

# Planning, Design and Access Statement.

172-173 Piccadilly, London W1J 9EJ.

On behalf of Harnbury Holdings Ltd (t/a San Carlo Restaurants).

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## Document Management.

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# 1. Introduction

- 1.1. Pegasus Group has been instructed by our client, Harnbury Holdings Ltd (t/a San Carlo Restaurants) (the applicant), to prepare and submit applications for full planning permission and listed building consent to Westminster City Council for the site at 172-173 Piccadilly, London, W1J 9EJ.
- 1.2. The subject building is part of the wider Grade II listed Dudley House and falls within the St James's Conservation area.
- 1.3. This statement has been prepared by Pegasus Group in accordance with Article 9 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 ("the DMPO"), which sets out the requirement for certain planning applications to be accompanied by a Design and Access Statement.
- 1.4. The development proposals would enable Chicchetti Restaurant, currently operating at 215 Piccadilly, to move into the newly reconfigured premises.
- 1.5. The proposed description of development is therefore as follows:

*"Proposed Shopfront alterations and internal fit out works at 172-173 Piccadilly"*
- 1.6. The application is accompanied by the following drawings and documents:
  - Planning Statement (this Statement);
  - Heritage Statement (including Statement of Significance)
  - Site Location Plan;
  - Existing and proposed plans/elevations;
  - Application forms and ownership certificate
  - Required application fee

## 2. Site, Surroundings and Planning History

- 2.1. The site includes nos. 172 and 173 which forms part of Egyptian House and fronts north onto Piccadilly. Egyptian House and Foxglove House form the Grade II Listed Dudley House (nos. 166–173), Piccadilly W1.
- 2.2. The site is neighbouring the Grade II Listed Piccadilly Arcade and opposite is the Grade II Listed 1A Old Bond Street, W1. Neighbouring the west side of Dudley House is the Grade II Listed 162–165 Piccadilly, W1. St James’s Park is southwest of the site and the application site falls within the boundary of St James’s Conservation Area.
- 2.3. The ground floor of 173 was previously occupied by Paul and 172 was previously occupied by Richoux.
- 2.4. The site fronts Piccadilly, a busy pedestrian and vehicle route in central London. The site has a PTAL rating of 6b (best), with both Green Park and Piccadilly Circus tube stations a short walk from the site as well as being located close to bus stops serving numerous bus routes to destinations across London.
- 2.5. The primary access to the site will be from the existing entrances fronting Piccadilly.

### Planning History

- 2.6. A review of the Council’s available records indicated the following planning history:

Application ref.	Site Address	Description of Development	Status
23/O3865/FULL & 23/O3866/LBC	Egyptian House 170–173 Piccadilly London W1J 9EJ	Internal and external refurbishment works including minor works of demolition including installation of plant, in order to combine no.172 and 173, two existing Class E units, for use of part ground floor and basement of 172–173 Piccadilly within a Class E a/b use, and to reestablish Unit 6 Piccadilly Arcade as a standalone Class E unit.	Approved – 29 <sup>th</sup> Aug 2023
23/O3160/FULL & 23/O3115/LBC	Egyptian House, Dudley House And Foxglove House 166 – 174 Piccadilly London W1J 9EJ	Variation of conditions 1 and 7 of planning permission dated 27 January 2023 (RN: 22/O6543/FULL) for internal alterations and external alterations including part use of the basement for cycle storage and facilities, refurbishment of the existing windows and the introduction of slimline double-glazed units into the existing frames; partial window replacement on rear elevation; extension to rear	Approved – 18 <sup>th</sup> Aug 2023

		mansard roofslope; replacement of roof level plant and installation of plant screens; infill of redundant lightwells to all office floors; façade refurbishment works; and improvements at basement level to provide end of trip facilities including shows and bike storage. NAMELY, for the introduction of a dry riser to the façade of 172 Piccadilly; replacement of windows and doors to the rear elevation; omission of terrace planting	
17/O5923/ADV	172 Piccadilly London W1J 9EJ	Display of externally illuminated fascia sign measuring 0.3m x 5.3m, and externally illuminated projecting sign measuring 0.42m x 0.92m.	Approved – 24 <sup>th</sup> July 2017
17/O3886/LBC	Basement And Ground Floor 172 Piccadilly London W1J 9EJ	Internal alterations at ground floor and basement levels	Approved – 29 <sup>th</sup> June 2017
14/11297/LBC	Ground Floor Left Egyptian House 170- 173 Piccadilly London W1J 9EJ	Minor external alterations and repairs to shopfront and internal alterations at ground floor level. Installation of externally illuminated fascia sign measuring 0.38m x 1.2m and non-illuminated hanging sign measuring 0.54m x 0.54m x 0.06m.	Approved – 16 <sup>th</sup> Jan 2015
12/12754/FULL	173 Piccadilly And 6 Picadilly Arcade London W1J 9PD	Use as mixed cafe and retail use (Class A1/A3 sui generis use).	Withdrawn – 14 <sup>th</sup> June 2013
12/O3313/LBC	172 Piccadilly London W1J 9EJ	Installation of four eyebolts into the building facade.	Approved – 3 <sup>rd</sup> Aug 2012
11/O1161/LBC	Egyptian House 170- 173 Piccadilly London W1J 9EJ	Internal alterations at ground and basement level.	Approved – 15 <sup>th</sup> Mar 2011
10/O8408/LBC	2 Piccadilly Arcade London SW1Y 6NH	Internal alterations to ground floor and basement levels of 173 Piccadilly; internal alterations to Unit 6 Piccadilly Arcade; formation of openings	Approved – 29 <sup>th</sup> Nov 2010

	between 173 Piccadilly and Unit 6 Piccadilly Arcade to link units.	
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**Application Refs: 23/O3865/FULL & 23/O3866/LBC**

- 2.7. It is noted that planning and listed building consent was recently granted at the site for the internal and external refurbishment works including minor works of demolition including installation of plant, in order to combine no.172 and 173, as well as adding a dividing wall to re-establish Unit 6 Piccadilly Arcade as a standalone unit.
- 2.8. It is understood that this application was submitted by the landlord of the units and has been partially implemented on site. The images below demonstrate the partially implemented scheme on site, as approved.
- 2.9. Notably, the proposed scheme included the partial demolition of internal walls, to combine the two units.



*Figure 1: Approved basement (Left) and ground floor plans (right)*

### 3. Proposed Design and Access Arrangements

#### Site Constraints

- 3.1. Due to the scale of the development and the context of the site, there are limited abnormal technical constraints that have required specific attention when developing the designs for the proposed development. Giving that the sites have already been functioning as commercial units for several years, it is not anticipated that the proposed design would cause any further constraints for the site when compared to the current arrangements.
- 3.2. The site is a listed building and located within a conservation area. These constraints have informed the design development process.
- 3.3. The proposed site is located in flood zone 1 and due to the nature of the development a Flood Risk Assessment is not required. Furthermore, the Environment Agency mapping doesn't show any surface water flood risk

#### Design Proposals

- 3.4. The application proposes alterations to the existing shopfronts, to create a more unified appearance across the front between the two units. A new primary entrance to the restaurant will be provided from no. 173, with a secondary entrance door provided within the new shopfront of no. 172.
- 3.5. The application also proposes the internal fit-out of the basement and ground floors of the units to allow for the operation of the site as a restaurant.
- 3.6. The proposal would maintain the existing ground and basement floor levels across the site, ensuring level access to the ground level is maintained.







Figure 2: Existing (top) and proposed (bottom) shopfront designs

### Access

- 3.7. In terms of access, the primary access to the site will still be from Piccadilly through the proposed reconfigured shop front. An additional emergency access is provided within the basement into the main core of the building, ensuring sufficient means of escape in case of an emergency.
- 3.8. Level access to the ground floor will be provided, with the new shop fronts being wide enough to accommodate wheelchair users. A new disabled toilet will also be provided at an accessible ground floor location.

## 4. Planning Policy Context

4.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that any determination under the Planning Acts should be made in accordance with the Development Plan unless material considerations indicate otherwise.

4.2. The Development Plan for the Borough comprises:

- The Westminster City Plan (April 2021).

4.3. Other Relevant Material considerations include:

- The NPPF (2023); and
- The London Plan (March 2021)

4.4. The Development Plan is supported by a number of Supplementary Planning Documents ('SPD') and Supplementary Planning Guidance ('SPG'), including the following:

- Environmental Supplementary Planning Document (February 2022);
- Repairs and Alterations to Listed Buildings SPG (1996);
- Shopfronts, Blinds and Signs SPG (1990); and
- Development and Demolition in Conservation Areas SPG (1996).

4.5. According to the City Plan Policies map, the site has the following designations:

- St James's Conservation Area;
- Great Estates Archaeological Priority Area;
- Central Activities Zone ('CAZ');
- West End Retail and Leisure Special Policy Area;
- Piccadilly Town Centre;
- Mayfair and St James's Special Policy Area; and,
- PTAL score of 6b.

### **National Planning Policy Framework 2023 (NPPF)**

4.6. The NPPF confirms that planning applications should be determined in accordance with the development plan for the area unless material considerations indicate otherwise (paragraph 47).

4.7. Other relevant paragraphs of the NPPF are set out below:

- 4.8. Paragraph 8 – Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):
- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
  - b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and
  - c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 4.9. Paragraph 11 – Plans and decisions should apply a presumption in favour of sustainable development.
- For decision-taking this means:
- c) approving development proposals that accord with an up-to-date development plan without delay; or
  - d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
    - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
    - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 4.10. Paragraph 38 – Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- 4.11. Paragraph 194 – In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the

assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

4.12. Paragraph 202 – Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

4.13. Paragraph 208 – Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

### **The London Plan (2021)**

4.14. Policy SD4 of the London Plan (The Central Activities Zone (CAZ)) identifies the vitality, viability, adaption and diversification of the international shopping destination of the West End (including the wider West End Retail and Leisure Special Policy Area) should be supported.

4.15. London Plan Policy D3 (Optimising Site Capacity) requires a design-led approach and buildings to be of the highest standards of architecture and materials.

4.16. London Plan Policy D4 (Delivering Good Design) requires Design and Access Statements to be submitted within development proposals and should demonstrate that the proposal meets the design requirements of the London Plan.

4.17. London Plan Policy HC1 (Heritage Conservation and Growth) states that proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. Additionally, proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.

4.18. London Plan Policy D5 (Inclusive Design) requires development proposals to achieve the highest standards of accessible and inclusive design. Additionally, Design and Access Statements submitted as part of development proposals, should include an inclusive design statement.

4.19. London Plan Policy D14 (Noise) states that development proposals should manage noise by: avoiding significant adverse impacts on health and quality of life; reflect the Agent of Change principle; mitigate and minimise the existing and potential adverse impacts of noise; improve and enhance the acoustic environmental and promoting appropriate soundscapes; and promoting new technologies and improved practices to reduce noise at source, and on the transmission path from source to receiver.

### **Westminster City Plan (2021)**

4.20. Policy 2 of the City Plan promotes the intensification of the West End Retail and Special Policy Area within which the Site is located. Policy 2 identifies that the provision of additional commercial floorspace through the sensitive refurbishment of buildings can help support growth in the area.

- 4.21. Policy 14 of the City Plan (Town centres, high streets and the CAZ) states that the intensification of the CAZ to provide additional floorspace for main town centre uses is supported in principle, subject to impact on townscape and heritage.
- 4.22. Policy 33 requires development to prevent adverse effects of noise and vibration and improve the noise environment in compliance with the Council's Noise Thresholds.
- 4.23. City Plan Policy 38 (Design Principles) notes any new development will incorporate exemplary standards of high quality, sustainable and inclusive design. Development should enable the extended lifetime of buildings whilst responding to the likely challenges of climate change. New development should positively contribute to the streetscape and have regard to the character and appearance of the existing area. Imaginative approaches are encouraged where they result in exemplary new buildings and public realm.
- 4.24. City Plan Policy 39 outlines that development proposals should secure the conservation and continued beneficial use of heritage assets through their retention and sensitive adaptation which will avoid harm to their significance, while allowing them to meet changing needs and mitigate and adapt to climate change.
- 4.25. Policy 40 seeks to protect Westminster's townscape and sets out considerations for extensions and alterations. It stipulates that alterations must respect the character of the existing and adjoining buildings, avoid adverse visual and amenity impacts and will not obscure important architectural features or disrupt any uniformity, patterns, rhythms or groups of buildings and spaces that contribute positively to Westminster's distinctive townscape.

## 5. Planning Policy Assessment

- 5.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that any determination under the Planning Acts should be made in accordance with the Development Plan unless material considerations indicate otherwise.

### Principle of Development

- 5.2. The proposed development will deliver a high-quality restaurant offering at the site, within Class E. This is considered an appropriate and sustainable land use in this location, given its location within the Central Activities Zone and West End Retail and Leisure Special Policy Area, where uses of this nature are encouraged to ensure the ongoing vitality and viability of the West End as outlined within Policy SD4 of the London Plan and Policy 2 of the City Plan. The Proposals would also ensure a sustainable reuse of the site, in line with the NPPF aspirations.
- 5.3. Overall, the proposed development will help contribute towards the continued growth and improvement of the West End International Centre making this part of Piccadilly a more attractive place for all to enjoy. The proposals would help support the relocation of an existing established restaurant business, ensuring the economic importance of Piccadilly is retained. For these reasons, the principle of the proposed development accords with the above planning policy and should be considered acceptable when assessed against the development plan.

### Design and Heritage

- 5.4. The proposed development has followed a design-led approach in accordance with D4 of the London Plan with the significant heritage features of the building respected. The proposed shop fronts have been sensitively designed to fit in with the historic character of the existing building. This includes the sensitive use of traditional timber materials and architectural detailing ensuring a unified appearance of the new shop fronts when viewed from Piccadilly and the in the context of the wider conservation area. The proposed internal alterations will sensitively respect the overall building character.
- 5.5. For a full assessment of the heritage implications of the proposal, please refer to the accompanying Heritage Statement, also prepared by Pegasus Group. It concludes that, with reference to the levels of harm in the NPPF, the proposals will result in 'no harm' to the significance of the Grade II Listed Dudley House or the St James's Conservation Area. The proposals will satisfy the requirements set out in Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. They will also satisfy relevant local policy.
- 5.6. It is therefore considered that the Proposed Development complies with Chapter 12 of the NPPF, London Plan Policy D3 and D4 and City Plan Policy 38.

### Access

- 5.7. The Proposed Development has been developed with access in mind. Both units will retain the existing level access routes and new toilet facilities for disabled customers will be provided at ground level. This had been designed to ensure it fits in with the historic character whilst also the of accessibility needed.



## 6. Summary and Conclusion

- 6.1. The application proposes the internal fit out of the units and alterations to the existing shop fronts of 172 and 173 Piccadilly. The proposed alterations would enable the relocation of an existing nearby restaurant.
- 6.2. The application follows the recently approved planning and listed building consent applications submitted by the landlord of the premises (Refs: 23/O3865/FULL & 23/O3866/LBC). These applications already approved internal alterations to combine the units at 172 and 173.
- 6.3. The proposed development will significantly improve the ground floor commercial offering and the overall utility and function. The proposal is an appropriate solution which will help safeguard the building's integrity, bringing it up to a high standard of layout and finish, thereby improving its long-term sustainability, utility, and appearance. The proposal is therefore considered to comply with the relevant policy considerations.
- 6.4. We therefore request that planning and listed building consent is approved without delay.

Town & Country Planning Act 1990 (as amended)  
Planning and Compulsory Purchase Act 2004

**Liverpool**

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