

London Borough of
Camden
Planning & Environment
5 Pancras Square
London
N1C 4AG

14 December 2022

Ref: FW137/FW

FAO: Elaine Quigley

Dear Sir/Madam

**Application under Section 73 for amendments to planning permission (2016/2094/P) – 150
Holborn, London, EC1N 2NS**

We write on behalf of our client, 150 Holborn Real Estate Limited, to submit an application under Section 73 to vary condition 7 (hours of restaurant operation) attached to planning permission (Ref: 2016/2094/P).

Background

Condition 7 as approved states:-

**The café/restaurant uses hereby approved shall not be carried out outside the following times:
07:00hrs to 21:00hrs Monday to Saturday and 08:30hours to 18:00hrs on Sundays and Bank
Holidays**

The reason for this policy is stated as:-

**“To safeguard the amenities of the adjoining premises and the area generally in accordance with
the requirements of policies A1, A4 and TC2 of the Camden Local Plan 2017”**

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The Proposal

Due to feedback from prospective operators of the A3 (now Class E) unit, it is proposed to amend the operating hours for the proposed restaurant unit as follows:-

The café/restaurant uses hereby approved shall not be carried out outside the following times:

11:30am-23:30pm Monday to Friday ~~07:00hrs to 21:00hrs Monday to Saturday and 11:30am~~
22:30pm ~~08:30hours to 18:00hrs~~ on Sundays and Bank Holidays

The strikethrough sections show the parts to be removed and the yellow highlighted section shows proposed amendments to the condition.

Assessment

The issue of hours of operation is set out within the committee report and we set out an assessment against the relevant paragraphs within the Council's committee report.

7.24 - The site is located within the High Holborn/Kingsway Central London Frontage. Policy TC2 seeks to protect and enhance the role and unique character of each of Camden's centres. It also states that the Council will ensure that development of shopping, services, food and drink and entertainment does not cause harm to the character, function, vitality and viability of a centre.

Response – The unit in question is known as 35 Brooke Street and is located at the corner of Holborn and Brooke Street. Paragraph 4.90 of the local plan states **that “where there is a concentration of late night activity, there can also be problems such as noise and disturbance, littering, antisocial behaviour, crime and violence.”**

There is not a concentration of late night activity in this location. Holborn and the immediate area is characterised by office uses and predominantly Class A1 (now Class E uses).

Policy TC2 states that food, drink, entertainment and other town centre uses should be focussed on Central London frontages (where the unit is located).

A well run restaurant in this location is considered to be an appropriate supporting use for the surrounding office buildings.

7.27- The proposal would include a public café along the Holborn frontage. At present there are no A3 uses within the individual frontage that forms part of the overall Holborn Central London Frontage. The café would increase this to 25% which would remain in line with the 25% maximum in this part of the frontage falling within food, drink or entertainment uses.

14.28 - With regards to the proposed Class A1 uses, officers consider that these uses by their very nature would be able to operate in close proximity to residential use and that there would be no need for a condition limiting hours of use. With regards to the proposed Class A3 cafe use, it is considered that a condition should be attached to protect residents from noise. A condition is therefore suggested limiting hours of use to between 06:30 to 21:00 Monday to Saturday and 08:30 to 18:00 hours on Sunday, which is considered reasonable for the location and sufficient to protect amenity.

Response – To enable the proposed restaurant to operate successfully later opening hours are required.

It is proposed to have 151 covers at ground floor level and 48 in the basement.

As set out in the enclosed letter from Jackson Criss, the impact of the Covid pandemic upon the restaurant industry has been significant and the area around Holborn has suffered from a reduction in daily office users.

All interest in this unit on acceptable commercial terms has required extended trading hours to compensate for ongoing closures and staffing issues as well as a reduction in customers.

The unit does not have any outside seating and because the proposal is for a sit-down restaurant, it is considered that the potential for noise and disturbance is low.

Overall, in order for the restaurant use to be viable, the hours of operation need to be extended to attract high end operators. It should be noted that the total opening hours will actually be reduced with later morning opening.

We noted that a number of other redevelopment schemes in Camden which include elements of residential use have much more flexible hours of operation conditions for restaurant units, including the following schemes:-

369-377 Kentish Town Road (2019/0910/P) – Condition 24 - The Class A1 or A3 use hereby permitted shall not be carried out outside the following times 06:00 hours and 24:00 hours Mondays to Saturdays; and 07:30 hours and 23:00 hours on Sundays and Bank Holidays.

Castlewood House (2017/0618/P) – Condition 11 - The Class A3 use hereby permitted shall not be carried out outside the following times: 07:00 to 23:00 Monday to Thursdays, 07:00 to 00:00 on Fridays and Saturdays and 08:00 to 22:00 on Sundays and Bank Holidays

Panther House, 38 Mount Pleasant (2015/6955/P) – Condition 9 - The retail/restaurant (A1/A3) uses hereby permitted shall not be carried out outside the following times: 07:00hrs to 23:30hrs Monday to Thursday and 07:00hrs to 00:00hrs Friday and Saturday and 08:00hrs to 23:00hrs on Sundays and Bank Holidays. The commercial use of the open courtyard (as shown in P100 Rev 03) should not be used outside of 08:00hrs to 22:00hrs 7 days a week.

These other schemes demonstrate that the hours of operation at currently imposed at 150 Holborn are particularly onerous for a central location.

The current hours of operation restricted by condition is likely to adversely impact upon the ability to let this unit to a viable and attract a high end operator. The location and position of the unit is less likely to appeal to a retail operator according to the retail agents.

Given the above, it is considered that planning permission should be granted to vary the current condition to provide greater flexibility of operating hours to ensure that the unit is viable and can be occupied by an operator of a quality which is commensurate with the host building and the immediate surrounding area.

Information submitted

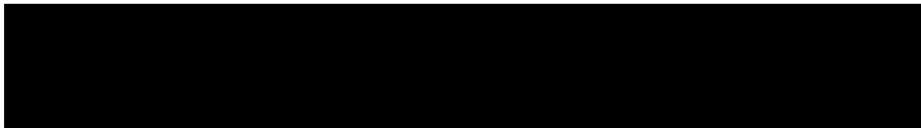
This application is submitted via the planning portal (Ref: PP-11726742) and the following documents are submitted in support of this application:-

Application forms
Certificate A
Letter from Jackson Criss
Schematic Floor Plans for unit

We look forward to discussing this with you and receiving confirmation that the package has been received.

Should you require any further details in respect of this submission please contact Faye Wright of this office on 07812 140 099

Yours faithfully



Forward Planning and Development Limited

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