

Our Ref: 21253/SH/cs
Your Ref: APP/X5210/W/22/3310196
Email: sharper@firstplan.co.uk
Date: 16 February 2023

FAO Ms Hazel Stanmore-Richards,
The Planning Inspectorate
3/B Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

Dear Ms Stanmore-Richards,

**APPEAL REFERENCE APP/X5210/W/22/3310196
VAPIANO RESTAURANT, CENTRE POINT COMPLEX DEVELOPMENT SITE AT 101-103, UNIT R05
NEW OXFORD STREET, LONDON, WC1A 1DD**

We write on behalf of UK VAP Ltd (the Appellant), in relation to the above planning appeal, in order to respond to the London Borough of Camden's Appeal Statement of Case, dated 23rd January.

The Appellant's grounds for appeal have been fully evidenced within the Appeal Statement; this letter is not intended to repeat the information contained within the submitted Statement which is now before the Planning Inspector, rather, it is taken as an opportunity to comment on the points that have arisen from the representations received.

Comments on the Local Planning Authority's Statement

The central matters raised by the Council's Statement relate to concerns over a sense of enclosure through the installation of planters and screening, which are seen to create a private space within the public piazza and the Council suggest that this will cause harm to the designated heritage assets.

In the first instance, the proposals to create a semi-permanent external seating area comply with the principles contained within the site-wide Public Realm Management Plan prepared by Rendall and Rittner Ltd (as approved under ref: 2013/1957/P). This area of publicly accessible open space is noted as integral to the success of the Centre Point and Tottenham Court Road schemes, intended to make a 'substantial contribution to the wider improvements and regenerations at the east end of Oxford Street' (page 2). Section V goes on to state:

Outdoor dining areas are to provide a safe and enjoyable dining experience for customers, while keeping the Square safe and accessible for all pedestrians. The areas are to make a positive contribution to the character of the Square. An outdoor dining set up can contain a variety of items including tables, chairs, umbrellas and heaters which have been taken into account...

The external seating area is within the prescribed measurements as shown on the Outdoor Seating Plan within Appendix 5. It is, therefore, consistent with the aspirations and Management Plan designed to guide the function and operation of the piazza. Notably, the Plan goes on to state that these outdoor seating areas will not be enclosed or 'roped off' from the piazza, albeit this is not a statement of fact, rather an observation / preference for the envisaged arrangement, written on behalf of the developer, not the various operators that occupy the units around the piazza. Of course, in the appellant's case, the developer/landlord has provided support for their proposals.

As set out within the Appeal Statement, the site circumstances warrant a semi-permanent, albeit removable, solution to provide a level of respite from the year-round strong winds, something that is not discussed in the Public Realm Management Plan. As we have already asserted, without the protection, the space is rendered largely unusable.

In the real-world this is the most sensitively designed solution to address the various presented issues. Due to its creative appearance and form it does not amount to Vapiano's small area of the very large piazza being barricaded from the public realm, owing to the use of transparent adjustable partition screens which will allow for visual continuation through to the unit behind.

Despite what appear to be clear aspirations for the use and layout the piazza, and the various measures set out in the Management Plan to try and achieve this, in reality this area lacks any coherence and definition, with different operators placing a range of furniture in an ad-hoc manner, loosely arranged / scattered in relatively close proximity to their respective units. This sits alongside various temporary installations which are added throughout the year. The unclear delineations between the various operators and lack of formal regulation makes operating a successful outdoor dining area difficult.

As a result, the piazza lacks a sense of focus, and it is hard to imagine that this was the intended arrangement when the Management Plan was produced.

To address this, at least in respect of the appellant's small demised external trading area, Vapiano will take obvious ownership of their external area through the appeal proposals, utilising temporary, removable additions which separate the public piazza from the general public, separate customers from the circling, gusting winds, whilst allowing views to and from the area. For this reason, it is our view that the proposals are proportionate and necessary in their scale and are of a high-quality design that will not lead to visual clutter or harm to the designated heritage assets.

There is another relevant point too – the safety and security of staff and customers. The piazza is relatively secluded for a central London public space, in terms of its position behind Centre Point and the host building which enclose it on two sides. The ground floor of Vapiano's restaurant is also detached from the upper floor main dining area, and with no external presence, there is little transit of staff between the main dining area and the ground floor space. This has given rise to anti-social behaviour and Vapiano has recorded these incidents with the Police, including:

- People entering the venue, locking themselves in and messing the bathroom;
- People stealing stock from the ground floor bar;
- Drug dealing in St Giles Square on numerous occasions and open drug use on the outside tables.

The appeal proposals are therefore driven by the need for a practical solution to the challenging site conditions. The addition, which is temporary and removable, will add a focus to the piazza, encouraging external dining throughout the year, and it is expected that this will encourage other operators to make more of their outside spaces. This will uplift the area and, in turn, discourage obvious criminal activity as there will

be a more obvious presence of customers, staff and general public utilising the piazza and external dining facilities, facilitating much better natural surveillance.

Conclusions

The appeal proposals are tailored to overcome the undefined nature of the piazza through the creation of a high-quality defined external seating area. Contrary to the Council's concerns, the sensitively designed area will not lead to a sense of undue enclosure, with transparent partition walls that are moveable and will ensure views into the unit are continued.

The appeal proposals adhere to the Public Realm Management Plan in its inherent desire to promote St Giles Square as a safe and positive destination and there are no alternative 'less harmful methods' to overcome the need for weather protection, as suggested in the Council's Statement.

There is no harm to the heritage assets, and even if one could argue that there is some harm from the removable proposals, the benefits which result from making use of the defined outside dining space - for the intended purpose - and the knock-on benefits to the piazza, must outweigh this harm.

As such, we respectfully request that the appeal is allowed.

Yours sincerely,



SAM HARPER
Director

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