

<b>LDC Report</b>		
<b>Officer</b>		<b>Application Number</b>
Jonathan McClue		2020/2344/P
<b>Application Address</b>		<b>Drawing Numbers</b>
Centre Point Link 10 St Giles Square London WC2H 8AP		Refer to Decision Notice
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>Authorised Officer Signature</b>
<b>Proposal</b>		
Continued use of the second floor of Centre Point Link as offices (B1a).		
<b>Recommendation: Grant Certificate of Lawfulness (Proposed)</b>		
<b>Assessment</b>		
<p><b>1.0 Site Analysis</b></p> <p>1.1 The wider site is Centre Point, which is made of up Centre Point Tower (34 storeys in height); Centre Point Link (a three storey element); Centre Point House (9 storeys) and the recently constructed affordable housing block on the end of Centre Point House. Centre Point was constructed in the 1960's as a mixed-use office led development, with the Tower and Link used as offices and Centre Point House containing residential units over retail units.</p> <p>1.2 This application relates to unit R03, which is the second floor unit within the Link. It was last used as an office (B1a), and has been used (for periods) as site offices during the construction of the wider development at Centre Point. Planning permission and listed building consent (see site history below) were granted in 2014 for the wider site to become residential led, with the Tower converted into residential flats, the remaining offices in the Link converted into retail/restaurant/bar uses and a new affordable housing block built in place of the former Intrepid Fox Public House. As part of the 2014 proposals the application site (unit R03) was permitted to change from Class B1 to a flexible Class A1/A3/A4 use; however, this part of the permission has not been implemented and the unit has remained unoccupied (save for temporary use during construction) and has not been fitted out. The Centre Point redevelopment has been completed and much of the other space in the development is occupied.</p> <p><b>2.0 Site History</b></p> <p>2.1 <b>2013/1957/P and 2013/1961/L:</b> Planning permission and listed building consent was granted on 01/04/2014 for:</p>		

*‘(Scheme A) Change of use of Centre Point Tower from office (Class B1) and restaurant/bar (Sui Generis) to residential (Class C3) to provide 82 self-contained flats (16 x one bedroom, 37 x two bedroom, 26 x three bedroom, 2 x 4 bedroom and 1 x 4 bedroom duplex) and ancillary residential floorspace (spa, gym and pool); change of use of Centre Point Link from office (Class B1) and bar (Class A4) to a flexible retail/restaurant/bar use (Class A1/A3/A4); change of use of Centre Point House at first and second floor levels from office (Class B1) to flexible retail/restaurant/bar use (Class A1, A3, A4); alterations and extensions to the existing building at ground floor level to provide flexible retail/restaurant/bar use (Class A1, A3, A4). Alterations to the external elevations of Centre Point Tower, Centre Point Link and Centre Point House including the relocation internally of the existing external ground and mezzanine eastern and western staircases, replacement and refurbishment of the facades, fenestrations and shopfronts, new pedestrian link through Centre Point House and associated basement car parking, terraces, landscaping, highway works (including the relocation of bus stands in Earnshaw Street), servicing and access arrangements and extract ducts. Redevelopment of the Intrepid Fox public house to provide flexible retail/restaurant/bar (Class A1, A3, A4) with 13 affordable housing units (8 x one bedroom, 3 x three bedroom and 2 x four bedroom) above in an eleven storey building (including basement) and associated basement car parking, terraces, servicing and access arrangements, and extract ducts.’*

**2.2 2017/3358/P and 2017/3381/L:** Planning permission and listed building consent was granted on 22/08/2017 for:

“New plant equipment housing unit and opening in roof of the eastern extension of Centre Point Link at second floor level.”

### **3.0 Proposal**

3.1 A Certificate of Lawfulness for a Proposed Use or Development (CLOPUD) has been submitted to establish that the proposed continued use of the second floor of Centre Point Link as office (B1a) is lawful. This is based on the existing lawful use of this unit being office (B1a), as it historically has been, and that the planning permission to convert this space into A3/A4/A5 has not been implemented in this space.

3.2 The Applicant is in detailed discussions with an office tenant who proposes to occupy this space later this year and requires formal confirmation that the proposed use of the site is lawful and does not require a specific planning permission.

### **4.0 Evidence Submitted and Justification**

4.1 The following information has been submitted in support of the application:

- Site location Plan;
- Cover letter;
- Completed Certificate of Lawfulness for the Proposed Use and Development;
- Photographs of the office accommodation in Unit RO3 pre 2014 and 2020; and
- Signed Statement of Truth with attached exhibits from James Waite dated 18 May 2020.

4.2 The crux of the applicant’s case is that the unit has remained in lawful use as office (B1a) and that the floorspace has not been fit out or occupied for any other purpose. They have submitted evidence to demonstrate that the change of use permitted under 2013/1957/P and

2013/1961/L was not implemented in this part of the building.

## **5.0 Assessment**

5.1 Officers are aware that the application site has not been fit out, as evidenced in photographic evidence and site visits throughout the years. The other retail/restaurant spaces in the Link and Centre Point House have been fit out and found occupiers. It is considered that the application site has remained in lawful use as office and that a change of use never took place. On this basis, officers consider that the proposed continued use of the unit as office would not constitute development, it would not be a change of use, and planning permission is not required (i.e. it is lawful to continue to occupy the unit for office use).

**6.0 Recommendation:** Grant Certificate of Lawfulness (Proposed)