

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS COMMITTEE</b>	<b>Date</b> 21 February 2017	<b>Classification</b> For General Release	
<b>Report of</b> Director of Planning		<b>Ward involved</b> St James's	
<b>Subject of Report</b>	<b>Ground Floor North, Communications House, 48 Leicester Square, London, WC2H 7LT.</b>		
<b>Proposal</b>	Use of an area of the public highway measuring 3.0m x 18.3m narrowing to 2.0m x 4.0m for the placing of queue barriers in association with the ground floor retail unit.		
<b>Agent</b>	Ms Stuart Evans		
<b>On behalf of</b>	Mr Stuart Evans		
<b>Registered Number</b>	16/08222/FULL	<b>Date amended/ completed</b>	30 October 2016
<b>Date Application Received</b>	26 August 2016		
<b>Historic Building Grade</b>	Unlisted		
<b>Conservation Area</b>	Leicester Square		

## 1. RECOMMENDATION

Refuse permission – unacceptable impact on safe movement of pedestrians and the character and appearance of the area.

## 2. SUMMARY

48 Leicester Square is an unlisted building located in the Leicester Square Conservation Area. The application site relates to an area of the public highway adjacent to the north-east corner unit of the building which is occupied by the Lego store.

Permission is sought for the use of an area of the public highway for the placing of barriers in order to manage queues entering the Lego store. The applicant proposes to remove the barriers when they are not being used, and will typically be placed on the highway during the shop opening hours of between 10.00 to 19.00 Monday to Saturday and 10.00 to 17.00 on Sundays.

The Westminster Way's (public realm strategy) recommends a higher than normal standard of pedestrian clearway in this location given Leicester Square is among the busiest pedestrian areas in the city. While tables and chairs have previously been located outside this premises, prior to its redevelopment, and indeed there are numerous examples of alfresco seating located around the square, they are not considered to provide a similar precedent to what is currently proposed.

Unlike a designated area for alfresco seating, the barriers could be easily moved by persons in the queue, extending them beyond the defined area. Further, given the nature of queues, any overspill of persons queuing beyond the defined area cannot be controlled. The presence of tables and chairs is a common occurrence throughout the borough which can be closely monitored and controlled by the Council. The current submission does not detail how, if any, management arrangements could be put in place to control the use of the barriers and the resulting crowds.

The primary function of the highway is for the safe and convenient movement of pedestrians which would undoubtedly be hindered by the barriers and crowds on what is a very busy section of public highway. The proposals are therefore considered contrary to Policy TRANS 3 of the UDP and Policy S41 of the City Plan.

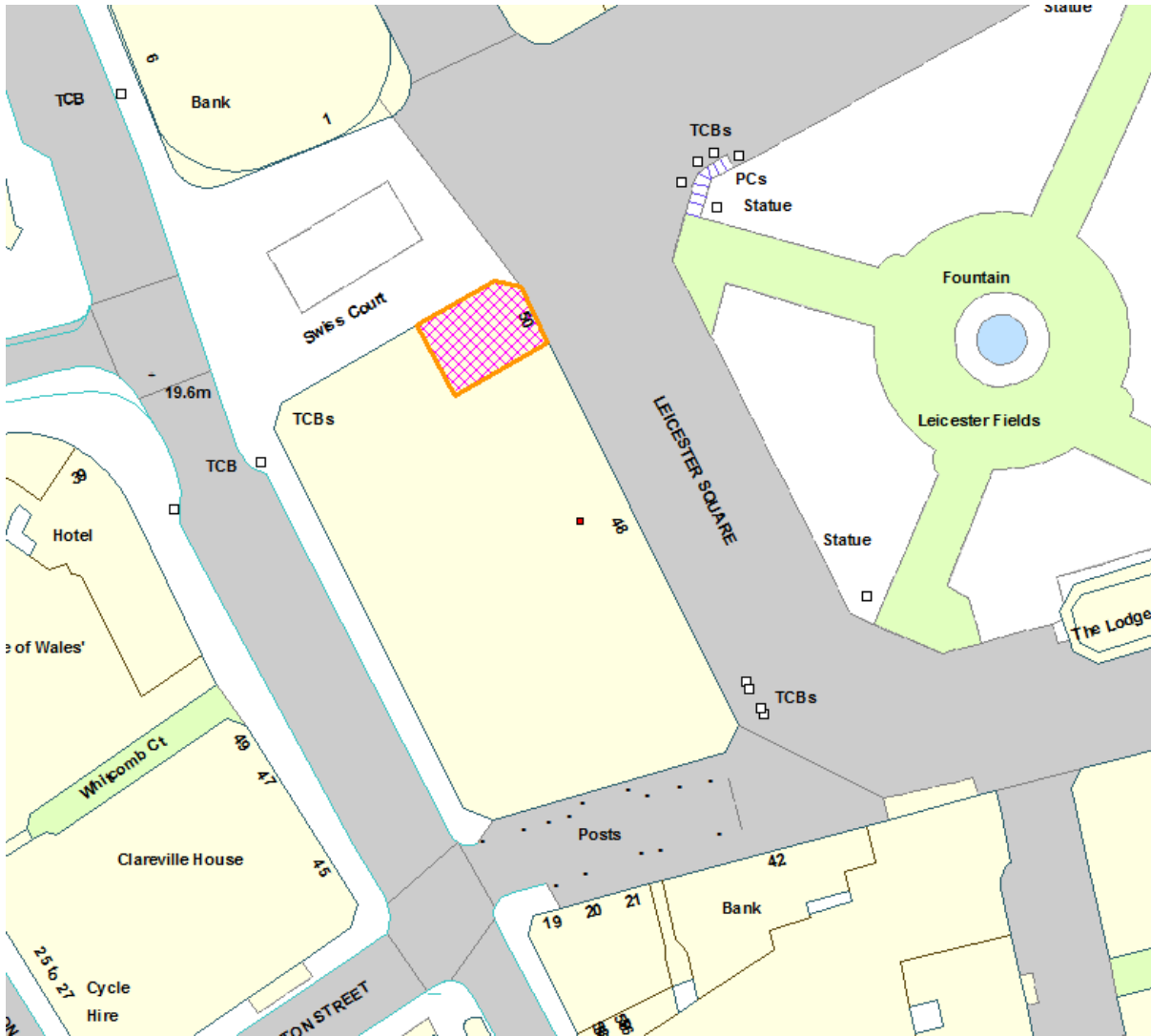
Leicester Square is characterised by its open urban landscape centred on the park and fountain. This character is enhanced by the alfresco seating of numerous retailers around its edge and on the streets leading to the square. This alfresco seating is considered to add to the character and ambience of the square in a way that is suitable and characterful.

Therefore, while alfresco dining areas also occupy the public highway around the square, it is considered that the proposed queue barriers result in an impact that is not consistent with the character of the square. While the proposed barriers themselves are of limited harm, they would lead to queues waiting to enter the store that would upset the character previously discussed both visually and acoustically.

As previously noted, tables and chairs and alfresco dining areas complement the character and function of Leicester Square and provide a uniqueness that draws a significant number of visitors and contributes to the functioning of the wider area as a destination attraction. The square is characterised by a largely open nature and is permeated only by the presence of tables and chairs that complement the entertainment uses throughout the area, however, it is considered that the queue barriers effectively result in the sectioning off of an area of public highway for the extension of a retail premises and do not have the benefit that tables and chairs bring to the square. The large numbers of people queueing would essentially act as an extension of the retail unit onto the highway and does not contribute to the character and function of the square and are therefore not compatible with the area.

It is considered that the proposals are unacceptable in design terms, resulting in harm to the character and appearance of the area and wider conservation area and therefore contrary to Policy S25 and S28 of the City Plan and Policies DES 1, DES 7 and DES 9 of the UDP.

### 3. LOCATION PLAN



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4. PHOTOGRAPHS



Queue Barriers in use on Leicester Square frontage

## 5. CONSULTATIONS

### WESTMINSTER SOCIETY

Objection – If granted the application could set an undesirable precedent for other such premises within Leicester Square.

### HIGHWAYS PLANNING

Objection – The proposal is contrary to transportation policy and would have an unacceptable impact on pedestrian movement.

### DESIGNING OUT CRIME

No objection.

### ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 22

No responses: 0

PRESS ADVERTISEMENT / SITE NOTICE: Yes

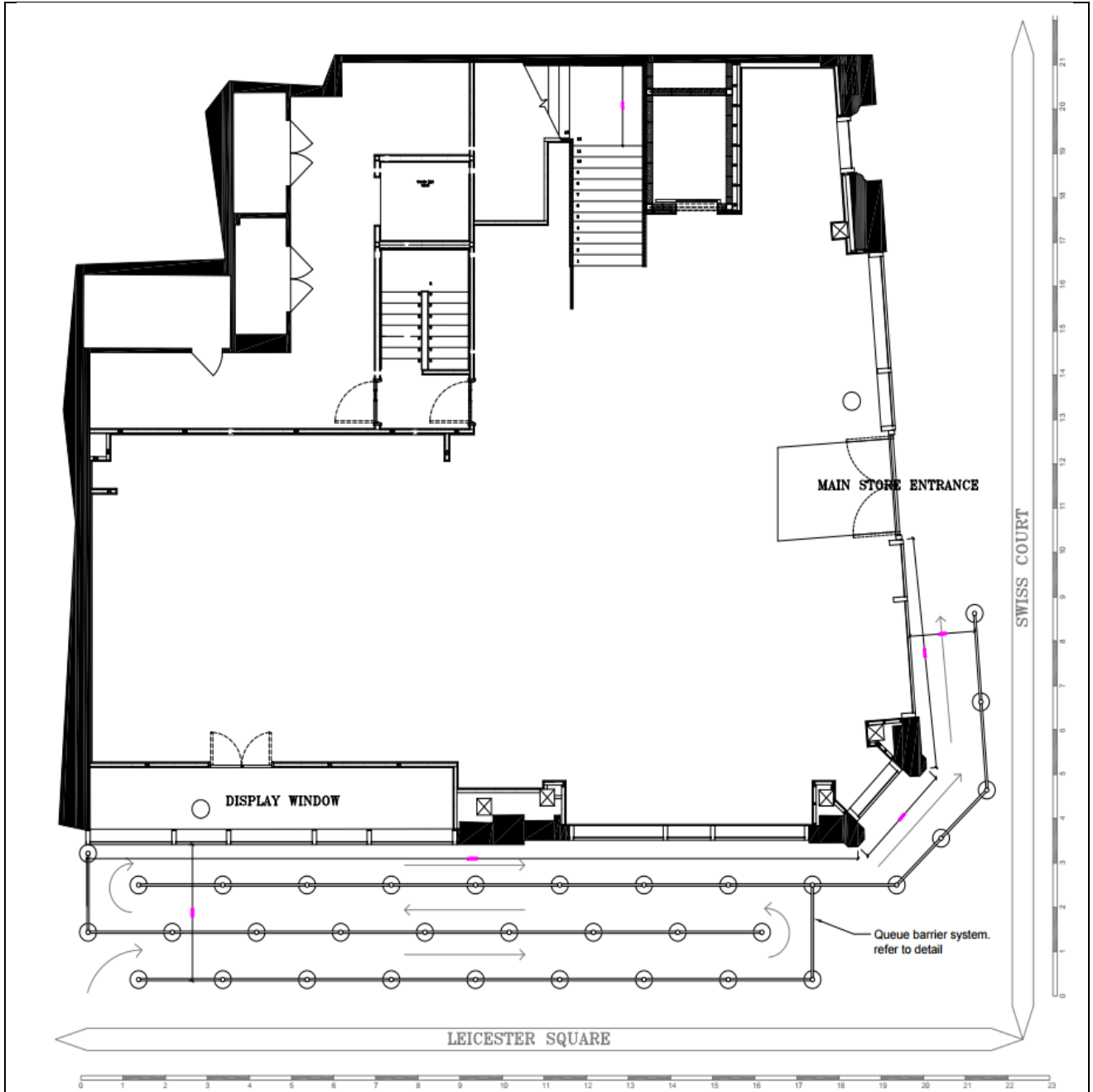
## 6. BACKGROUND PAPERS

1. Application form
2. Response from Westminster Society dated 27 September 2016
3. Response from Highways Planning dated 2 November 2016.
4. Response from Designing Out Crime Officer dated 7 February 2017.

(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: VINCENT NALLY BY EMAIL AT [vnally@westminster.gov.uk](mailto:vnally@westminster.gov.uk)

7. KEY DRAWINGS



Plan | Scale 1:50@A1

Proposed Queue Barrier System

**DRAFT DECISION LETTER**

**Address:** Ground Floor North, Communications House, 48 Leicester Square, London, WC2H 7LT.

**Proposal:** Use of an area of the public highway measuring 3.0m x 18.3m narrowing to 2.0m x 4.0m for the placing of queue barriers in association with the ground floor retail unit.

**Reference:** 16/08222/FULL

**Plan Nos:** Proposed Queue Barrier System Revision A, Site Location Plan, 6072-60, Design and Access Statement dated 26 October 2016.

**Case Officer:** Joe Whitworth

**Direct Tel. No.** 020 7641 1968

**Recommended Condition(s) and Reason(s)**

Reason:

The queue barriers and associated crowds would harm the character and appearance of the Leicester Square Conservation Area. This would not meet S25 and S28 of Westminster's City Plan (July 2016) and DES 1, DES 7, DES 9 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007.

Reason:

The queue barriers and associated crowds would block the flow of pedestrians along the footpath and so could be unsafe. This would not meet S41 of Westminster's City Plan (July 2016) and TRANS 3 of our Unitary Development Plan that we adopted in January 2007.

**Informative(s):**

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way so far as practicable. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service. However, we have been unable to seek solutions to problems as the principle of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.