

114 High Holborn, Holborn, London WC1V 6JS
Byron Hamburgers Ltd.
Barney Ray
2nd August 2019



PLANNING **STATEMENT**

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1.0 Introduction

- 1.1 Bidwells have been instructed on behalf of Byron Hamburgers Ltd, to submit a retrospective planning application to change the use of the pavement outside the front of its restaurant at 114 High Holborn, to place 6no. tables and 12no. chairs.
- 1.2 Enclosed is the following documentation in support of the Planning application:
- Completed application form;
 - BB126.19.P300: Site location plan (1:1250 at A3);
 - BB126.19.P100A: Existing and proposed site layout plans (1:50 at A1 or 1:100 at A3);
 - BB126.19.P200: Existing and proposed elevations (1:50 at A1 or 1:100 at A3);
 - Photographs of proposed furniture.

2.0 Site and Surroundings

- 2.1 114 Holborn accommodates a restaurant (A3 use) at the ground floor of the wider 114-115 High Holborn. The upper floors are accessed via a different entrance relating to 115 High Holborn and comprise of commercial offices.
- 2.2 The adjacent host building is Grade II listed and is located within Bloomsbury Conservation Area.
- 2.3 The site lies along Central London Frontage as well as local Primary Frontage.
- 2.4 The location is typical for London with a mix of uses, cafes, restaurants and retail on ground floors with other uses at the upper floors. Other nearby restaurants have external seating areas situated on the public highway.

3.0 Relevant Nearby Planning History

ADDRESS	APP. REF.	DESCRIPTION OF APPLICATION	DECISION
McDonalds, 112 High Holborn	2018/3035/TC	2 Tables, 4 Chairs Monday to Saturday 08:00 - 23:30 Sunday 08:00 - 22:30 Renewal Application	Approved (20/08/2018)
	2011/3867/TC	2 Tables and 4 Chairs Mon-Thur 9am-11pm Fri-sat 9am-11.30pm Sun 9am-10.30am New Application	Approved (19/12/2011)
Caffe Nero, 100-110 High Holborn	2019/2414/TC	4 Tables, 8 Chairs and 2 Barriers Monday - Sunday 08:00 to 19:00 Renewal Application	Approved (11/06/2019)

	2015/2664/TC	4 Tables, 8 Chairs and 2 Barriers Monday - Sunday 08:00 to 19:00 New Application	Approved (22/09/2015)
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4.0 Planning Policy

National Planning Policy Framework (NPPF) (February 2019)

Chapter 6: Building a Strong, Competitive Economy

Chapter 7: Ensuring the Vitality of Town Centres

Chapter 8: Promoting Healthy and Safe Communities

Chapter 9: Promoting Sustainable Transport

Chapter 16: Conserving and Enhancing the Historic Environment

The London Plan (2016)

Policy 4.7 – Retail and town centre development

Policy 4.8 – Supporting a successful and diverse retail sector and related facilities and services

Policy 6.10 – Walking

Camden Local Plan (Adopted July 2017)

Policy A1: Managing the impact of development

Policy A4: Noise and vibration

Policy D2: Heritage

Policy TC2: Camden's centres and other shopping areas

Policy TC4: Town centre uses

Policy T1: Prioritising walking, cycling and public transport

Additional Documentation Considered

Camden Planning Guidance: Town Centres and Retail (March 2018)

Bloomsbury Conservation Area appraisal and management strategy (April 2011)

5.0 The Proposals

- 5.1 The proposal is to change the use of a section of public highway adjacent 114 High Holborn to provide an external seating area comprising of 12no. chairs and 6no. tables.
- 5.2 The area measures 12.6m² in area, extending 2.1m in depth from the host building and 6m in width. The tables comprise of black table tops on polished metal bases, while the chairs comprise of black, netted plastic arm chairs. The furniture is non-permanent and will be moved inside the restaurant when not in use. Photographs of the furniture accompany the application.

- 5.3 The seating area will be bounded by planters and screens, as shown on the accompanying plans. These constitute 'means of enclosure' and as such benefit from Permitted Development Rights under Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) Order 2015.

6.0 Assessment

- 6.1 The planning issues identified in relation to the proposed development are:

- Principle of Use;
- Highway safety;
- Noise and nuisance;
- Impact upon Heritage Assets.

Principle of Use

- 6.2 It is recognised and visible throughout London that 'al fresco' eating and drinking is popular with residents and visitors to the city. Indeed, other restaurants along High Holborn, including McDonald's at no. 112 and Caffé Nero at nos.100-110, have external seating areas on the public highway.

- 6.3 The application relates to activities taking place at a commercial leisure facility in a designated central area. This will result in a noticeable enhancement of the leisure operation, to the benefit of the local economy and the local community. Indeed, paragraph 2.22 of 'Camden Planning Guidance: Town Centres and Retail' states that "*Tables and chairs placed outside buildings can provide alternative facilities for dining and drinking and contribute to the vibrancy and character of an area.*"

- 6.4 Paragraph 80 of the NPPF states that "*Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt*". Indeed, the proposed seating area will allow the established business to expand their provision and adapt to the uncertain economic circumstances surrounding Brexit.

Highway Safety

- 6.5 Camden Planning Guidance: Town Centres and Retail suggests a footway width adjacent to tables and chairs of at least 2m on the standard road network, and at least 3.3m in areas of heavy pedestrian footfall.
- 6.6 The site lies along Central London and Primary frontages and, as such, has significant footfall. As shown on the accompanying proposed layout plan, the proposed seating area will preserve c3.8m of footway, ensuring compliance with the guidance.

Noise and Nuisance

- 6.7 The seating area will only be operational during restaurant opening hours and will therefore be during 'social' times and will not pose any significant harm to the amenity of neighbouring occupiers. Indeed, the area is commercial, with upper floors predominantly in office and other commercial uses. The presence of such uses ensures no conflict with the proposed seating area.
- 6.8 Indeed, High Holborn is a busy street and, by virtue, has higher background noise levels than other areas. As such, a small increase in noise levels generated by a maximum of twelve external covers should be considered de minimis.

Impact upon Heritage Assets

- 6.9 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that the Local Planning Authority shall 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.
- 6.10 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that [conservation] area.
- 6.11 The adjacent Grade II Listed Building dates from c1903-04 and its special interest comes from its architectural style and quality. The Historic England listing description notes this, particularly with regard to the upper floors, noting that the shopfront has seen later alterations. The proposed seating area will not compromise the significance of the Listed Building and should be considered acceptable, as a result.
- 6.12 The site is within the 'Lincoln Inn Fields/Inns of Court' Sub-Area of the Conservation Area. Paragraph 5.156 of the Appraisal and Management Plan characterises this particular part of the Conservation Area as a "busy, wide thoroughfare" with large buildings either side. The seating area will preserve the wide nature of the thoroughfare and will not compromise the scale of the buildings within its vicinity.
- 6.13 The minor nature of the proposal poses no impact to the special architectural or historic interest of the Listed Building or the character and appearance of the Bloomsbury Conservation Area. Indeed, the proposal is in line with sections 66(1) and 72(1) of the 1990 Act.

7.0 Conclusion

- 7.1 The proposal is considered appropriate in this location, given the lack of demonstrable harm to safety of pavement users and amenity of neighbouring occupiers.

- 7.2 The proposal preserves the Listed Building and the character and appearance of the Conservation Area and should be considered acceptable on heritage grounds.
- 7.3 The enhancement of a central commercial activity is sustainable development by definition. Indeed, NPPF strongly supports the proposed development.
- 7.4 The proposal complies with the policies of the Camden Local Plan and associated guidance as well as the London Plan and should be approved without delay.

