

Application ref: 2023/3436/P  
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Date: 8 November 2023

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
Judd Street  
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WC1H 9JE

Phone: 020 7974 4444

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Gerald Eve  
One Fitzroy  
6 Mortimer Street  
London  
W1T 3JJ

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:  
**67 Kingsway**  
**London**  
**WC2B 6TD**

Proposal:  
Change of use of basement and ground floor from restaurant (Class E) to a comedy club (Sui Generis) with ancillary bar use and associated works

Drawing Nos: Site Location Plan 1123.11.P01, Cover Letter 21 August 2023,  
Operational Management Policy Received 06/11/2023, 24461-R1-AG, 24461-AB-R1,  
763 1000

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan 1123.11.P01, Cover Letter 21 August 2023, Operational Management Policy Received 06/11/2023, 24461-R1-AG, 24461-AB-R1, 763 1000

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 The use hereby permitted shall only be carried out within the following times:

Mondays - Fridays: 17:00 - 00:00

Saturdays: 13:00 - 00:00

Sundays: 13:00 - 00:00

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1, A4, TC2 and TC4 of the London Borough of Camden Local Plan 2017.

- 4 The proposed use shall be undertaken in accordance with the Operational Management Policy hereby approved.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1, A4, C5, TC2 and TC4 of the London Borough of Camden Local Plan 2017.

- 5 The capacity of the venue shall be limited to no more than 320 customers.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1, A4, TC2 and TC4 of the London Borough of Camden Local Plan 2017.

- 6 No music shall be played on the premises in such a way as to be audible within any adjoining premises or on the adjoining highway.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1, A4, TC2, TC4 of the London Borough of Camden Local Plan 2017.

#### Informative(s):

- 1 Reasons for granting permission.

The application relates to a basement and ground floor unit located on a corner site, located on the western side of Kingsway. Its current lawful use falls under Class E (restaurant). All of the upper floors of the building are in office use, and the area is largely commercial in nature.

Planning permission is sought to change the Class E use into a Sui Generis comedy club with ancillary bar use and associated internal works involving layout changes. No external changes are proposed as part of this application.

The site lies within the Kingsway Conservation Area, Central Activity Zone (CAZ), Central London Area and Holborn/Kingsway Central London Frontage (secondary frontage).

Policy TC2 which seeks to concentrate food, drink, entertainment and other town centre uses within Central London Frontages and Town Centres. Policy TC4 and the CPG - Town Centres and Retail states that the Central London Frontage in Kingsway, south of Gate Street (which includes the application site) is particularly suitable for a higher proportion of food, drink and entertainment uses, providing for 40% of these uses due to the area being dominated by offices, with little residential development. Based on the above, the proposed use, and its location are appropriate given the local context, and consistent with relevant policy.

The loss of Class E space is considered acceptable in this specific instance and location given that the new use would provide employment opportunities and the entertainment use is appropriate for this location.

With respect to amenity, there are limited residential properties in the vicinity of the site, and amenity effects would be more easily absorbed and anticipated in a busy location such as this where such uses are provided for. The existing use (restaurant) would have already had visiting members of the public and activity. The opening hours conditioned are in line with other uses in the immediate area, and are not considered inappropriate given the context and location. Conditions are attached to enforce these opening hours to protect residential amenity. A condition is attached ensuring that music does not spill out from the premises. The proposed use would also be undertaken in accordance with the Operational Management Policy, which is secure as a condition. Input regarding the contents of the Operational Management Policy has been provided from Council's Transport Officer, Community Safety Officer and from the Metropolitan Police who deem it to be satisfactory. Given the above, it is not considered that the neighbouring occupiers would be unduly impacted in terms of noise and activity.

No objections have been received prior to making this decision. The site's planning history has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, A4, E2, TC2, TC4 and C5 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2023.

- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 3 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road

closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.

- 4 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at [www.camden.gov.uk](http://www.camden.gov.uk)) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2023.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-planning-decision>.

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully



Daniel Pope  
Chief Planning Officer