)



Proposed Fourth Floor Plan (office option)



Proposed Front and Side Elevations (both options)

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DRAFT DECISION LETTER

- Address:** 5 - 6 St Matthew Street, London, SW1P 2JT,
- Proposal:** Dual/ alternative use of third and fourth floor as either office (Class B1) or two self-contained residential units (Class C3) with alterations to ground floor frontage and one additional window to rear lightwell.
- Reference:** 16/08383/FULL
- Plan Nos:** Site Location Plan; 239_EE_00; 239_EX_00; 239_EX_01 rev A; 239_EX_02 rev A; 239_GA_01 rev A; 239_GA_02; 239_GA_03 rev A; 239_GA_05; 239_GE_00; 239_GA_00; 239_GE_01; Planning Statement; Cover Letter (dated 23 August 2016); Cover Letter (dated 19 August 2016).

Case Officer: Joshua Howitt

Direct Tel. No. 020 7641 2069

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 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only:
- o between 08.00 and 18.00 Monday to Friday;
 - o between 08.00 and 13.00 on Saturday; and
 - o not at all on Sundays, bank holidays and public holidays.

You must carry out piling, excavation and demolition work only:

- o between 08.00 and 18.00 Monday to Friday; and
- o not at all on Saturdays, Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

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

- 3 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings we have approved or are required by conditions to this permission. (C26AA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Broadway and Christchurch Gardens Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 4 In the event you continue to use the building for office use, within one month of the date of this decision you must apply to us for approval of details of how waste is going to be stored on the site and how materials for recycling will be stored separately. You must provide the stores for waste and materials for recycling according to these details, clearly mark the stores and make them available at all times to everyone using the premises.

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 (July 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14CC)

- 5 In the event the residential use is implemented; you must apply to us for approval of details of how waste is going to be stored on the site and how materials for recycling will be stored separately. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then provide the stores for waste and materials for recycling according to these details, clearly mark the stores and make them available at all times to everyone using the unit.

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 (July 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14CC)

- 6 In the event you continue to use the building for office use, within one month of the date of this decision you must apply to us for approval of details of secure cycle storage for the building. 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.

- 7 In the event the residential use is implemented; you must apply to us for approval of details of secure cycle storage for the building. 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.

- 8 You must not use the fire escape for sitting out or any purpose other than to escape in an emergency.

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan (July 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

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 (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, 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 Under Part 3, Class V of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, the third and fourth floors can change between the office (Class B1) and residential (Class C3) uses we have approved for 10 years without further planning permission. However, the actual use 10 years after the date of this permission will become the authorised use, so you will then need to apply for permission for any further change. (I62A)

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.

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