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Planning Department
London Borough of Camden
5 Pancras Square
London
N1C 4AG

8th December 2021

Ref PP-10450069
Via Planning Portal

Dear Sir/Madam,

BASEMENT & GROUND FLOOR, 1-3 DENMARK STREET, LONDON, WC2H 8LP

SECTION 73 APPLICATION TO VARY CONDITION 4 (OPENING HOURS) OF PLANNING PERMISSION 2013/7022/P

On behalf of Chateau Denmark Ltd, please find enclosed an application to vary condition 4 of planning permission 2013/7022/P, which grants permission for the change of use of the basement and ground floor at 1-3 Denmark Street from existing Jobcentre (Class A2) to cafe & bakery (mixed A3 & A1).

In support of this application please find enclosed the following:

- Decision Letter for planning application reference 2013/7022/P.
- Planning Application fee of £195.

Background to the Application

Planning permission was granted at 1-3 Denmark Street on 14th February 2014 for:

Change of use of basement and ground floor from existing Jobcentre (Class A2) to cafe & bakery (mixed A3 & A1).

Until recently the property was occupied by the Fernandez and Wells coffee chain before falling vacant during the recent pandemic. Our client has recently acquired the basement and ground floor lease of the property and wish to operate the units under Use Class E (b) (sale of food and drink for consumption (mostly) on the premises).

This application is being submitted in the context of the wider redevelopment of St Giles Circus which was approved under application 2012/6858/P (as subsequently amended) for the following

'Erection of three buildings (5 and 7 storey buildings facing Centre Point Tower and a 4 storey building on Denmark Place), following the demolition of 1-6, 17-21 Denmark Place and York and Clifton Mansions with retained facades at 1-3 Denmark Place and York and Clifton Mansions to provide 2895sqm of basement Event Gallery space to be used for community events, exhibitions, product launches, live music (including recorded music), awards ceremonies, conferences and fashion shows

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(Sui Generis); a 678sqm urban gallery with 1912sqm of internal LED screens to be used for circulation space, retail, advertising, exhibitions, brand and product launches, corporate events, screenings, exhibitions and events (including recorded music),(Sui Generis); 884sqm of flexible retails and restaurant floorspace (Class A1/A3); 2404sqm of restaurant floorspace (Class A3); 385sqm of drinking establishment (Class A4) and a 14 bedroom hotel (Class C1) between Denmark Place and Andrew Borde Street. Change of use of 4, 6, 7, 9, 10, 20-28 Denmark Street, 4 Flitcroft Street and 1 Book Mews to provide 4,308sqm of office floor space (Class B1a); 2,959sqm of private residential floor space (Class C3); 239sqm of affordable housing (Class C3) and 2540sqm of retail floor space (Class A1). Provision of a new pedestrian route from Andrew Borde Street to Denmark Street at ground floor level and associated partial demolition at 21 Denmark Street (all GEA).

This planning permission (as amended) has since been implemented and is due for completion later this year.

S73 Application – Proposed Restriction of Use of Basement Unit

Denmark Street is known as 'Tin Pan Alley' and is renowned as an important centre of the UK popular music industry. Over the years it has attracted specialist retailers, first in music publishing and more recently in the sale and repair of pop music instruments and this is something that is protected through the implemented permission and supported by the introduction of the Urban Gallery and Event Gallery (now known as Outernet) which will ensure the ongoing success of this area as a hub for music businesses.

The wider development provides a mix of Central London uses, including restaurant, bar and basement events space, in addition to retail, hotel, residential and office floorspace. It is therefore relevant that the site sits within the Seven Dials Special Policy Area and is covered by 'Planning Guidance for Central London - Food, Drink and Entertainment, Specialist and Retail Uses'. Adopted policies CS9 and DP12 are also relevant in directing the development of town centre uses so that they do not cause harm to the character, function, vitality and viability of an area.

It is noted Condition 4 of the 2013/7022/P permission for 1-3 Denmark Street – which was granted prior to the more extensive regeneration scheme for the St Giles area - restricts the hours of use of the basement unit in the interests of safeguarding the amenities of the adjoining premises and the area.

Condition 4 is currently worded as follows:

- 4 *The ground and basement unit shown on the approved plans shall not be open to customers outside of the following times: 0730 hours - 2330 hours Monday to Saturdays and 0900 hours - 2230 hours on Sundays and Bank Holidays, unless with the prior written consent of the local planning authority. No customers shall be on the premises and no sound emanating from these premises shall be audible within any adjoining premises outside of these hours.*

It is relevant to note that the hours granted under planning are different to those allowed under licensing. This application is therefore submitted to ensure the controls granted under planning reflect the licensing controls, whilst also achieving the original aim of this condition to safeguard the amenities of the adjoining premises and the area. As such this application proposes the variation of condition 4 to allow for the use of the unit in accordance with the trading hours approved by Camden's Licensing Committee.

It is therefore proposed to vary the wording of Condition 4 to read as follows:

- 4 *The ground and basement unit shown on the approved plans shall not be open to members of the public outside of the following times: 0700 hours - 0000 hours Monday to Thursdays, 0700 hours – 0030 hours Fridays and Saturdays, 0900 hours – 2300 hours on Sundays and Bank Holidays, unless with the prior written consent of the local planning authority. No members of the general public shall be on the premises outside of these hours.*

I trust the enclosed is sufficient for your purposes and I look forward to receiving confirmation that the application has been validated. In the meantime please do not hesitate to contact me at this office if I can assist in any way.

Yours sincerely,



Anna Snow
DIRECTOR