

Your ref: 21/06177/TCH
Our ref: JB77093
DD: 07899 062970
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Date: 17/01/2024

Department of Planning & City Development
Development Planning Services
Westminster City Council
Westminster City Hall
64 Victoria Street
London, SW1E 6QP

Dear Sir/Madam

Proposed variation of condition 5 of planning permission 21/06177/TCH to allow continued use of the public highway for the placing of 3 tables and 6 chairs in an area measuring 6.12m x 1.52m on James Street and 12 tables and 24 chairs in an area measuring 6195mm x 3050mm on Barrett Street, including umbrellas, heaters and windbreaks in connection with existing use. Site at 26 James Street, London, W1U 1EN

We enclose an application for planning permission for the above proposed development, along with the requisite, which has been paid electronically via the Planning Portal.

Planning permission has been granted since at least 1992 for use of the forecourt area to place tables, chairs and umbrellas in association with the adjacent café/bar at 26 James Street. The most recent permission was granted on 3 February 2022 and expires on 31 January 2024 (condition 5 of 12106177/TCH).

There is a concurrent application for a modest change to the approved layout of the outside furniture which was due to be determined by 19 October 2023, but remains undetermined (LPA Ref: 23/05393/TCH).

In excess of 2.0m pavement width will be retained in James Street and the wider pavement space in Christopher Place for the safe passage of pedestrians walking by; therefore, the free-flow of pedestrian traffic along the pedestrianised street will not be materially affected. This has proved to be the case since the area was first used for this purpose in c1990.

The tables, chairs, umbrellas, heaters and barriers will be contained within the designated area and will not affect customer movement into and out of the café/restaurant entrance. The provision of outside tables and chairs will noticeably add to the vitality and character of the area and will enable the current business operation to prosper. All of the furniture will be removed from the pavement and stored within the property when not in use.

The planning application relates to activities taking place at a central commercial leisure facility. This will result in a noticeable enhancement of the leisure operation, to the benefit of the local economy and the local community. The enhancement of a central commercial activity is sustainable development by definition. At the heart of the National Planning Policy Framework (NPPF) is a strong presumption in favour of sustainable development.

In the absence of demonstrable significant adverse impact since this use began in c1990, it is considered that there is a presumption in favour of the proposed development.

In these circumstances, it is hoped that officers can continue to support the application for permission, as submitted.

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If you need any further information at this stage or would like to discuss the scheme in more detail, please do not hesitate to contact us.

Yours faithfully

Bidwells LLP

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