

<b>Delegated Report (Refusal)</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	31/01/2019
		N/A / attached	<b>Consultation Expiry Date:</b>	23/12/2018
<b>Officer</b>		<b>Application Number(s)</b>		
Matthew Dempsey		i) 2018/4759/P ii) 2018/5642/L		
<b>Application Address</b>		<b>Drawing Numbers</b>		
108 A Tottenham Court Road & 2 Maple Street, London W1T 5AA		Refer to Decision Notices		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
i) Installation of raised tiling to pub forecourt external seating area with alterations to entrance doors. ii) Installation of raised tiling to pub forecourt external seating area with alterations to entrance doors associated to 2018/4759/P.				
<b>Recommendation(s):</b>		i) Refuse Planning Permission ii) Refuse Listed Building Consent		
<b>Application Type:</b>		i) Full Planning Permission ii) Listed Buildings Consent		

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Decision Notices</b>					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>00</b>	No. of responses	<b>00</b>	No. of objections	<b>00</b>
<b>Summary of consultation responses:</b>	A site notice was displayed from 28/11/2018, which expired 22/12/2018. A press notice was published 29/11/2018, which expired 23/12/2018.					
<b>CAAC/Local groups comments:</b>	None consulted and no responses received.					
<b>Councillor Adam Harrison, objection dated 17/12/2018:</b>	Objected on the grounds that a raised area would exclude people with mobility difficulties.					

## Site Description

The application site is a four storey, plus cellar, Public House (PH), known as 'The Court' on the western side of Tottenham Court Road at the junction with Maple Street. The footprint of the pub sits over 2 addresses, namely; No. 108A Tottenham Court Road and Also No. 2 Maple Street, which is a grade II listed building. It is not within a conservation area itself, but is within close proximity of both Charlotte Street and Bloomsbury Conservation Areas.

## Relevant History

**2006/0399/L** - Works associated with the fixing of 2x external awning coverings for use over existing drinking area to the Maple Street elevation of the public house (Class A3). **Granted 17/03/2006.**

**2006/3995/P** - Installation of new awning over main entrance to match existing awnings on public house (Class A4). **Granted 15/11/2006.**

**2018/4710/A** - Display of 2x externally illuminated fascia signs and 1x externally illuminated projecting sign. **Granted 15/11/2018.**

## Relevant policies

### National Planning Policy Framework 2018

### The London Plan 2016

### Camden Local Plan 2017

A1 – Managing the Impact on Development

C4 – Public Houses

C6 – Access for all

D1 – Design

D2 – Heritage

### Camden Planning Guidance 2018 (as amended)

CPG Design

CPG Amenity

CPG Community uses, leisure facilities and pubs

CPG Employment sites and business premises

CPG Planning for health and wellbeing

## Assessment

### 1.0 Proposal

- 1.1 Planning permission and listed building consent are sought for the installation of a raised timber decking to the external forecourt surfaced with ceramic tiling. Additionally there are proposed minor alterations to the entrance doors.
- 1.2 The raised timber decking would be installed at a height of 150mm above ground level and would immediately abut the public highway. The surfaces of the decking would be treated with a tiled finish.
- 1.3 The raised decking has been designed to meet an existing step height, which is in place at the doorway to No. 2 Maple Street.
- 1.4 The applicant states that the reason for introducing a new surface treatment is due to the poor state of repair of the existing forecourt area.
- 1.5 The proposed alterations to the doors amount to; installation of new a new door leaf and new ironmongery.
- 1.6 The applicant has also indicated the intention to place planter boxes around entrances to the public house which would somewhat enclose the decking/forecourt area(s), however the planters are not fixed and are not subject to this application.

### 2.0 Assessment

- 2.1 The main planning considerations for this proposal are; Design and Heritage, Amenity and Accessibility.

### 3.0 Design and Heritage

- 3.1 The Council's design policies are aimed at achieving the highest standard of design in all developments, including where alterations and extensions are proposed. Policy D1 of the Local Plan requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area; and Policy D2 states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings. CPG 1 (Design) states that Camden is committed to excellence in design and schemes should consider; the surrounding context, the design of the building itself, the use, the materials, and public spaces.
- 3.2 Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Listed Buildings Act") are relevant and have been duly considered. They require the decision making authority to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. It means there is a statutory presumption in favour of the preservation of Listed Buildings and their settings. Considerable importance and weight should be attached to their preservation. A proposal which would cause harm should only be permitted where there are strong countervailing planning considerations which are sufficiently powerful to outweigh the presumption.
- 3.3 Section 72 of Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Listed Buildings Act") has also been duly considered. It requires the decision maker to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.
- 3.4 The existing situation is that there is a level surface from the public highway and on to the forecourt of the public house. The proposed development would see a significant step

introduced which would be visually jarring and present an accessibility barrier in this location. It would be an incongruous development on a prominent corner, with the remainder of the forecourts on this stretch of Maple Street being flush with street level. Therefore the proposal would be out of keeping with the prevailing pattern of development, and create an out of place feature in the area.

**3.5** The surrounding pavement is covered in traditional style paving slabs, grey in colour and are not of any particular architectural merit, however are neutral in appearance. Additionally there are some tactile warning paving stones in place, at the nearby pedestrian crossings at the junction of Tottenham Court Road and Maple Street, for the benefit of blind or visually impaired people navigating the crossings.

**3.6** The existing host building is a public house originally constructed in the late 18<sup>th</sup> Century. No. 108A Tottenham Court Road is not listed, however the site sits across two addresses, with No. 2 Maple Street being a listed building, grade II. The nature of the existing use means that a wide variety of visitors are likely in the future and the duration that the property has existed means that; people have been enjoying the amenity afforded by the premises for some considerable time.

**3.7** The materials proposed for the raised forecourt is a timber framed structure finished with a ceramic tiled surface. The proposal to place these on top of a raised deck is not in keeping with setting of the listed building. The raised decking is not welcomed as it is in opposition to paragraph 2.12 of CPG 1 (Design).

**3.8** The existing forecourt area can be considered as private open space. This area is currently level with the public highway which allows for a certain amount of flexibility for both passing pedestrians and patrons of the public house without impeding accessibility for either group.

**3.9** The key message from the Heritage section of CPG1 states that; the local authority will only permit development that preserve and enhances the character and appearance of the area. The proposed forecourt alterations are not considered to meet this requirement.

**3.10** The proposed raised forecourt seems to have been conceived in order to cover over the existing surface which is in a poor state of repair. The Council considers that the forecourt should be repaired properly rather than covering it over. Inevitably, repair work would be required at some stage and any decking in place would only make this situation harder to remedy.

**3.11** Overall, the proposal is considered to have unacceptable harm to the historic building's special character and appearance, as well as resulting to a material level of harm to the character and appearance of the streetscene and prevailing area. As such, the proposals would be contrary to policies D1 and D2 of the Camden Local Plan, and it is recommended that planning permission is refused on this basis.

**3.12** The proposals relating to the entrance doors are very minor in scope and are not considered to cause any harm to the host building, the character of the conservation area or setting of the listed building. This aspect of the application could be considered acceptable.

#### **4.0 Amenity and Accessibility**

4.1 Policy C6 of the Local Plan states that *'Good access and inclusion benefits everyone. However, many people are disadvantaged by poor access to facilities and buildings and many vulnerable and disadvantaged groups, such as disabled people, older people and others who experience a barrier to the built environment, can be particularly affected. Poor access can also be caused by difficulties in using the specific facilities themselves. The Council will expect all buildings and places to meet the highest practicable standards of*

*accessible and inclusive design so they can be used safely, easily and with dignity by all.'*

4.2 The existing forecourt is currently utilised by the public house, with the placement of tables and chairs for the use of patrons. It is acknowledged that outside space is a particularly valuable amenity asset for premises such as this.

4.3 The proposal would see the introduction of a raised forecourt, which would continue to provide outside seating for customers, however; it is considered to present a harmful impact on the amenity of both; any persons visiting the pub who may have access needs, and; additionally any pedestrians who may be passing long the public highway in this vicinity.

4.4 It is considered the proposed raised forecourt would present a discriminatory barrier for people with access needs. The Council's Building Control Access Officer has indicated that the application should be refused for failing to consider the needs of people with disabilities.

4.5 As such the proposed raised forecourt is not considered to be a welcome addition in terms of amenity or accessibility. The design and location of the raised area is contrary to policy C6 as it would not provide appropriate access for a full range of users.

## **5.0 Recommendation**

5.1 Refuse planning permission

5.2 Refuse listed building consent.