

# PARAMOUNT

Application Ref: 2013/1957/P  
Associated Ref: 2013/1961/INVALID

22 May 2013

BY EMAIL ([planning@camden.gov.uk](mailto:planning@camden.gov.uk)) AND BY POST

Regeneration and Planning Development Management  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 8ND

FAO Head of Planning and Amanda Peck

Dear Sirs

## PLANNING APPLICATION CONSULTATION

Application Ref: 2013/1957/P  
Associated Ref: 2013/1961/L  
2013/1970/P  
2013/2000/L



### A. Introduction

I refer to your letter of 19 April 2013 to my wife, Mrs Kathleen Condou, regarding the planning applications made by my company's landlord, Almacantar (Centre Point) Limited ("Almacantar"), in relation to Centre Point Tower, Centre Point Link and Centre Point House, at 101-103 New Oxford Street and 5-24 St Giles High Street, London, WC1A 1DD.

### B. Background

I am the Executive Director of Century Projects Limited (which trades as Paramount at the Summit of Centre Point) ("Paramount"). Paramount is located on the top three floors of the Centre Point Tower. It is my duty as a director of Paramount to act in the best interests of my company and take steps to protect its business. I therefore am objecting, in the strongest possible terms, to Almacantar's amended application for the change of use and redevelopment of the iconic Centre Point Tower.

Paramount was authorised to occupy the top three floors of the Centre Point Tower following lengthy planning discussions for change of use from office (Class B1) to restaurant and bar (Class A3). This change of use was granted by Camden's Planning Committee on 5<sup>th</sup> June 2005 and further planning consents were granted for the design.

Paramount opened in the autumn of 2008, after a £5 million refurbishment, and it has become a profitable and popular prime London dining destination, bar and events venue.

#### PARAMOUNT

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I was present at the first Planning Committee meeting in September 2012, which discussed Almacantar's original application regarding Centre Point. Along with a number of others, I objected to Almacantar's proposals and I was pleased that the Planning Committee decided to reject them.

### **C. The current application**

At present, I am hoping to organise a meeting with the Head of Planning at Camden in order to discuss my deep concerns about Almacantar's current, revised scheme for the change of use and redevelopment of the Centre Point Tower. Unfortunately, the relevant case officer has refused to meet with me or Paramount's planning consultant regarding that scheme. I therefore now write in order to set out my reasons for strongly opposing Almacantar's proposals:

#### **1. Destruction of Paramount's business**

Paramount's business allows over 200,000 visitors per annum to visit the top of the Centre Point Tower and to enjoy the unique and stunning panoramic views of the City of London, the River Thames and the West End. The change of use and redevelopment proposed by Almacantar will destroy that business. The venue which allows 200,000 visitors to enjoy the remarkable views of the London skyline will be replaced by just three private luxury flats.

#### **2. Loss of employment**

Paramount currently employs over 100 people. The destruction of its business will mean that those people will lose their jobs.

#### **3. Economic importance**

The location of Centre Point is of high economic importance. This is reflected by the fact that both Camden Council and the GLA recently applied to the Government to have the area made exempt from the incoming permitted development rights change that enables office use to be lost to residential use. Any approval of a scheme that would lead to the loss of key commercial floorspace in a key location, and its replacement with a limited number of private apartments, would run entirely contrary to that approach.

#### **4. Planning policy**

Planning policy requires that any applications that result in economic harm must be refused. Almacantar's proposals clearly will result in economic harm and I do not understand why planning officers have, so far, appeared to support the application and have been reluctant to consider Paramount's comments and objections, which have been made very comprehensively in a planning submission by its appointed planning consultants. I can, of course, provide further copies of that report upon request.

### **D. Errors and misleading statements contained in Almacantar's proposals**

I have taken the time to consider carefully the proposals that are set out in the document containing Almacantar's proposals, which is publicly available on their website. I attach a copy for your ease of reference. The document contains a number of incorrect assertions (at page 11), which require correction:

1. *"The existing Paramount restaurant was only given planning permission in 2006 and operated until 2008 as a private members club"*

This statement is incorrect.

Whilst Paramount was indeed granted planning permission in 2006, its approved use (which was approved both by Camden Planning and within the terms of Paramount's lease) was as a club or high class restaurant, bar and events space. Paramount operated as a club until May 2010. From that date, and with the agreement of the then landlord, it opened to the general public, as a result of the high level of demand to visit its unique premises and to take advantage of the high class restaurant and bar facilities.

2. *"There is no planning policy justification for retaining a restaurant or viewing gallery in Centre Point"*

Whilst Almacantar makes this observation, it should also be made plain (as set out above) that there is no planning policy justification for the conversion of the Centre Point Tower to residential usage. Indeed, planning policy militates against such a conversion. The Viewing Gallery was itself part of the original fabric of the Tower and provides a unique view of the surrounding city landscape.

3. *"Paramount is a recent addition and does not operate as a viewing gallery"*

This statement is also plainly incorrect.

Paramount has been in situ for five years now. The Viewing Gallery is used as a viewing gallery, as well as an adjunct to Paramount's licensed bar premises. Paramount receives thousands of visitors per annum who relish the views that the Viewing Gallery affords.

4. *"Including either a restaurant or viewing gallery on one floor at the top of the tower impacts upon the proposals to such an extent that this would prevent any affordable housing from being provided as part of the proposals"*

This statement is deliberately misleading and requires the attention of the Planning Committee.

Paramount was granted planning permission to operate its restaurant, bar and events floor on the top three floors of the Centre Point Tower in 2006. The viewing gallery was already present and part of the Tower's fabric, and it was incorporated into Paramount's demise in order to allow thousands of people access to the unique panoramic views from the top of the Tower.

Paramount entered into a lease with its then landlord (Targetfollow (Centre Point) Limited) on 26 March 2008. This lease grants Paramount a 36-year term. There are currently over thirty years of that term still to run and we fully intend to remain in our premises for the remainder of the term.

I am aware that Almacantar's original planning application was rejected primarily because the proposals did not include sufficient provision for affordable housing. It must therefore be the case that Almacantar will need to make provision for such affordable housing for its current application to be approved. It has stated that it cannot do this while Paramount remains in its premises.

Paramount has raised this issue with Almacantar, but has been told that Almacantar intends to "work around" Paramount and does not require it to vacate its premises. As noted above, Paramount does not intend to vacate its premises in any event. However, it remains the case that Almacantar is proceeding

with an application that is predicated on Paramount leaving its premises when Paramount has no intention of doing so, and Almacantar have already indicated that it will require a "work around".

In the circumstances, it appears that Almacantar has made an application to Camden Planning on the basis of a false assumption that denies Paramount's existing rights. Paramount intends to remain in situ for the next thirty years, as it is fully and legally entitled to do under the terms of its lease. In order for Almacantar to work around Paramount, it will need to submit a substantially different planning application that takes account of Paramount's legal rights and makes sufficient alternative arrangements for affordable housing provision.

In light of the content of this letter, I would ask that you carefully review the current revised planning application. Almacantar have made it clear to me that the 42-month refurbishment and redevelopment works, that will proceed if they are granted planning permission, will have such a severe impact on Paramount that it will (and is intended to) cause Paramount's demise.

If you require any further information in relation to Paramount's objections, please do not hesitate to contact me or Paramount's planning consultants, Icen Projects Limited.

Yours faithfully



**Pierre Condou**  
Executive Director  
**Paramount at the Summit of Centre Point**

cc: Development Control Planning Services  
London Borough of Camden  
Town Hall  
Argyle Street  
London  
WC1H 8ND

Welcome to this public exhibition of the proposals to regenerate Centre Point Tower, the Centre Point Link Bridge, Centre Point House & the Intrepid Fox Public House, and the space surrounding the listed buildings.

With the completion of Crossrail, Tottenham Court Road station will be almost as busy as Heathrow Airport. As St. Giles will become a focal point for those who visit the capital, it is important to create attractive public space around the revitalised Centre Point.

A previous version of this project was refused at development control committee in September 2012. The proposals have been revised to take account of the comments.

The proposals for this refurbishment are outlined here today. Members of the project team are available to answer any questions that you may have.

Thank you for taking the time to visit this exhibition.



Joint venture partners



- Almacantar is a property investment and development company founded in February 2010
- Almacantar invests in large-scale mixed-use projects in central London.



- Frogmore invests directly in UK real estate.
- Founded in 1951, Frogmore has extensive UK investment knowledge and experience and today is exclusively a manager of private equity real estate funds.



WELCOME TO CENTRE POINT



Existing Centre Point - 1989

**WHAT WE ARE DOING**

Transforming Centre Point into a better version of its original 1960's self.

**APPLICATION 1 - THE BUILDINGS****Change of use**

1. Change of use of Centre Point Tower from office to residential.
2. Change of use of Centre Point Link and House lower floors from office to a flexible retail/restaurant use.
3. Development of Intrepid Fox public house site to provide affordable residential and retail.

**External Alterations**

5. Cleaning and repair of all the external concrete.
6. Sensitive and selective upgrading of the fenestration.
7. Repair the existing mosaic tiles.
9. The creation of a new pedestrian link through Centre Point House.
10. Remove external ramp and dark undercroft from Eamshaw street and replace with retail.
11. Provide new affordable residential building on the site of the Intrepid Fox public house above a retail unit.

**APPLICATION 2 - THE PIAZZA**

Future Application (To follow TfL/Camden's Transport modelling and consultation.)

1. The creation of a new public square between the three Centre Point buildings.
2. The addition of a ground floor extension of glass to partially infill beneath Centre Point Link for flexible retail/restaurant use.



Proposed



Existing



WHAT WE ARE DOING

## PREVIOUS APPLICATION : REASONS FOR REFUSAL

## CURRENT APPLICATIONS : CHANGES

1. LACK OF TIME FOR TFL TO REVIEW EVIDENCE OF SUDDEN INCREASE



2. LACK OF ON-SITE AFFORDABLE HOUSING



3. NO PROPOSED ACCESSIBLE LINKS TO TOP OF CENTRE POINT TOWER



4. LEVEL OF CAR PARKING PROVISION



5. CHANGES TO THE EXISTING BUILDING



1. NEW APPLICATION STRATEGY FOR BUILDINGS AND PUBLIC TRAM



2. PROVISION OF ON-SITE AFFORDABLE HOUSING



3. VIABILITY STUDY ON PUBLIC ACCESSIBLE LINKS TO TOP OF TOWER



4. REVISED CAR PARKING PROVISION



5. REVIEW OF CHANGES TO THE EXISTING BUILDING



APPLICATION 1 - THE BUILDINGS

- includes all the buildings on the site and will be submitted in spring 2013



APPLICATION 2 - THE PLAZZA

- includes the piazza and the works underneath the link  
- any works relating to the closure of the roads to follow upon conclusion of the TfL/Camden traffic modelling and consultation exercise.

Almacantar is committed to transforming Centre Point and the surrounding public realm to deliver a world class space with Centre Point at its heart. Almacantar wishes to deliver these objectives as soon as possible. However, comprehensive transport modelling by TfL and community consultation by Camden must take place to assess the impact of the road closure including rerouting buses before proposals for the square can be brought forward and an application submitted. The modelling and consultation will not be concluded until early autumn 2013 according to TfL's programme.

Construction on Centre Point Tower started in 1963 and was completed in 1966. Instantly becoming a classic icon of sixties London, Centre Point Tower nonetheless remained empty for many years after opening, and is still not fully let.

Richard Seifert designed the building and went on to design Tower 42, and King's Reach Tower but he remains best known for the bold and controversial design of Centre Point Tower, Link and House.

After 45 years of service and now recognised as being of special interest, the building is in need of major repair and refurbishment to ensure that it can remain safe and open. The design team has taken a heritage led approach to its refurbishment.



1928 Historic plan of New Oxford Street - showing St Giles High Street as a continuation of Oxford Street.



1954 road plan - showing the LCC road proposals at a new junction at St Giles Circus.



Early 1960s Bedfordshire plan showing Tower surrounded by roads.



Unrefurbished Original Bedford Design



St Giles High Street primary route from East to West



Location of New Oxford Street diminishes the significance of St Giles High Street



Centre Point creates its own island St Giles High Street is blocked



Overall Connections

2012

## HERITAGE LED APPROACH



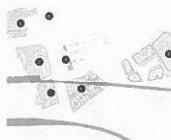
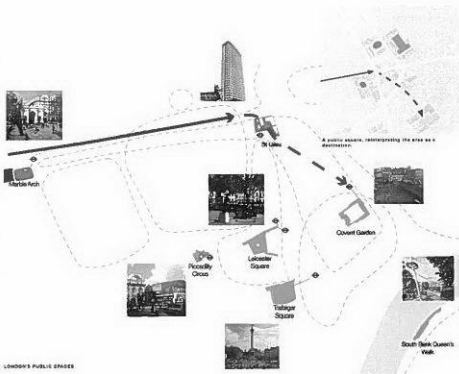
The new public square, including the spaces around, will be comparable in scale to some of London's most famous public spaces.

The proposed Centre Point public space would allow a major transport interchange to exit directly into a retail square. This would be unique to Central London where most underground stations and railway termini exit onto congested streets. It gives the Centre Point public space a distinctive character of an arrival and meeting square.

External dining would animate the square and establish it as a desirable space to spend time in rather than simply a corridor of retail connecting Oxford Street and Covent Garden.

The area around St Giles is changing with the proposed Centre Point, Denmark Place, and No.1 Oxford Street developments joining the already complete Central Saint Giles. These are all a result of the momentum created by the arrival of Crossrail and the new square at the foot of Centre Point.

LONDON'S PUBLIC SPACES



Adjacent Developments Location

## KEY

1. Denmark Place Development

2. No. 1 Oxford Street Development

3. Central St Giles

4. Crossrail and Tube Gateway

5. 1-29 Broad Street

6. Tottenham Court Road 2-way traffic proposal



1. Denmark Place Development



3. Central St Giles Development



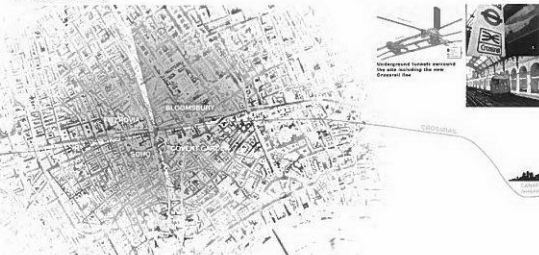
6. Tottenham Court Road 2-way traffic proposal



2. No. 1 Oxford Street Development



5. New Crossrail gateway by Station Wiltshire



Underground tunnels around the site, including the new Crossrail line

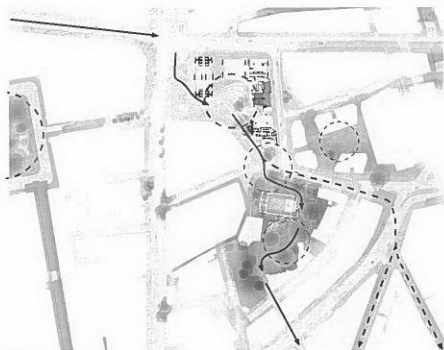
MOMENTUM FOR CHANGE

# CENTRE POINT

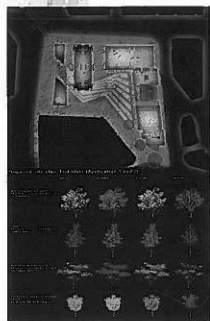
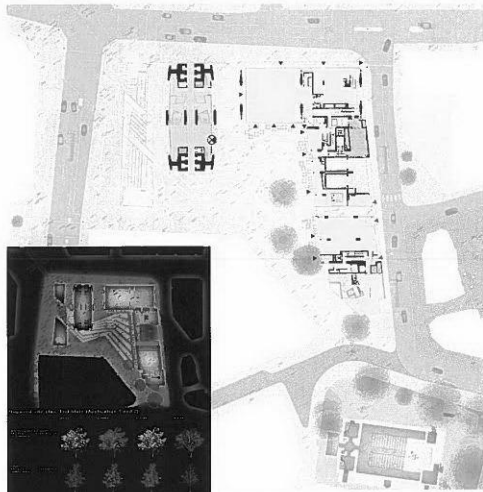
As illustrated the redevelopment of Centre Point is part of a wider transformation of the St Giles area and an opportunity to reconnect St Giles back into the wider city. The potential exists to improve connections from Oxford Street, through a new square around Centre Point to Covent Garden. As part of Camden's current proposals to close St Giles High Street and create a shared surface to Denmark Street, there is the opportunity to create a new public space to the south of Centre Point, facing St Giles in the Fields Church, connecting Denmark Street to the Central St Giles development.



Proposed site plan, Application 1



Proposed Wider Public Realm



WIDER PUBLIC REALM



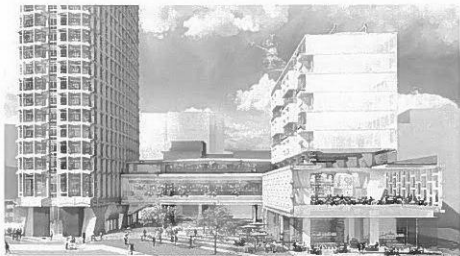
Existing road through site



Proposed light rail



Station through square looking North - (Application 1)



Station through square looking North - End State (Application 1 and 2)



Centre Point to St Giles in the Fields Church - (Application 1)



Existing Centre Point to St Giles in the Fields Church



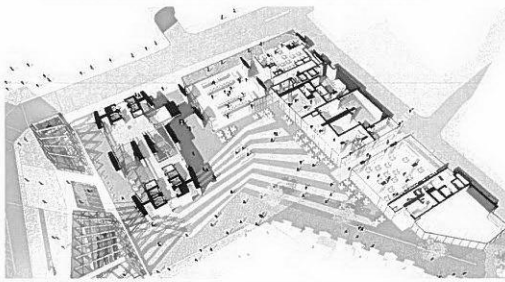
Contrasting views show the improved pedestrian connection from Centre Point to St Giles in the Fields Church - End state (Application 1 and 2)



Centre Point site and environment



Proposed Ground Floor Plan - (Application 1)

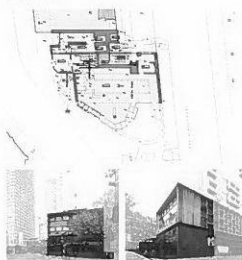


Proposed Ground Floor Plan - End State (Application 1 and 2)



# CENTRE POINT

## EXISTING



## APPLICATION 1A



Ground floor

First floor plan

Mezzanine plan

Upper floor plans 03, 04, 05

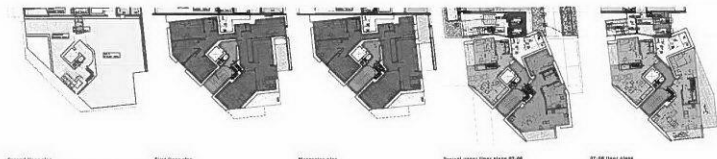
Upper floor plans 06, 07, 08

The White Lion site represents an opportunity to provide the maximum amount possible of high quality, compliant, self contained, on-site affordable housing units.

To accommodate the affordable housing, it is proposed that the existing Intrepid Fox pub will be demolished, however commercial use at ground floor level would be retained. The new proposal helps create a public space between St Giles in the Fields Church and Centre Point.

Almacantar are bringing forward two separate options for affordable housing to provide the council with a choice between 9 and 16 affordable housing units.

## APPLICATION 1B



Ground floor plan

First floor plan

Mezzanine plan

Upper floor plans 03, 04, 05

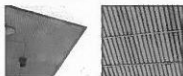
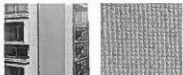
Upper floor plans 06, 07, 08

CENTRE POINT WHITE LION



#### APPLICATION 1A maximising base

Application 1A broadly follows the footprint of the existing pub at the base. The building's massing is smaller however there is a lesser provision of affordable housing.



Tessell tiles

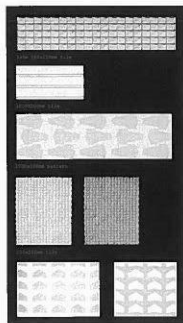


Geometric pattern tessell



#### APPLICATION 1B maximising base

Application 1B maximises the quantum and type of affordable housing provided. It is slightly larger but its form has been shaped to respond to and sit comfortably within the surrounding context, while providing more units.



THE 'CENTRE POINT' SIGN WILL BE REPLACED TO USE THE LATEST TECHNOLOGY, BUT WITH THE SAME SIZE AND FONT

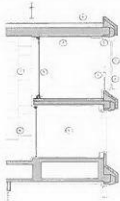


For more information, contact the publisher at 1-800-354-9700.

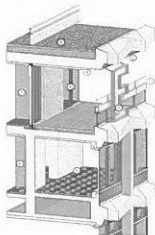


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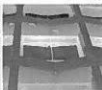
## STUDY OF PROPOSED UPPER LEVEL REFURBISHMENT



1. *Learning* is the acquisition of knowledge or skills through experience, study, or instruction.
2. *Knowledge* is the information, facts, and skills that a person has acquired through learning.
3. *Skills* are the abilities to perform tasks or activities that require knowledge and practice.
4. *Attitudes* are the feelings or beliefs that influence a person's behavior.
5. *Values* are the principles or standards that guide a person's actions.
6. *Character* is the collection of traits and qualities that define a person's personality.
7. *Integrity* is the quality of being honest and having strong moral principles.
8. *Respect* is the regard for the feelings, wishes, or rights of others.
9. *Responsibility* is the state of being accountable for one's actions.
10. *Leadership* is the ability to guide, influence, and inspire others.



RESEARCH UNIT 1000 1-0000 1000000

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**Training, Performance** The authors note that training and performance are closely related. Training is the process of acquiring knowledge, skills, and abilities that are necessary for the performance of a task. Performance is the actual execution of the task. The authors discuss the importance of training in improving performance and the factors that influence performance, such as motivation, ability, and resources.

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**ACOUSTIC PERFORMANCE:** The 1000 Series is designed to provide excellent sound reproduction. The 1000 Series is designed to provide excellent sound reproduction. The 1000 Series is designed to provide excellent sound reproduction.

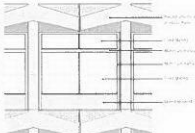
### ACOUSTIC PERFORMANCE

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## TYPICAL FACADE BAY: EXISTING SELFERT SCHEME



### Getting Your Feet from the Ground

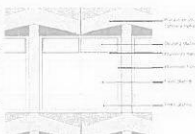


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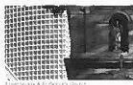
TYPICAL FACADE RATIO PROPOSED SCHEME



**Frequency View from the Server**



Registered Agent: William H. May, Jr.



1. *Journal of the American Medical Association*, 2000; 283: 2689-2696.



Source: *Washington Post*, 1997.



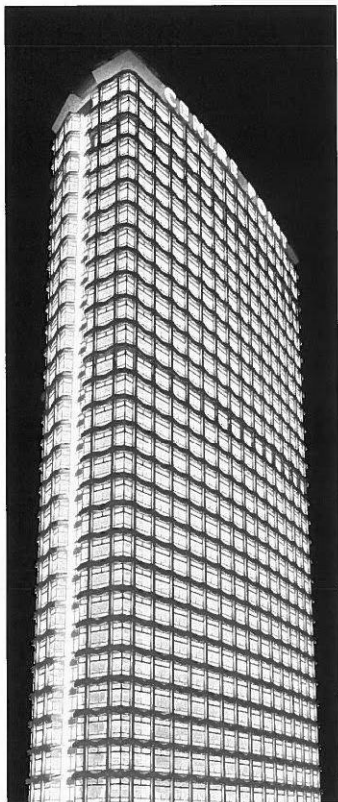
Further studies are



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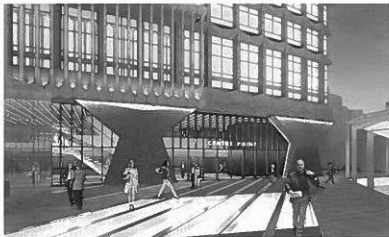


Source: *Proceedings of the 1997 American Psychological Association Conference on the Science and Treatment of Eating Disorders*, Washington, DC, 1997.



and results of the above studies are summarized in Table 1.

## CENTRE POINT TOWER FACADE &amp; TOP



Centre Point Tower Ground &amp; Below Ground, viewed from the north east



Centre Point Tower Ground &amp; Below Ground, viewed from the north



Centre Point Tower Ground &amp; Below Ground, viewed from the north

## CURRENT EXISTING

MEZZANINE LEVEL  
RETAINS MANY OF ITS  
ORIGINAL FEATURES

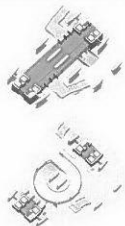
GROUND FLOOR  
FROM PUBLIC REALM HAS  
NEGATIVE EFFECT ON  
SPACES & GROUND FLOOR  
RECENT ADDITIONS RESULT  
IN A LACK OF CLARITY



## DEIFT SCHEME

MEZZANINE LEVEL  
WAS ENCLOSED  
AND REPLACES THE  
RECEPTION AREA

GROUND FLOOR  
ACCESS FROM GROUND  
TO PUBLIC REALM WITH  
CAR RAMP, RAMP TO  
BASEMENT



## PROPOSED

RESIDENTS' PRIVATE MEZZANINE  
ACCESS FROM GROUND  
FLOOR VIA RELOCATED EXISTING  
STAIRCASES

RELOCATION OF EXTERNAL  
STAIRS OVER THE GROUND  
FLOOR A HIGH LEVEL  
OF TRANSPARENCY AND  
CLARITY

THIS APPROACH HAS THE  
SUPPORT OF LONDON'S  
SECURE BY DESIGN  
OFFICERS

PUBLIC REALM MATERIALS  
CONTAINING THROUGH  
GROUND FLOOR

GROUND FLOOR  
RESIDENTIAL ENTRANCE  
GIVING ACCESS TO GROUND  
FLOOR RECEPTION



## CENTRE POINT TOWER GROUND

## Simple Choices: Viewing Gallery/ Restaurant or Affordable Housing

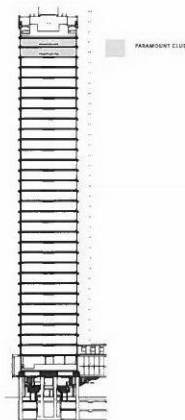
## 1. CHOICE

The development proposals at Centre Point including the change of use of the tower to residential use, enables a significant package of contributions to be made to Camden to provide a number of key public benefits including affordable housing and public realm initiatives.

Including either a restaurant or a viewing gallery on one floor at the top of the tower impacts upon the proposals to such an extent that this would prevent any affordable housing from being provided as part of the proposals.

The existing Paramount restaurant was only given planning permission in 2006 and operated until 2008 as a private members club.

There is no planning policy justification for retaining a restaurant or viewing gallery in Centre Point.

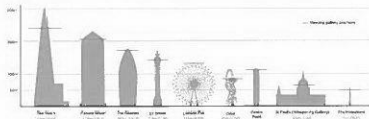


Paramount is a recent addition and does not operate as a viewing gallery

## 2. BUSINESS APPRAISAL

Although there is no policy justification for the provision of a viewing gallery at Centre Point, a study has been carried out to assess the technical and financial viability of its inclusion.

The options have been appraised by Britton McGrath, specialist leisure and tourism consultants. Their report shows that none of the options are able to meet the key operational and commercial criteria by which a viewing gallery could be judged as a sustainable use.



The Shard is the tallest building in Europe, the London Eye attracts 3.5M visitors per year, St.Pauls Cathedral offers a wider experience

When compared to other key London landmarks, Centre Point Tower cannot offer the same viewing height or visitor experience.

## 3. IMPACT



A viewing gallery to the 34th floor requires new lift access - the lift overrun and caging required would be unacceptable in Listed Building terms. It would also have a big impact on the financial viability of the scheme.



A viewing gallery on the 33rd floor results in the loss of a large area of residential accommodation.

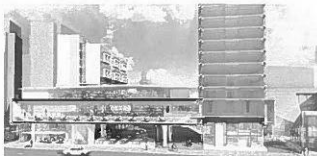
Britton McGrath's study shows that the least compromised options from an operator's perspective are 'full floor' options. These are also the options that have the biggest impact on overall scheme viability.







Section, Link Bridge - Illustrative 1.



Unique spatial qualities of Bridge Link created as a dining and cultural destination - End State (Application 1 and 2)



Alongside Westbank Link, gateway on New Oxford Street facade.



Link Bridge Presents, the glass is covered with a reflective film.



Link Bridge Presents, the glass is covered with a reflective film.



Unique spatial qualities of Bridge Link created as a dining and cultural destination - End State (Illustrative 1 and 2)



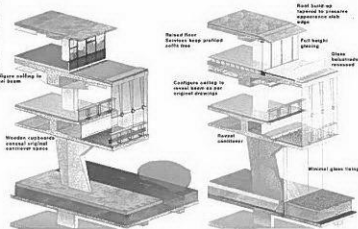
Centre Point Link Bridge will be open to the public at all levels.



Ground level, Restaurant/Bar space with direct access to public space.



Link Bridge, first floor restaurant interior.



Section Study - Existing Bridge Link Facade.

Section Study - Proposed Bridge Link Facade.

# CENTRE POINT BRIDGE LINK

# Objection to the Proposed Change of Use at Centre Point

Application Ref 2013/1957/P & 2013/1961/L

Application Ref 2013/1970/P & 2013/2000/L

Iceni Projects Limited on behalf of  
Paramount at the Summit of Centre Point

May 2013

ICENI PROJECTS LIMITED  
ON BEHALF OF  
PARAMOUNT AT  
THE SUMMIT OF CENTRE POINT

**Iceni Projects Ltd**

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**Objection to the Proposed Change of  
Use at Centre Point**  
APPLICATION REF 2013/1957/P & 2013/1961/L

## CONTENTS

1. INTRODUCTION.....	3
2. RELEVANT BACKGROUND.....	5
3. RECENT PLANNING HISTORY .....	7
4. PROPOSED DEVELOPMENT.....	8
5. RELEVANT LEGISLATION & PLANNING POLICY .....	9
6. GROUNDS OF OBJECTION .....	11
7. CONCLUSIONS .....	17

## APPENDICES

- A1. CAMDEN DEVELOPMENT CONTROL MEETING MINUTES
- A2. SUMMARY OF PLANNING APPLICATIONS
- A3. RELEVANT LEGISLATION & POLICY

## 1. INTRODUCTION

- 1.1 Icenl Projects Limited are instructed by our clients, Paramount at the Summit of Centre Point, 101 – 103 New Oxford Street, London WC1A 1DD to submit objections to planning applications 2013/1957/P (& Listed Building consent 2013/1961/L) and 2013/1970/P (& Listed Building Consent 2013/2000/L) by Almacantar (Centre Point) Limited.
- 1.2 Our clients submitted objections on the previous planning application (Application Ref 2012/2895/P & 2012/2897/L) which, as part of a wider redevelopment of Centre Point, proposed the change of use of Centre Point Tower from the existing office and bar / restaurant uses to 82 apartments. This application was refused by Camden Council in September 2012. One of the substantial reasons for refusal on the last application was due to the loss of the viewing platform and Paramount bar and restaurant on the upper floors of Centre Point Tower. The current proposals, as they relate to Centre Point Tower, remain unchanged from the previous proposal and therefore both applications have failed to address this reason for refusal. Our client strongly objects to the two planning applications. The primary difference from the previous application is that the two current applications include on site affordable housing (Application 1 provides 13 affordable dwellings and Application 2 provides 16 affordable dwellings).
- 1.3 Centre Point is located in an area of national importance as demonstrated by its designation within the Central Activities Zone and the West End Special Retail Policy Area. The current proposals are entirely contrary to these designations. Furthermore, Camden Council and the Mayor both made bids to the Secretary of State requesting that the CAZ should be excluded from the Permitted Development Rights Order for the change of use of office floorspace to residential. In the representations both the LPA and the Mayor emphasised that it is vital to protect business premises in the CAZ and that existing employment should not be compromised. The Government agreed with these representations and the CAZ has been identified as an area exempt from the Permitted Development Rights.
- 1.4 The proposed development will result in the loss of the following:
- a unique bar, restaurant and events area which provides over 200,000 residents and tourists each year with an opportunity to enjoy panoramic views of the City of London, the River Thames and the West End;
  - 2,600 jobs (over 100 of which are provided in Paramount Levels 31 - 33); and
  - 27,516 sq. meters of office accommodation.
- 1.5 The applicants have stated in the application that Paramount was a private members club and makes a limited contribution to Centre Point. This is incorrect. Paramount comprises of a restaurant/bar that provides breakfast, lunch and dinner service on the 32<sup>nd</sup> Floor and a cocktail bar

on the 33<sup>rd</sup> floor. It is not a private members club and operates as a restaurant and bar with a dedicated events space. In fact, at the Camden Planning Committee in respect of the previous application in September 2012 many of the members noted that Paramount was a great asset for the area and not exclusive, as the applicant has tried to portray.

- 1.6 The two current planning applications are contrary to planning and sustainable development objectives at local, regional and national level and should be refused permission. A fundamental reason for refusal should be that the principle of the development is unacceptable as it will result in a significant loss of employment floorspace and is contrary to the Development Plan.
- 1.7 In addition, the loss of Paramount was serious concern to members in the determination of the previous application and the applicant has failed to address this issue. For this reason, we submit that the following reason for refusal should be included in regards to the loss of Paramount:

*"The proposed conversion of the Restaurant/Bar on the 31st, 32nd and 33rd floors of Centre Point Tower to residential uses would result in the loss of an important local business and tourist attraction and the loss of publicly accessible areas on the upper floors, resulting in material harm and contrary to Policies DP13 and CS8 of the Camden Core Strategy, Policy 7.7(C) of the London Plan and the National Planning Policy Framework."*

## 2. RELEVANT BACKGROUND

### Paramount at the Summit of Centre Point

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- 2.1 A key feature that makes Centre Point unique is the location of a restaurant, bar and viewing gallery at Levels 31 – 33 in Centre Point Tower which provides spectacular views of the city. Our clients have a 36 year lease on the upper three storeys (Levels 31 – 33) of the Tower. Subsequent to receiving planning approval in 2007 for works to the upper levels of Centre Point Tower, our clients invested of £5 million into creating a unique bar, restaurant and events arena.
- 2.2 Paramount represents a unique and special experience over the top three floors of the Centre Point building, with each level offering unparalleled 360-degree views across London. It comprises of the following:
- Level 31 – Event arena which has been specifically designed for private hire and often hosts dinners, weddings (has a wedding license), screenings, meetings, launches and presentations. Level 31 can accommodate up to 350 people for a standing reception and up to 150 people seated.
  - Level 32 – Restaurant and bar area
  - Level 33 – Cocktail bar and viewing gallery
- 2.3 The Paramount bar, restaurant and events arena serves more than 200,000 patrons per annum and is a very significant tourist draw for the city. Our clients have seen their business grow year on year since it was established in 2008.
- 2.4 Paramount is a thriving business which employs over 100 at present. The site is not available for development, as our client has a 36 year lease hold on the top floors. In this respect, the Planning Authority should note that the site is unavailable for development and is therefore unable to provide a development of the type envisaged by the applicant.

### Public Transport

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- 2.5 The application site benefits from very significant planned transport improvements which include a new Crossrail station linked to Tottenham Court Road underground station and an enlarged Underground station ticket hall. Tottenham Court Road Station is due to be served by Crossrail by 2018. Crossrail represents a project of national significance and is identified as a catalyst for safeguarding the national economy. The primary purpose of Crossrail is to improve the attractiveness of London for investors and to generate increased employment in the city, close to Crossrail stations such as Tottenham Court Road.

- 2.6 Centre Point is strategically located directly adjacent to Tottenham Court Road Station. This presents an ideal location for employment generating activities which can capitalise on the unparalleled public transport connections. The use of the building for a broad range of uses including office, bar / restaurant and retail such as the existing and established uses, will ensure that the property utilises the public transport available. The change of use of this building to solely residential use would represent a failure to utilise the Crossrail investment and therefore runs entirely contrary to the business case and key sustainability principles upon which Crossrail is based.

### 3. RECENT PLANNING HISTORY

#### Application Reference 2012/2895/P & 2012/2897/L

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- 3.1 Camden Council refused planning consent to Almacantar in September 2012 for a planning application at Centre Point which included:
- Change of use of 27,516 sq. m. office accommodation to 31,944 sq. m. residential floorspace to provide 82 residential units and ancillary residential floorspace (spa, gym, pool and club) and 7,667 sq. m. gross external area retail floorspace.
  - The 31st and 32nd floors each contained one residential unit, and plant area previously located within the top floors will be reduced to provide a penthouse duplex between the 33rd and 34th floors.
- 3.2 The application was refused planning consent, for a number of reasons including the following:
- "The proposed conversion of the Restaurant/Bar on the 31st, 32nd and 33rd floors of Centre Point Tower to residential uses would result in a tall building without any publicly accessible areas on the upper floors, contrary to Policy 7.7(C) of the London Plan."*
- 3.3 At the Camden Development Control Committee meeting, Iceni meeting minutes attached at Appendix 1, the elected members expressed serious concern regarding the loss of Paramount. The members concerns extended beyond the loss of a public viewing gallery and related to the loss of Paramount, a viable business which makes an important contribution to the area. It is considered that the wording of the reason for refusal does not fully reflect the members full concerns expressed at the meeting.

#### APPENDIX 1

- 3.4 It is submitted that the above reason for refusal on the previous application and the discussion by the members are the Planning Committee Meeting form a material consideration in the assessment of the two current planning applications.



## 4. PROPOSED DEVELOPMENT

- 4.1 The Applicant, Almacantar (Centre Point) Limited has submitted two concurrent planning applications for the determination by Camden Council.
- 4.2 The applications are identical with the exception of the number of affordable housing units provided on the adjacent public house site – application 1 provides 13 affordable units and application 2 provides 16 affordable units. The applications are detailed at Appendix 2.

### APPENDIX 2

- 4.3 The proposals in relation to Centre Point Tower are unchanged from the refused scheme detailed at Section 3 above. The proposal will result in the loss of Paramount and its replacement with three apartments. The applicant has failed to address the reason for refusal in relation to Paramount in either of the two current applications.
- 4.4 The applicants have submitted revised proposals for affordable housing in an effort to address one of the reasons for refusal on the previous application. It noted in the previous application, the applicants strongly contended that it was unviable to provide onsite affordable housing provision, yet following the refusal they sought a solution. The Applicants are making similar viability arguments regarding the provision of a bar / restaurant on the upper levels of Centre Point Tower. However, the applicant has not attempted to provide a solution to the loss of Paramount.
- 4.5 The planning applications provide extensive information to justify why the provision of a viewing gallery or restaurant would not be viable in the change of use of Centre Point Tower from office to residential. The applications fail to acknowledge that our clients still have over thirty years of their lease term to run and they fully intend to remain in premises for this period. In which case, the development as proposed in either planning application cannot be implemented. If the applicants contend that the affordable housing cannot be delivered if Paramount is retained, then they need to submit a planning application for the consideration of the Council on this basis.

## 5. RELEVANT LEGISLATION & PLANNING POLICY

- 5.1 The loss of existing businesses within the development and the permanent loss of almost 28,000sq.m of business floorspace in a primary commercial location in central London runs entirely contrary to the objectives and policies of the Development Plan and the Government's National Planning Policy Framework and recent legislation on permitted development rights. A full policy assessment is provided in Appendix 3 and summarised below.

### APPENDIX 3

- 5.2 Camden Council and the Mayor of London both submitted bids to the Secretary of State on the General Permitted Development Amendment Order 2013 requesting that the CAZ is excluded from the permitted development rights which allow for the change of use of office floorspace to residential, stating that:

- It is vital to ensure that business premises in the CAZ suitable for continued commercial use are protected and supported;
- The incentive to convert offices to housing could result in leases being ended prematurely as landowners opt to change the use of their building to more profitable residential use;
- The Mayor is very strong in his assertion that "it is crucial that existing employment is not compromised" and to ensure that only "truly surplus space" is released;
- The primary purpose of central business districts is employment, not housing.

- 5.3 The Mayor's representations on the permitted rights development order also explained what makes the CAZ successful, stating that:

*"London's Central Activities Zone is different. This is not simply because of the scale of office provision here. It is also because this provision is an integral part of a wider mix of uses, whether these uses be:*

- *the 'services for service sector' which meet the needs of occupiers and those maintaining the buildings;*
- *the shops, restaurants, bars, theatres and other facilities which cater for its workers ...;*
- *the transport facilities which underpin the efficient operation of the office labour market;..."*

- 5.4 The LPA's and the Mayor's bids were successful and the Government included the CAZ at Section 3 of the General Permitted Development Amendment Order which identifies office areas that are exempt from the permitted development rights and will not be able to benefit from the change the use from office to residential, without planning consent.

- 5.5 The National Planning Policy Framework provides for the change of use from empty office to residential, where there is an identified need for additional housing and provided there are not strong economic reasons why such a development would be inappropriate. This building is not vacant. On the contrary, the building is in active use accommodating a diverse mix of office and business uses and a bar/restaurant/events arena. There are strong economic reasons why the change of use of this building from commercial use is wholly inappropriate:
- The site lies within the Central Activities Zone, which forms the economic core of the city in which office and tourism are primary uses.
  - The proposed redevelopment will result in the loss of the businesses currently operating from Centre Point which include our client at Levels 31 – 33 in addition to a host of other businesses and office tenants.
  - The proposal causes material harm to those businesses and will result in the loss of jobs that will not be replaced through the redevelopment. Accordingly, there will be a significant adverse impact in economic terms which cannot be offset through mitigation measures.
- 5.6 The site is located within the Tottenham Court Road Opportunity Area. The London Plan identifies that the area should deliver 5,000 new jobs. The current planning applications will increase this requirement to at least 7,500 jobs. It is difficult to understand how a development that results in the loss of 2,600 jobs and replaces them with just 82 new homes within an identified location of national and international importance can be of economic benefit. Moreover, when considered alongside the job target for the Tottenham Court Road Opportunity Area, it is evident that the proposal is wholly contrary to London Plan policy.
- 5.7 Policy DP13 of the Camden Core Strategy seeks to protect employment premises, unless the building is no longer suitable for its existing business use or an alternative business use. The proposal is entirely contrary to this policy as explained in section 6 of this objection.
- 5.8 The previous application was refused consent as the development was considered contrary to policy 7.7 (c). Policy 7.7 of the London Plan relates to the location and design of tall and large buildings. Part C of the Policy at point h states that:
- 'Tall and large buildings should incorporate publicly accessible areas of the upper floors, where appropriate'.*
- 5.9 The applicants have failed to provide a viewing platform in the current proposals and therefore the proposal remains contrary to policy 7.7 (c) and should be refused.

## 6. GROUNDS OF OBJECTION

6.1 Our client's grounds of objection in respect of the current planning applications (and specifically the change of use of Centre Point Tower) are as follows:

- The principle of development is contrary to the Development Plan and causes material harm;
- There will be adverse socio economic impacts, which cannot be satisfactorily mitigated;
- The proposals will result in the loss of an important and unique tourist asset;

6.2 When these issues are considered collectively, it is considered that the planning application results in material harm to the growth of London's economy.

### Principle of Development

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6.3 The principle of development is contrary to the Development Plan and is clearly unacceptable when the disbenefits of the development are properly assessed and quantified. The adopted Camden Core Strategy (2010) and the London Plan (2011) are the up to date Development Plan Documents and therefore form the starting point for determining applications of this nature. In this respect, the NPPF states at paragraph 12 that *"proposed development that conflicts should be refused unless other material considerations indicate otherwise."*

6.4 The extent of the policy conflict is highlighted below.

### Loss of Business Use

6.5 The property currently accommodates almost 28,000 sq. metres of office floorspace and in the range of 2,600 jobs. The building comprises of an active business use which supports many thousands of jobs and thus makes a very positive contribution to the economy. Planning policy supports the retention of such uses and is opposed to the change of use to non – business uses.

6.6 The proposal entirely conflicts with the Camden Core Strategy in this respect which states that it is an objective to *"safeguarding existing employment sites and premises in the borough that meet the needs of modern industry and other employers"*.

6.7 Policy DP13 'Employment Premises and Sites' states that *"the Council will resist a change to non-business unless the building is no longer suitable for its existing business use; and there is evidence that the possibility of retaining, reusing or redeveloping the site or building for*

*similar or alternative business use has been fully explored over an appropriate period of time".*  
(our emphasis)

- 6.8 The Centre Point Tower building is suitable for its existing business use – offices and bar / restaurant / events arena – which is illustrated by the fact that the offices are largely occupied (applicant states that occupancy levels of the office from 1966 - 2010 are 59%) and the Paramount bar at Levels 31 – 33 is a viable and successful business. Therefore, there is no evidence that this building is no longer suitable for its existing business use. Furthermore, the applicant has not provided any evidence that they have considered retaining, reusing or redeveloping the site for any other business uses.
- 6.9 In view of the above, it is submitted that the applicant has not satisfactorily demonstrated that building is no longer suitable for its existing business use or provided evidence that retaining, reusing or redeveloping the site for similar or alternative business use has been fully explored over an appropriate period of time. Therefore, consent should be refused as the proposal is contrary to Policy DP13 of the Camden Core Strategy. The proposed redevelopment retains no business use and meets none of the policy requirements.

**Mix of Uses - Inappropriate Location for 100% residential**

- 6.10 The property is situated in the CAZ, where jobs and businesses are the main priority in addition to tourist and cultural uses as clearly illustrated in the recent Permitted Development Rights Order, the London Plan and the Camden Core Strategy. There is no policy in favour of 100% residential buildings in the CAZ but rather the policy promotes a balanced mix of uses with the primary focus on business and employment generating uses. The Mayor highlights in his representations on the Permitted Development Rights Order that the broad mix of commercial uses and services is what makes the CAZ successful. In this respect, there is an inherent land use planning conflict of redeveloping large scale office / business floorspace for residential development in a location where office development is prioritised and safeguarded.
- 6.11 The LPA's and the Mayors representations on the Permitted Development Rights Order clearly seek to protect existing employment in the CAZ and acknowledge the risk posed by high residential values in this area of the city. The vision for the CAZ by the Government, the Mayor and the LPA is clearly illustrated by the approach to the exemptions for the Permitted Development Rights, which is to protect these economically important commercial and employment locations from development such as that proposed in the current planning applications.
- 6.12 The Development Plan identifies the urgent need for office accommodation in growth areas such as Tottenham Court Road. The Camden Employment Land Review 2008 forecasts that the demand for offices will increase by 615,000 sq. m. between 2006 and 2026. To meet this demand, the Council will direct new business development to the growth areas of King's Cross, Euston,

Holborn and Tottenham Court Road. The development proposal severely compromises this strategy resulting in material harm to the Development Plan strategy.

- 6.13 The Core Strategy further states that growth areas are also expected to be the location for over 80% of the new business floorspace. This is due to the extensive transport enhancements including the development of Crossrail. The Core Strategy resists development that makes inefficient use of Camden's limited land. The proposed development represents a very inefficient use of a high profile building served by world class public transport.
- 6.14 Local planning policy supports the provision of an appropriate mix of uses, in individual buildings, stating that it can contribute to successfully managing future growth in Camden and make efficient use of its limited land.
- 6.15 The Paramount Restaurant makes a positive contribution towards the mix of uses in the CAZ and provides an important service in the area, as acknowledged by the members at the Camden Development Control Committee Meeting in September 2012.

#### **Socio Economic Impact**

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- 6.16 It is submitted that the proposal will have a significant negative socio economic impact. The proposed redevelopment will result in the loss of the businesses currently operating from Centre Point which include our client Paramount at Levels 31 – 33 in addition to a host of other businesses and office tenants. The proposal causes material harm to those businesses and will result in the loss of jobs that will not be replaced through the redevelopment. Accordingly, there will be a significant adverse impact in economic terms through which there are no mitigation measures proposed.
- 6.17 Section 6 of the ES 'Socio Economics' only considers the loss of the office floor space as a result of the proposed redevelopment and change of use. This section, similar to much of the ES, fails to take account of the loss of the restaurant / bar and the unique viewing platform, despite the fact that this issue formed a reason for refusal on the previous application. The socio economic impact of the loss of the bar / restaurant / events arena should be assessed in order to determine the full impacts and should be considered in terms of the loss of more than 200,000 residents and tourists being deprived of the ability to uniquely view London's Skyline in this location. The ES should include a landscape and visual impact assessment to consider and quantify the loss of the panoramic views for visitors to the top level viewing area.

#### **Employment**

- 6.18 Paramount at Levels 31 – 33 is approximately 1,000sq.m, all of which will be lost as a result of the proposed development and replaced to provide a total of three residential units. The business

currently employs over 100 staff. The ES acknowledges states that "a complete assessment of employment created should take into account the number of jobs that currently exist on-site". Despite this, the ES fails to take account of the current employment provision at Levels 31 – 33.

- 6.19 The ES states at par 6.81 that:

*"The existing on-site buildings are currently a mix of office and retail. Based on information provided by the Applicant, it has been estimated that current employment would not exceed 2,500 in full occupancy. It is assumed that the most likely outcome is that these jobs will relocate to other office space within London. We therefore assume that whilst this may result in employment loss at the site these jobs will remain in Greater London (the identified impact area for employment and expenditure)."*

- 6.20 This paragraph is incorrect in that the existing on site buildings are currently a mix of office, retail and restaurant / bar / events arena with a viewing platform. It is not clear how the figure of 2,500 jobs has been derived given that there is no reference to the Paramount bar and restaurant in the Socio Economics chapter. This further highlights that the applicant completely disregarded the Paramount in the preparation of the current planning applications, notwithstanding the fact that we highlighted these discrepancies in the previous application.
- 6.21 The ES states that the most likely outcome is that these jobs will relocate to other office space in the Greater London area, however there is no evidence to support this assumption. In fact, the Mayor states in his representations on the Permitted Development Rights that "Firms displaced will not move to other parts of London, or in many cases even to other parts of the UK".
- 6.22 The building currently provides office floorspace, which given the evidence provided by the applicant that it is 60% occupied, highlights that despite its condition there remains significant demand for office floorspace at this location. Furthermore, our clients over 100 employees will not be accommodated elsewhere in the Greater London area, as Paramount comprises a very unique offer and it would be impossible to find a suitable and available location to establish a bar / restaurant which offers such a unique view of London.
- 6.23 In view of the scale of job losses that the proposed redevelopment would have, it is considered that the conclusion of this section of the ES should in fact be Major Adverse and not Minor Beneficial.

#### Local Economy

- 6.24 The ES fails to take full account of the significant socio economic impact that the loss of 2,600 employees will have on the local economy and spending in the Tottenham Court Road area. This will be replaced by an additional 174 residents and the 330 employees in the redeveloped scheme.

6.25 It is difficult to see how the ES can conclude that the proposed change of use to solely residential use will have a Minor Beneficial impact on the local economy. In fact on the contrary, it is considered that the loss of at least 2,600 employees and their associated spending in the area will have a Major Adverse impact on the Greater London economy.

6.26 This impact on the local economy is entirely contrary to the Camden Core Strategy which supports the growth areas such as Tottenham Court Road stating that:

*"Development in growth areas such as Tottenham Court Road, and throughout Central London, should contribute to the area economically, socially and environmentally, through providing a substantial number of new jobs and space for businesses;"*

6.27 The existing uses in Centre Point Tower comprising of office, retail and bar / restaurant / events arena all contribute to the area economically, socially and environmentally through the provision of a mix of uses served by high quality public transport. Whereas, the proposed change of use will not contribute towards the local economy and in fact will have a negative impact on the growth potential of Tottenham Court Road.

#### **Loss of an Important Tourism Asset**

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6.28 The existing development at Levels 31 – 33 provides tourism benefits through public access to a unique panoramic view of Central London which will be lost as a result of the development which is contrary to policy 7.7 of the London Plan. This issue was stated as a reason for refusal in the previous application. The existing use at Levels 31 – 33 represents the optimum use of the upper floors of the building in that it maximises the sites potential in terms of the views and the location. There are only a small number of buildings in London that have a viewing gallery, similar to Paramount, which is accessible to the public providing 360 degree views of London. Amenities such as the Paramount are a valuable resource and should be protected.

6.29 The Core Strategy identifies that Camden is the third largest contributor to London's economy which is partly as a result of the leisure, entertainment and tourism industry which are vitally important for the Borough's economy. Policy CS8 of the Core Strategy 'Promoting a successful and inclusive Camden economy' states that the Council will secure a strong economy in Camden and *"recognise the importance of other employment generating uses, including retail, markets, leisure, education, tourism and health."*

6.30 The Core Strategy states that the Council recognises the importance of the visitor economy in Camden and will support the continued growth of the sector. The Paramount bar makes a positive contribution to the tourist and cultural offer of London as it provides a bar, restaurant and events



arena with exceptional and iconic views across London. This is an important facility that should be protected as an important amenity for residents of London and tourists.

- 6.31 Levels 31 – 33 of Centre Point Tower forms part of London's important attractions which make a significant contribution to economy and enhancing London's visitor experience. The Core Strategy acknowledges the importance of such cultural facilities for residents and tourists, stating at paragraph 9.6:

*"Camden's Central London area is a major draw for Londoners and for tourists visiting the city, making a significant contribution to the attractiveness and economy of both the borough and the capital. Attractions include the British Museum, Covent Garden, Hatton Garden and numerous theatres, bars and restaurants. These are also used by Camden residents and are therefore important local facilities."*

- 6.32 Camden Development Policies Plan (2010) states that the Council will guide tourism development that is likely to attract large numbers of people to Camden's Central London area, particularly the growth areas including Tottenham Court Road. The proposed redevelopment of Centre Point Tower will result in loss of a significant asset for residents and tourists.
- 6.33 Similarly Section 6 of the ES assesses the socio economics impacts of the proposal, however the Statement fails to acknowledge the existing bar / restaurant / events arena at Levels 31 – 33, referring only to the office use. An important consideration in this section should be the loss of over 100 jobs currently provided at Levels 31 – 33 and also the loss of an important tourist attraction within the CAZ, where the Development Plan advocates the development of tourist facilities and accommodation.

## 7. CONCLUSIONS

7.1 Government planning policy requires planning applications that conflict with the Development Plan to be refused, unless material considerations indicate otherwise. Material considerations do not exist with this proposal that can offset the levels of Development Plan conflict and overall material harm that this development will cause. This submission respectfully requests that the planning authority refuses planning permission for the proposed development for the following reasons:

- The principle of development is contrary to the Development Plan and causes material harm;
- There will be adverse socio economic impacts, which cannot be satisfactorily mitigated; and
- The proposals will result in the loss of an important and unique tourist asset;

7.2 From a national policy perspective, the development is contrary to advice set out in the NPPF. Paragraph 51 highlights that commercial buildings should be permitted for change to residential provided there are not strong economic reasons why such development is inappropriate. In this instance, there are strong and wholly justified economic reasons why the application should not be permitted:

- The proposal results in the loss of 28,000sq.m of office development in a location prioritised for business/commercial development;
- The proposal will result in the loss of circa 2,600 existing jobs;
- The loss of employment floorspace and existing jobs compromises the economic strategy for this location which is to create an additional 5000 new jobs. With one development for just 82 homes, the strategic jobs requirement increases by 50% from 5,000 to 7500 new jobs; and
- The proposal is entirely contrary to the objectives of Crossrail and the London Plan which are to optimise the benefits of Crossrail around Tottenham Court Road Station.

7.3 At a regional level, the proposal is contrary to the London Plan. In this regard, the land is identified within the Central Activities Zone, the West End Special Retail Policy Area and the Tottenham Court Road Opportunity Area. The application site therefore lies within a nationally and internationally significant business location which the London Plan has identified for an additional 5,000 new jobs/60,000sq.m of new office floorspace. A development that results in the loss of 28,000sq.m of office floorspace and circa 2,600 existing jobs is in conflict with this strategy and will harm London's economy. There would clearly be a major socio economic impact with the development as the jobs target would effectively be increased by over 50% to 7,500 and associated land use implications with circa 88,000sq.m of new office floorspace required, rather than the 60,000sq.m required by the London Plan.

7.4 The proposal also runs entirely contrary to Development Plan employment policy, as set out in Policy DP13 of the Camden Core Strategy. The policy prevents changes of use from

business/employment unless it can be demonstrated that the building is no longer suitable for business use. Given that the building is in active use and currently employs in the order of 2,600 people, this test cannot be met. The applicant has failed to provide any marketing assessment to assess the demand for and suitability of the business floorspace.

- 7.5 The proposal is also inconsistent with the LPA's and the Mayor's vision for the CAZ as detailed in their representations to the Secretary of State regarding exemptions from the Permitted Development Rights for the change of use from office to residential. It is evident from these representations, and the fact the government agree that the CAZ should be excluded from the Permitted Development Rights, that the primary purpose of the CAZ is employment. This area is of national and even importance international importance as an employment and commercial centre and facilities such as Paramount make a positive contribution to the area and should be retained.
- 7.6 The Paramount Bar, Restaurant and Events Area is a significant tourist asset that attracts over 200,000 visitors per annum to view London's skyline. The business employs over 100 people and is a successful, thriving business. As such, it should be protected from redevelopment for three flats. The applicant failed to consider the loss of this facility in their Environmental Statement. Policy CS8 of the Core Strategy supports Central London's role, including the Tottenham Court Road Area, in provision of tourism and cultural facilities. The proposal will result in the loss of an important tourism asset, the impact of which should be assessed in the ES.
- 7.7 The Camden Core Strategy requires the Council to resist developments that make inefficient use of Camden's limited land. The proposed change of use of the Centre Point Tower from 28,000sq.m of employment generating floorspace to just 82 homes represents an inefficient use of a high profile building in a PTAL Zone 6 location. The development will result in significant adverse socio economic impacts, many of which the applicant has not attempted to identify, assess and quantify and accordingly, planning permission should be refused.

## **A1. CAMDEN DEVELOPMENT CONTROL MEETING MINUTES**

## Camden Borough Council Development Control Committee

**Date/Time:** 20th September 2012

**Matter of Interest:** Planning Application Centrepont Tower, New Oxford Street

1. Amanda Peck, planning officer, presented the planning application and made the following key points:
  - **Loss of employment floorspace** - referred to the existing 27,000 sq. metres of employment floorspace in the building and that Policy CS8 and DP13 represented a key consideration. The applicant provided an economic assessment and conclusion stated that the building was reaching the end of office use. The Council accepted this argument and advised the members that the applicants economic assessment was independently verified.
  - Officer advised that while the application is recommended for refusal, this recommendation does not include a reason for refusal based on the loss of office floorspace.
  - **Affordable housing** - extensive discussion regarding the proposed affordable housing contributions. Officer stated that there is too much uncertainty regarding the applicants proposed provision.
  - **Transport matters** - further modeling required to assess the impact of the highway works, diversion / closure of St. Giles High Street proposed and works to Earnshaw Street. The impact is not known.
  - **Car parking** - discussion regarding excessive carparking.
  - **Design Issues** - External stairs to be relocated internally, building to be reclad, new windows included.
  - **Publicly Accessible Floors** at Levels 31 - 33 - Officer stated that the Council does not have any specific policies that protect restaurant uses (except if they serve a community function, which the officer stated was not applicable in this instance). She advised the members if they were to consider it a tourist attraction, again she advised the members that there are no policies protecting such uses. The officer advised that policy 7.7 of the London Plan is relevant as it states that tall buildings should include a publically accessible viewing gallery. However, the officer noted that in this instance it would not be appropriate and the applicant provided evidence that it would be physically difficult to incorporate a viewing gallery due to lift access. Officer also noted that the publically accessible area could only be provided at one end of the tower and therefore might be unviable as it is questionable whether members of the public would pay for such an attraction.
  - **Listed Building Consent** - was recommended for approval by the officer
2. Pierre Condou - Owner of Paramount, objected to the application and made the following points:
  - 7 years ago attended the planning committee to successfully attain planning consent for the bar / restaurant,
  - Surprised that the Planning Committee are now discussing the loss of the business and difficult to understand how we have arrived at this position,
  - 36 year lease on the business,
  - Opposed to the application for a number of reasons:
    - Obviously the loss of the business, spent five years putting this business together,
    - Opened in 2008 during the recession, and the business has flourished since,
    - Loss of investment that shareholders have put in, which equates up to £5 million,
    - Employees - loss of 95 jobs,

- 200,000 visitors who enjoy the finest views the Borough has to offer,
  - Economic reasons – flying against Camden’s economic strategy as per Policy DP13,
  - Loss of employment floorspace, loss of 2,500 jobs and 27,000 sq. metres of floorspace for 82 residential units.
  - Planning officer’s report does not address these economic issues, although they have been referred to at this meeting, however still of the view that another reason for refusal should be added
3. Robert Senecal of the Bloomsbury Conservation Area Advisory Committee, objected to the application on the following grounds:
- Queried whether any of the members had visited Paramount,
  - Emphasised that it was extremely well run, not exclusive, anybody can go and experience it,
  - Explained that Paramount provided unparalleled views of London and also views of Conservation Area from Levels 31 – 33,
  - Scandal to lose it,
  - Also objected to the recladding and external works to the listed building
4. Hugh Willcock, Applicant
- Proposal provides for major regeneration,
  - Welcome the officer’s views and their valuers that this building can no longer support itself as an office building,
  - Change of use to residential is essential in order to protect this listed building,
  - Affordable housing – how to house the most number of families with the money available, argued that affordable housing should be provided off site (potentially provide 67 units off site),
  - Viewing Platform – acknowledged that it is visited, however such a use is not viable above a residential building, difficult to integrate with residential.
  - New viewing platforms tend to be above office uses and therefore this use cannot be retained.
5. Cllr Meric Apak
- Discussion re affordable housing
6. Cllr Sue Vincent
- Queried why the officer did not take into consideration the loss of employment on the top three floors.
  - Understands building is no longer fit for purpose, welcomes the delivery of housing but expresses concerns that no affordable housing is being provided.
  - Very important that on site affordable housing provision is delivered.
  - More importantly, the Cllr wished to focus on the loss of employment on the top three floors.
  - Cllr has visited the Paramount and she displayed the breakfast menu for the Paramount.
  - Considers it to be a superb place, a unique facility and amenity for residents, visitors, meeting place for businesses.
  - London Plan 7.7 is a strong directive and queried what considerations the Council took into account in assessing this.
  - Identified that there is an existing lift access that brings patrons directly up to Levels 31 – 33 and can’t see why this cannot be retained.
7. Amanda Peck Response
- Officers did consider the loss of employment however officer stated that as Paramount is specifically a mix of bar and restaurants uses, there is no policy which protects these sort of uses. Overall the officer considered that it will all balance itself out as there is an increase in the A3/A4 uses, albeit on the lower floors.

- London Plan doesn't protect existing facilities, in terms of using that Policy 7.7 the officer did not consider that it would protect the Paramount or the existing use but it may be used to provide for a different sort of gallery or viewing area. Stated that if the Council were to use that policy it would be a slightly different issue that protecting Paramount use.
- Provide for details of the affordable housing provision.

8. Cllr Chris Naylor

- Very concerned about the future of this building.
- Concerned regarding affordable housing.
- Did not consider that the viability assessment had been fully bottomed out as on one hand the bar owner (Pierre Condou) who has signed a long lease and said it's viable and yet being told by the applicant that there's an assessment of the building as a whole which states its unviable. Queried whether the Paramount owner and case officer could provide further clarity on this.

9. Amanda Peck Response to Cllr Naylor

- Viability assessment looks at the building as a whole
- As far as the officer was aware there are a couple of long leases in the building including Paramount and businesses in the bridge link in the lower floors,
- Acknowledged that certain floors in the building may be viable but that overall the building was considered unviable.

10. Pierre Condou

- As stated previously, business commenced in difficult times but can confirm that have been paying rents, quite high rents in fact, satisfactorily to the landlord for some time and thus the business is viable.

11. Cllr Sally Gimson

- Also concerned regarding the affordable housing and glad the council are trying to address this issue.
- Discussion between the Cllr, case officer and the applicant regarding the various ways of providing affordable housing.
- Design – very iconic building. Conservation Officer explained the changes proposed to the building.
- Further extensive discussions with input from the applicants architect on affordable housing.

12. Cllr Flick Reg

- Referred to the applicant's viability statement which refers to the number of visitors to the upper floors of the building and the inability to provide a new viewing gallery. Queried what the applicant was proposing to provide at the upper levels Applicant confirmed that no viewing gallery was proposed.
- Considered it is absolutely appalling that somewhere which is a 'free use' is to be lost to a small number of rich people who can afford these villas.
- Also concerned that there is no affordable housing provided. Appalling that there is no on site provision and thought the proposal with a maximum potential of ten units at this highly accessible location was insufficient.
- Questioned why the application was presented at this stage.
- Expressed sympathy with the owners of the restaurant at the top of the building.

13. Development Control Manager

- Explained that statutory timescales required this application to be presented to the members.

14. Cllr Andrew Marshall

- Agree with Cllr Rea and glad that this application is being refused.
- If it comes back to the members, views might change.
- Affordable housing – difficult to accept, questioned separation between affordable and private.
- Agrees that the Council should object to the loss the viewing gallery.
- Agrees with the Twentieth Century's views in regards to the impact on the listed building.

15. Cllr Roger Freeman

- Discussion regarding affordable housing and parking provision.
- Queried reasons for refusal.
- Could not pick up all points made by Cllr Freeman, microphone not very clear.

16. Cllr Paul Braithwaite

- Opposed to off-site affordable housing.
- View from the top floors is an important consideration and would like to express concern regarding the loss of public access.

17. Members Vote

*First Recommendation to refuse permission for the planning application at Centre Point*

- Cllr Vincent queried whether the Chair was going to add (inferred reason for refusal relating to Levels 31 – 33 but this was not stated) and the chair confirmed she was.
- Chair stated that in addition to the reasons for refusal proposed by the Case Officer there has been some debate regarding an additional reason for refusal with regard to preserving access to the upper floors. Queried whether members would like to add this reason. All acknowledged yes.
- Planning permission was refused on that basis.

*Second Recommendation to grant listed building consent*

- Listed building consent refused
- Reasons for refusal provided by Cllr Sue Vincent –
  - Design and alterations to the façade,
  - Projecting stair provides access to the upper floors,
  - Conservation Officer provided comments on the reasons for refusal,
  - East side stairs provide direct access to the mezzanine and to the upper floors, concern regarding loss of access and should be secured in the reasons for refusal, until an alternative access is provided



## A2. SUMMARY OF PLANNING APPLICATIONS

### Application 1 (Reference 2013/1957/P & 2013/1961/L)

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Application 1 comprises of the following:

- Centre Point Tower: change of use from office (Class B1) and restaurant / bar (Sui Generis) use to residential use (Class C3) to provide 82 residential uses and ancillary residential floorspace (spa, gym and pool)
- Centre Point Link: change of use from office (class B1) and bar (class A4) use to flexible retail / restaurant/bar (ClassA1/A3/A4) use
- Centre Point House: change of use at first and second floors from office to provide flexible retail/restaurant/bar (ClassA1/A3/A4)
- Alterations to the exterior of Centre Point Tower including replacement and refurbishment of facades
- Redevelopment of the adjacent public house to provide flexible retail (class A1/A3/A4) with 13 affordable housing units

### Application 2 (Reference Ref 2013/1970/P & 2013/2000/L)

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Application 2 comprises of the following:

- Centre Point Tower: change of use from office (Class B1) and restaurant / bar (Sui Generis) use to residential use (Class C3) to provide 82 residential uses and ancillary residential floorspace (spa, gym and pool)
- Centre Point Link: change of use from office (class B1) and bar (class A4) use to flexible retail / restaurant/bar (ClassA1/A3/A4) use
- Centre Point House: change of use at first and second floors from office to provide flexible retail/restaurant/bar (ClassA1/A3/A4)
- Alterations to the exterior of Centre Point Tower including replacement and refurbishment of facades
- Redevelopment of the adjacent public house to provide flexible retail (class A1/A3/A4) with 16 affordable housing units

## A3. RELEVANT LEGISLATION & POLICY

### Permitted Development Rights

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- A3.1 On 9th May 2013, the Permitted Development Rights Order for the change of use from office to residential (The Town and Country Planning General Permitted Development Amendment England Order 2013) was laid before Parliament and is due to come into force on the 30th May 2013.
- A3.2 Section 3 of the General Permitted Development Amendment identifies office areas which are exempt from the permitted development rights and will not be able to change the use from office to residential, without the need for planning consent. In the London Borough of Camden the exempted areas include the Central Activities Zone and Tech City, London as identified in section 1.15 (red line), copy attached.
- A3.3 Camden Council submitted a request to the Department for Communities and Local Government detailing that the entire CAZ should be exempted from the Government's permitted development rights.
- A3.4 The Council identified that there is a significant risk that offices in Camden's part of CAZ are vulnerable to conversion to higher value residential use, stating that:

*"... the differentials between office and residential values in Camden's part (and other parts) of the CAZ create a substantial financial incentive to convert offices to housing. The operation of planning policies and decisions in the area is vital to ensure that business premises in the CAZ suitable for continued commercial use are protected and supported where appropriate. If such premises are not supported through planning policy, viable business will close within the CAZ, harming the economy at the national and the local level."*

- A3.5 Camden Council's submission also highlights the risk to existing viable businesses presented by the change of use from office and residential, stating that:

*"The incentive to convert offices to housing operates not only for vacant premises but even where the business premises are occupied and viable. This could result in leases being ended prematurely as landowners opt to change the use of their building to more profitable residential use. The permitted development measures will therefore increase uncertainty for commercial occupiers harming their ability to grow and plan properly for their future."*

A3.6 Furthermore, the Mayor also made a bid to the Secretary of State to exempt London's key business districts in recognition of their significance as nationally important office locations. This exemption included the application site within the Central Activities Zone.

A3.7 In regards to the CAZ and the other employment areas that the Mayor sought exemption from the Permitted Development Rights, the Mayors letter emphasises the importance of job creation and the concern that if jobs are displaced they will be lost from the capital altogether :

*"We are united in our commitment to ensuring the continued success of an area that is home to a number of unique clusters of economic activity which employ millions of people from London and beyond, and which contribute billions to the national economy. These clusters have formed and endured because of the economic benefits of agglomeration: if they were broken up by piecemeal conversions to residential use these benefits would disappear. Firms displaced will not move to other parts of London, or in many cases even to other parts of the UK."*

A3.8 The Mayor is very strong in his assertion that "it is crucial that existing employment is not compromised" and to ensure that only "truly surplus space" is released.

A3.9 Similar to the concerns expressed by Camden Council, the Mayor expresses concern that important office space may be lost due to high residential values in the area, stating that:

*"We see a very real risk, however, that with the very high residential values we have in this part of London, offices performing national, regional and locally important functions could be undermined and the character of economically important neighbourhoods could change significantly, to the detriment of business".*

A3.10 The Mayor identifies the CAZ as one of the "nationally significant areas of economic activity" and it is evident that the Mayors view is that the primary objective of the CAZ is for employment purposes:

*"This begs a profound question for the Mayor and government: what is the primary purpose of central business districts: employment or housing? The Mayor would argue that across London as a whole his Plan already makes provision for more than 30,000 homes a year...it therefore makes much more sense to keep adequate capacity to help drive the most important part of the London economy rather than to sacrifice it for the equivalent of less than two years housing supply..."*

A3.11 The Mayors submission on the exemption provides a description of the CAZ and explains that:

*"London's Central Activities Zone is different. This is not simply because of the scale of office provision here. It is also because this provision is an integral part of a wider mix of uses, whether these uses be:*

- the 'services for service sector' which meet the needs of occupiers and those maintaining the buildings;*
- the shops, restaurants, bars, theatres and other facilities which cater for its workers ...;*
- the transport facilities which underpin the efficient operation of the office labour market;*
- the range of local housing, both market and affordable, which provides conveniently located homes to a broad spectrum of workers;*
- the physical environment of CAZ with its open spaces, waterways, heritage buildings, views and vistas which make it an attractive place to work, and through association, adds status as a place to do business; and*
- the variation in uses and built form which, carefully managed through the planning system, provide capacity for office expansion.*

*Combined together the elements of this rich mix form the basis for what is the most distinct, and arguably most attractive, major office location in the world."*

- A3.12 The Government has accepted the case made by Camden Council and the Mayor that the retaining the CAZ as an office location and the associated uses is of national importance to the economy and the CAZ has been identified as an exempt area from the Permitted Development Rights Order.

#### **National Planning Policy Framework**

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- A3.13 The National Planning Policy Framework (NPPF) provides for the change of use from office to residential where there is an identified need for additional housing and provided there is not strong economic reasons why such a development would be inappropriate. In this regard, Paragraph 51 of the NPPF states that:

*"Local planning authorities should identify and bring back into residential use **empty housing and buildings** in line with local housing and empty homes strategies and, where appropriate, acquire properties under compulsory purchase powers. They should normally approve planning applications for **change to residential use** and any associated development **from commercial buildings** (currently in the B use classes) where there is an **identified need for additional housing** in that area, provided that there are **not strong economic reasons why such development would be inappropriate.**" (Our emphasis)*

## London Plan

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- A3.14 The subject property is located within the Tottenham Court Road Opportunity Area. The London Plan, at Annex 1, sets targets for growth areas up to 2031 and identifies that the Tottenham Court Road area should deliver an additional 5,000 new jobs and 420 (minimum) new homes.
- A3.15 The HCA Densities Guide indicates that circa 12sq.m of B1 floorspace is required to support a job and on this basis, the Tottenham Court Road Opportunity Area is required to provide 60,000sq.m of additional B1 floorspace. This strategic London Plan requirement will effectively be increased to 88,000sq.m as a result of this development. In terms of job numbers, this equates to an increase of 50%. Evidently, the proposal results in material harm and there are significant strategic policy implications with the development.
- A3.16 The London Plan designates the site within the West End Special Retail Policy Area (WESPRA) and states in Paragraph 2.47:

*"planning policy should continue to support the area's future as a retail and leisure district of national, city-wide and local importance"*

- A3.17 This designation highlights that the location is of national importance in economic development terms. Of even greater significance is the designation of the land within the Central Activities Zone (CAZ). Policy 2.10 of the London Plan highlights that the location is of international as well as national importance. The policy states that it is a strategic priority to:

*"emphasise the Mayor's commitment to promote the roles of the CAZ at a London wide, national and international level, emphasising the CAZ as having key local and strategic uses as a retail, cultural and competitive business location of international importance. Emphasis is placed on the improvement of transport and commercial infrastructure within the CAZ, for local residents, workers and visitors to the area; "(our emphasis)"*

- A3.18 Other strategic priorities for the CAZ in Policy 2.10 relevant to the application proposals are as follows:

*A "The Mayor will, and boroughs and other relevant strategic partners should:*

*a enhance and promote the unique international, national and London wide roles of the Central Activities Zone (CAZ), supporting the distinct offer of the Zone based on a rich mix of local as well as strategic uses and forming the globally iconic core of one of the world's most attractive and competitive business locations ...*

*e in appropriate parts of the CAZ and the related area in the north of the Isle of Dogs, ensure that development of office provision is not strategically constrained and that provision is made for a range of occupiers especially the strategically important financial and business services*

*g sustain and manage the attractions of CAZ as the world's leading visitor destination*

*l improve infrastructure for public transport, walking and cycling, and optimise development and regeneration benefits they can support (particularly arising from Crossrail)."*

### **Camden Core Strategy**

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- A3.19 The proposal is also contrary to the Local Plan. Camden Core Strategy Policy DP13 'Employment Premises and Sites' states that:

*"The Council will retain land and buildings that are suitable for continued business use and will resist a change to non-business unless:*

*a) it can be demonstrated to the Council's satisfaction that a site or building is no longer suitable for its existing business use; and*

*b) there is evidence that the possibility of retaining, reusing or redeveloping the site or building for similar or alternative business use has been fully explored over an appropriate period of time. Where premises or sites are suitable for continued business use, the Council will consider redevelopment proposals for mixed use schemes provided that:*

*c) the level of employment floorspace is maintained or increased;*

*d) they include other priority uses, such as housing and affordable housing;*

*e) premises suitable for new, small or medium enterprises are provided;*

*f) floorspace suitable for either light industrial, industry or warehousing uses is re-provided where the site has been used for these uses or for offices in premises that are suitable for other business uses;*

*g) the proposed non-employment uses will not prejudice continued industrial use in the surrounding area."*

- A3.20 Tottenham Court Road is also a designated 'Growth Area' in the Development Plan comprising of the London Plan 2011 and the Camden Core Strategy 2010. Policy CS2 'Growth Areas' in the Core Strategy states that:

*"Development in Camden to 2025 will be concentrated in the growth areas of Tottenham Court Road, Holborn and West Hampstead Interchange, where the mixed use redevelopment of a number of sites is expected to take place."*

- A3.21 The Core Strategy identifies the key role locations such as Tottenham Court Road play in regenerating the local economy stating that:

*"Camden's growth will be focused at King's Cross, Euston, Tottenham Court Road, Holborn and West Hampstead Interchange and the opportunities and benefits this brings - for local people, the economy and regeneration, and our environment - will be maximised."*

- A3.22 A key aspiration of the Core Strategy in respect of Tottenham Court Road includes:

*"a balanced mix of uses, including housing and affordable housing, significant provision of offices and other employment opportunities, community facilities, and retail to support the Central London Frontages of Charing Cross Road, Tottenham Court Road and the western end of New Oxford Street"*

