

Delegated Report		Analysis sheet		Expiry Date: Consultation Expiry Date:	06/04/2022
		N/A			10/04/2022
Officer				Application Number(s)	
Edward Hodgson				2022/0525/P	
Application Address				Drawing Numbers	
Centre Point Complex Development Site At 101-103, Unit R05 New Oxford Street London Camden WC1A 1DD				See draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Creation of external seating area, including provision of removable 2no umbrellas, 7no tables and 19no chairs, together with planters and screens.					
Recommendation(s):		Refuse planning permission			
Application Type:		Full Planning Application			
Informatives:					
Consultations					
Adjoining Occupiers:		No. of responses	00	No. of objections	00
Summary of consultation responses:		<p>A site notice was displayed 16/03/2022 which expired 09/04/2022. Press notice was published 17/03/2022 which expired 10/04/2022.</p> <p>The Denmark Street CAAC were invited for consultation and responded with 'no comment'.</p>			

Site Description

The application site is unit 101-103 of the Grade II listed Centre Point complex. It is on the ground floor of Centre Point House and fronts on to the St Giles Square and is currently used as a restaurant (Class E).

The site lies within the Denmark Street Conservation Area.

Relevant History

Application Site:

2013/1957/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.

Granted - 01/04/2014

2022/0554/PRE - Change of use of land to create external seating area, including provision of removable 2no umbrellas, 7no tables and 19no chairs, together with planters and screens. **Pre-app advice issued – 30/03/2022**

108A Tottenham Court Road:

2018/4759/P - Installation of raised tiling to pub forecourt external seating area with alterations to entrance doors. **Refused - 08/02/2019**

Reasons for refusal:

- 1. The proposed raised forecourt, by reason of its siting, height, materials and prominence in relation to the building and within the surrounding area, would be a poor quality design and appear as an incongruous feature in the street scene, be out of character with the host building and its surrounding context, as well as neither preserving nor enhancing the character and appearance of adjoining conservation areas, contrary to policies D1 and A1 of the Camden Local Plan 2017.*
- 2. The proposed raised forecourt would cause unacceptable inaccessibility issues for any passing pedestrians and patrons visiting the public house, resulting in a development that would not promote fair access and would create barriers to prevent users from accessing facilities and opportunities, contrary to policies C6, D1 and A1 of the Camden Local Plan 2017.*

Relevant policies

National Planning Policy Framework 2021

The London Plan 2021

Camden Local Plan 2017

D1 - Design

D2 – Heritage

Camden Planning Guidance

CPG Design (2021)

Denmark Street Conservation Area Appraisal and Management Strategy 2011

Assessment

1.0. Proposal

- 1.1 Planning permission is sought for the erection of planters and screens to demarcate an external seating area in St Giles Square that would include tables and chairs and umbrellas etc.
- 1.2 The screening would be glazed with grey partitions and would measure 4m deep, 1.5m high and 10m wide. Planters finished in grey and measuring 0.4m high are proposed to surround the screening externally.
- 1.3 Red umbrellas measuring 2.8m high are proposed. The overall external seating area would be 4.6m deep and 11.1m wide.

2.0 Design and Heritage

- 2.1 Local Plan policy D1 (Design) states that the Council will seek to secure high quality design in development. The Council will require that development: a. respects local context and character; b. preserves or enhances the historic environment and heritage assets in accordance with policy D2 (Heritage).
- 2.2 Local Plan policy D2 states that The Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings and resist development that would cause harm to the significance of a listed building through an effect on its setting.
- 2.3 The Denmark Street Conservation Area Appraisal and Management Strategy states that the materials, design and positioning of any new elements of street furniture should be carefully considered and should be appropriate to the character and appearance of the conservation area and the setting of any adjacent listed buildings.
- 2.4 A Public Realm Management Plan was secured through a section 106 agreement as part of planning permission 2013/1957/P. The plan states that outdoor dining areas can be provided but the areas will not be roped off or barricaded from the public realm areas. Appendix 5 states

that the external seating should be 3.9m deep. Appendix 6 outlines the type of seats, tables and umbrellas that would be acceptable.

- 2.5 St Giles Square is a newly created public open space located between Tottenham Court Road Underground station, Eamshaw Street and New Oxford Street following the pedestrianisation of St Giles High Street. It was intentionally designed to be an accessible open public space. The ground floor units of Centre Point House fronting onto the square were designed to have active frontages to enhance the connection with the public realm. The installation of an enclosed private seating area would detract from the active frontage.
- 2.6 Pre-application advice was given under ref. 2022/0554/PRE on 31/03/2022 for the same proposals which stated that the screening and planters would not be supported due to their visual impact on the square.
- 2.7 The proposal would create an enclosed external seating area that would be barricaded from the public realm space in St Giles Square, through the means of erecting planters and screened glazed partitions. The seating area would as a result appear as a private space which would read as being separate to the public realm. The seating area would have a visible physical barrier and would not integrate with the public space. It would encroach into the square beyond the approved depth as outlined in the management plan. The proposed screening and planters would add visual clutter to the appearance of the square which currently has only limited street furniture. The square has no existing planters or screens and so the proposal would be out of keeping with its surroundings. The red umbrellas would be a dominant feature that would be out of keeping with the appearance of the square given their scale and colour. It is therefore considered to be an inappropriate and incongruous addition that would be harmful to the context and surroundings of the site, contrary to policy D1 of the Camden Local Plan.
- 2.8 The proposal is located within the setting of a listed building and is within a conservation area. The proposed development would respond poorly to the character and appearance of the public realm, conservation area and the setting of the listed building and is considered inappropriate and would be contrary to the Denmark Street Conservation Area management strategy. The proposal would fail to preserve or enhance the character and appearance of the conservation area and listed building and would be contrary to policy D2 of the Camden Local Plan.
- 2.9 It is considered that there would be no public benefits resulting from the development as the proposals would benefit the existing restaurant and would negatively impact on the public square.
- 2.10 Given the above assessment, the proposal would serve to cause undue harm to the character and appearance of the square, setting of the listed building and surrounding conservation area. The principle of the proposal is considered to be unacceptable by reason of its impact on the surrounding area.
- 2.11 Considerable importance and weight has been attached to the harm and special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.
- 2.12 The proposal is thereby considered to constitute 'less than substantial' harm to the square, with no demonstrable public benefits derived from the scheme which would outweigh such harm. The proposal is therefore considered to be contrary to Section 16 of the NPPF (2021) which seeks to preserve and enhance heritage assets.

- 2.13 The proposed external seating area, enclosed by planters and screens, by reason of its siting, scale, form and design, is considered to represent an uncharacteristic, unsympathetic and harmful addition to the surrounding area, contrary to policies D1 (Design) and D2 (Heritage) of the Camden Local Plan 2017, and refusal is warranted on this basis.

3. Impact on neighbours

- 3.1 Policy A1 seeks to ensure that the amenity of neighbouring properties is protected. It states that planning permission will not be granted for development that causes harm to the amenity of occupiers and neighbours in terms of loss of daylight, sunlight, outlook and privacy.
- 3.2 The proposed seating area enclosure would not have an adverse impact on the amenity of any neighbouring occupiers.

4. Recommendation

- 4.1 Refuse planning permission for the following reasons-

The proposed external seating area enclosed by screening and planters, by virtue of its siting, scale, design and form would be an uncharacteristic, inappropriate and unsympathetic addition which would be harmful to the surrounding area, setting of a listed building and the Denmark Street Conservation Area, contrary to policies D1 (Design) and D2 (Heritage) of the Camden Local Plan 2017.