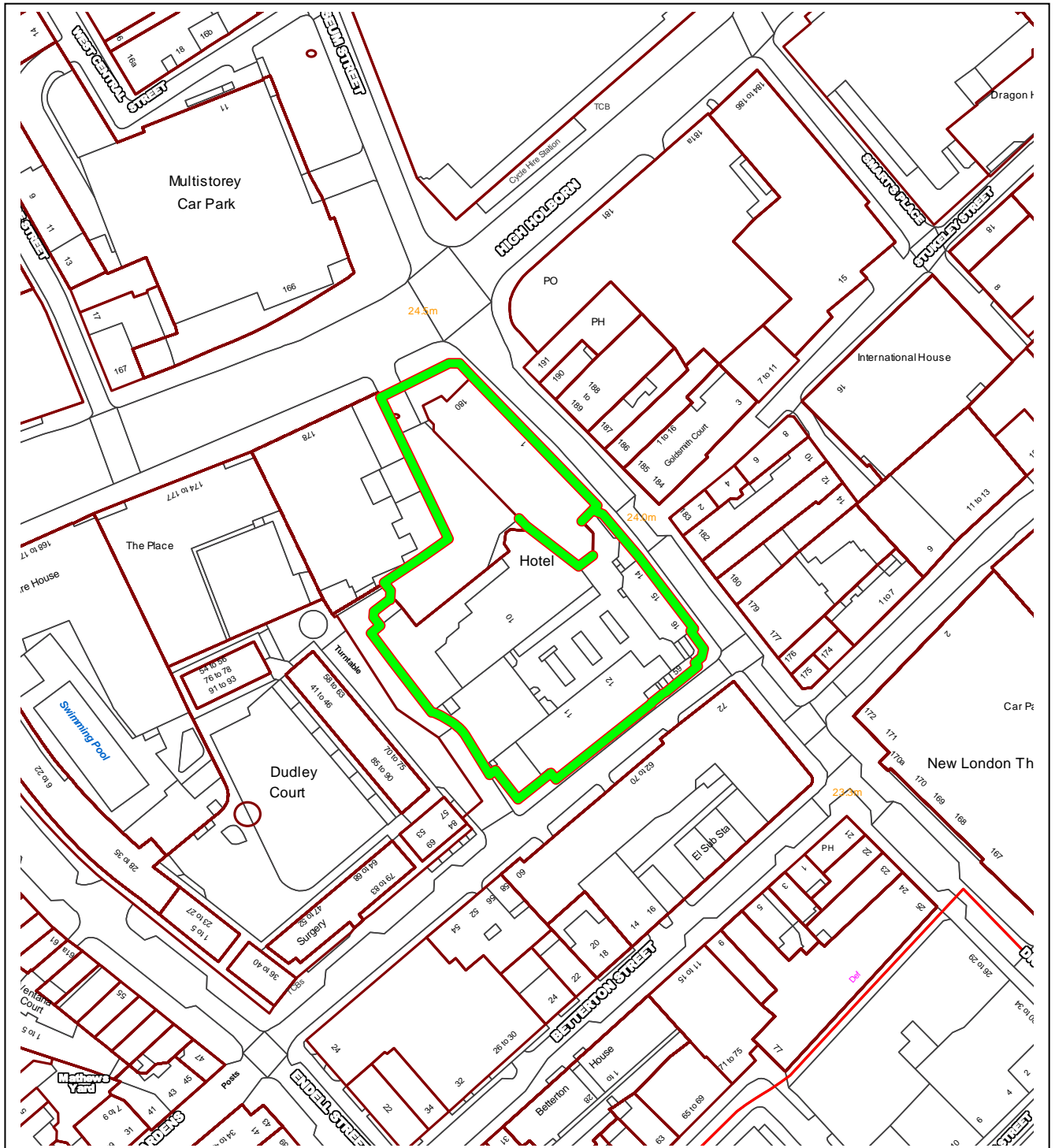


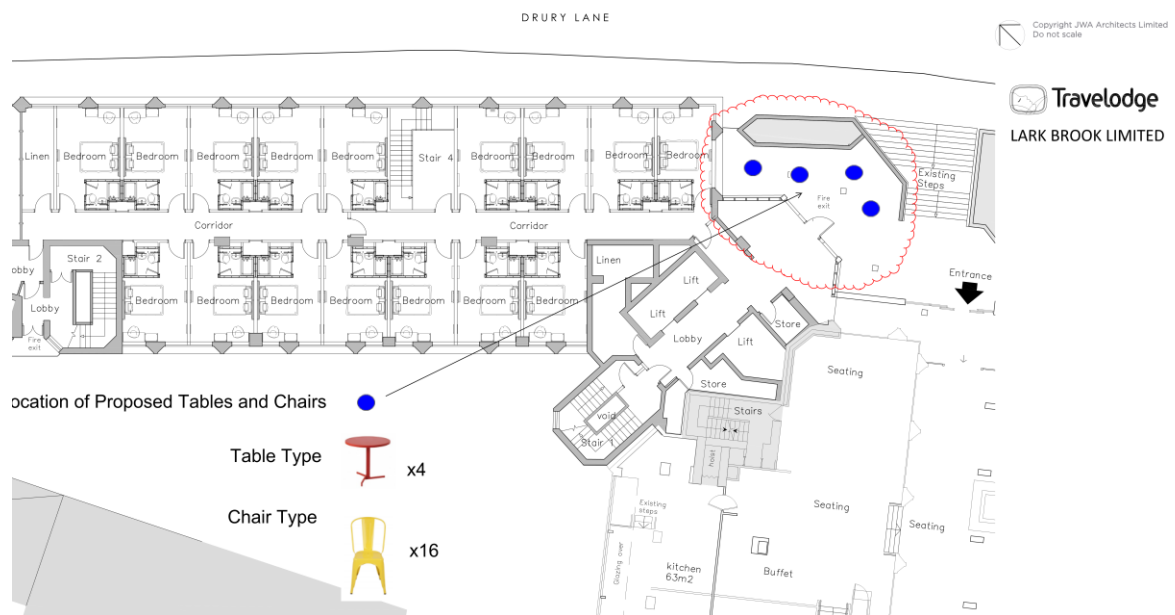
Map & Photos

10 Drury Lane Travelodge Hotel – 2016/3825/P





Roof terrace – Proposed tables and chairs



Proposed floor plan



View north – Drury Lane



View – entrance staircase – terrace behind rail



182 Drury lane



View - Goldsmith Court

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	05/09/2016
		N/A / attached		Consultation Expiry Date:	01/09/2016
Officer			Application Number(s)		
Hugh Miller			2016/3825/P		
Application Address			Drawing Numbers		
Travelodge Hotel 10 Drury Lane London WC2B 5RE			Refer to draft decision		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s) Variation of condition 6 [the use of the flat roofs of the buildings shall not be used as amenity terraces or commercial drinking/eating areas) of planning permission; (ref.2009/2628/P, 07/10/2009) to allow some limited outdoor seating associated with the hotel.					
Recommendation(s):		Grant planning permission			
Application Type:		Variation or Removal of Condition(s)			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	145	No. of responses	04	No. of objections	16
			No. Electronic	00		
Summary of consultation responses:	<u>Objectors</u> 182a Drury Lane Flat 5, Goldsmith Court, Stukeley Street 178C Drury Lane <u>Flat 5, 14 Signed petition</u> - Objection Flat 1; Flat 3; Flat 4; Flat 5; Flat 6; Flat 7; Flat 8; Flat 9; Flat 10; Flat 12; Flat 14; & Flat 16.- <u>Total 12 signatures.</u>					
	<div><div>1</div><div>Concern about noise disturbance from hotel guest; frequent disturbance from drinkers on the area allocated for Tables and Chairs under this variation 6;</div></div> <div><div>2</div><div>Objections to the staff that totally ignore our complaints.</div></div> <div><div>3</div><div>There is little or infrequent evidence of any security staff to police the activity of their patrons behaviour should the Council be minded to grant this application.</div></div> <div><div>4</div><div>The Terrace outlined for Tables and Chairs is already used by members of the public to smoke and gawp at Residents, Cafe's and restaurants opposite despite the Travelodge claiming that smoking will not be permitted. The Residents currently experience disturbance from members of the public seated on the entrance stairs for consuming food.</div></div> <div><div>5</div><div>The Council will be making a considerable disservice to the Residential amenity if they are minded to grant this application.</div></div> <div><div>6</div><div>Concern that noise from the podium deck is very apparent within all the habitable rooms within Goldsmith Court.</div></div> <div><div>7</div><div>Concern that local residents was no notified about the proposal;</div></div> <div><div>8</div><div>Drury Lane is a noisy south to north route and the proposal will acerbate the problem.</div></div> <div><div>Officer Comment:</div><div><div><div>•</div><div>Please refer to paragraphs 4.1 to 4.7 below</div></div><div><div>•</div><div>The proposal has been modified as follows: a) the hours of operation</div></div></div></div>					

	<p>to be restricted by 1 hour less than originally sought; b) the use of the terraced area is given a 1 year temporary consent to allow for monitoring; and c) a management plan explaining how the use of the roof terrace is to be managed by the applicant.</p> <ul style="list-style-type: none"> • 145 local residents were consulted about the proposal; including Goldsmith Court and Dudley Court. It is not clear why the consultation letters were not received. A signed petition of 12 local residents in addition to 4 individual letters was submitted. It is noted that the Council's website notifying the public of the proposal. • Please refer to the response of the General Manager below.
<p>CAAC/Local groups* comments: *Please Specify</p>	<p><u>Covent Garden Community Association: - Objection</u></p> <ol style="list-style-type: none"> 1 Condition 6 was added to protect the residential amenity of surrounding occupiers; 2 Varying or removing the condition would have a significant impact on residential amenity – noise disturbance and overlooking; 3 Local residents have complained to the hotel management about drinkers; 4 The hotel is located in a predominantly residential area, the proposed tables and chairs will have an adverse impact on residential amenity - noise and disturbance in such close proximity. 5 CPG5 para.6.14 - placing noise-generating customer areas directly adjacent to residential accommodation. 6 The proposed tables and chairs add to the cumulative impact of night-time uses in an area. <p><i>Officer Comment:</i></p> <ul style="list-style-type: none"> • <i>Please refer to the response of the General Manager below.</i> <p><u>General Manager - London Covent Garden Travelodge Hotel</u></p> <ul style="list-style-type: none"> • Over the past year we have not had any major incidents relating to drink or disorderly behaviour • GR Weir states that they have complained to Hotel Management and been ignored. I have been General Manager for Covent Garden for 8 months and never received any complaints. • I'm not sure I understand GR Weir comments about smoking not being allowed and people looking into flats? • We have security staff every Friday and Saturday nights • Seating will be taken inside if necessary and part of the licence extension • We will be having signs installed asking people not to alight on the steps. • The cafe below us has outside seating already. • There will be no obstruction to pedestrians as stated by Covent Garden Community Association.

Site Description

The application site comprises Travelodge hotel building which fronts Drury Lane and Shorts Gardens and High Holborn. The site is located at the northern end of Drury lane between Shorts Gardens and High Holborn. Although it is not situated in a conservation area it is bound immediately to the south east and north east boundary by the Seven Dials (Covent Garden) Conservation Area. There are two listed buildings in the immediate vicinity, 187 and 188 Drury Lane which are directly opposite the application site.

There are a number of independent shops and coffee bars with residential use above to the east of the application site.

Relevant History

October 2009 – PP Granted - Change of use from office (Class B1) to hotel (Class C1) with erection of single storey glazed extension to Drury Lane elevation; insertion of new ground floor windows to Drury Lane; replacement of glazed wall with rendered wall and new fire exit to High Holborn elevation. Associated alterations to car parking layout and other ancillary works; Ref. 2009/2628/P; subject to condition:

Condition 6:

The use of the flat roofs of the buildings shall not be used as amenity terraces or commercial drinking/eating areas.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of Policies SI/ S2 and SD6 of the London Borough of Camden Replacement Unitary Development Plan 2006.

September 2010 – PP Granted - Amendment to relocate existing extract grilles to top of parapet wall in relation to Planning Permission granted on 07/10/2009, ref: 2009/2628/P, for change of use from office (Class B1) to hotel (Class C1) with erection of single storey glazed extension to Drury Lane elevation; replacement of glazed wall with rendered wall and new fire exit to High Holborn elevation; Ref.2010/4399/P

March 2016 – PP Granted - Infilling of colonnade at ground and first floor level to provide 6 additional hotel rooms and separate ground floor retail unit (Use Class A1); ref.2015/5430/P

Relevant policies

LDF Core Strategy and Development Policies

CS1 Distribution of growth
CS5 Managing the impact of growth and development
CS7 Promoting Camden's centres and shops
CS8 Promoting a successful and inclusive Camden economy
CS9 Achieving a successful Central London
CS14 Promoting high quality places and conserving our heritage
CS18 Dealing with our waste and encouraging recycling
DP12 Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses
DP13 Employment premises and sites
DP16 Transport implications of development
DP24 Securing high quality design
DP25 Conserving Camden's heritage
DP26 Managing the impact of development on occupiers and neighbours
DP28 Noise and vibration

Supplementary Planning Policies

Camden Planning Guidance

CPG1: Design; CPG5: Town Centres, Retail and Employment (2013)
CPG6: Amenity (2011)

Seven Dials (Covent Garden) Conservation Area Appraisal and Management Strategy

London Plan 2016

National Planning Policy Framework (Adopted March 2012)

Assessment

1.0 Background

1.1 In October 2009, the Council granted planning permission for 'Change of use from office (Class B1) to hotel (Class C1) with erection of single storey glazed extension to Drury Lane elevation; insertion of new ground floor windows to Drury Lane; replacement of glazed wall with rendered wall and new fire exit to High Holborn elevation. Associated alterations to car parking layout and other ancillary works'; and include condition 6 as follows:

The use of the flat roofs of the buildings shall not be used as amenity terraces or commercial drinking/eating areas.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of Policies SI/ S2 and SD6 of the London Borough of Camden Replacement Unitary Development Plan 2006.

2.0 Current Proposal

2.1 Variation of condition 6 (use of the flat roofs of the buildings shall not be used as amenity terraces or commercial drinking/eating areas) of planning permission; (ref.2009/2628/P, 07/10/2009) to allow some limited outdoor seating associated with the hotel.

2.2 The terrace roof area the subject of this application is the existing forecourt which is located above street level and is accessed by steps leading up from Drury Lane. The area is mainly hard landscaped and includes concrete punctured vents from the underground car park below.

2.3 The principal considerations material to the determination of this application and summarised as follows:

- Land use
- Provision of retail A3 use
- Amenity

3.0 Land use policy

3.1 The application site Travel Lodge hotel has a roof terraced area (upper ground) fronting Drury Lane measure approximately 31sqm. It lies within Covent Garden a well-known shopping and entertainment destination and a major attractor of tourists. The Travel Lodge hotel is located with a mixed residential and commercial area and is within the designated Central London Area.

3.2 Policy CS7 (*Promoting Camden's centres and shops*) seeks to make sure that the impact of food, drink, entertainment and other town centre uses on residents and their local area is minimised by:

- e) seeking to protect and enhance the role and unique character of each of Camden's centres, ensuring that new development is of an appropriate scale and character for the

centre in which it is located;

f) providing for, and maintaining, a range of shops, services, food, drink and entertainment and other suitable uses to provide variety, vibrancy and choice;

g) protecting and promoting small and independent shops, and resisting the loss of shops where this would cause harm to the character and function of a centre;

h) making sure that food, drink and entertainment uses do not have a harmful impact on residents and the local area, and focusing such uses in Camden's Central London Frontages, Town Centres and the King's Cross Opportunity Area.

i) supporting and protecting Camden's local shops, markets and areas of specialist shopping; and

j) pursuing the individual planning objectives for each centre, as set out below, including through the delivery of environmental, design, transport and public safety measures".

3.3 Policy DP12 (*Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses*) seeks to manage development of shopping, services, food, drink, entertainment and other town centre uses does not cause harm to the character, function, vitality and viability of a centre, the local area or the amenity of neighbours.

4.0 Amenity

4.1 Approximately, 31sqm of a roof terraced or decked area fronting Drury Lane is proposed to be use for commercial drinking/eating; a space previously considered unacceptable for this type of associated hotel use. There is approximately **5.50m** distance between the parapet wall of the terraced area and the buildings opposite Goldsmith Court, a 5-storey building. Immediately due east, lies Goldsmith Court, at the junction of Stukeley Street and Drury Lane with commercial use at ground level and residential occupiers between 1st, 2nd, 3rd and 4th floor levels plus residential occupiers at the 1st floor level at no.182 plus retail at ground floor level at Drury Lane.

4.2 It is acknowledged that the gap between the residents building (Goldsmith Court) and the roof terraced space to be occupied is considered of limited distance as noted above. Given this proximity, it is reasonable to maintain the status quo by preventing the area from activities associated with the hotel. However, the roof terraced area fronts Drury Lane, where there are existing cafes / restaurants located opposite; at nos.184/185, 186, 188/189 and a public house at 191 Drury Lane; and also at unit 14 adjacent the hotel access staircases. There is the New London Theatre that lies to the south-east of the hotel also on Drury Lane. This section of Drury Lane is fairly active from pedestrian movements utilising the commercial and entertainment services on offer. The public areas immediately fronting the application site cannot be considered to be devoid of noise disturbance from pedestrians pass through this section of Drury Lane.

4.3 The hotel occupies a large area and is located partly at the junction with High Holborn (north) and is bounded by Drury Lane (east) and Shorts Gardens (south). Drury Lane a principal route between Covent Garden and High Holborn is busy public thoroughfare with vehicles restricted north bound only. It is reasonable to acknowledge that residents would experience a cacophony of noise disturbance from the public realm involving vehicles and members of the public traversing the street.

4.4 The original condition was included to minimise the amenity impact on local residential occupiers located close to new hotel. It is noted that the reason given for the condition was to prevent unreasonable overlooking of neighbouring premises. However, it is reasonable to conclude that noise disturbance would be a likely occurrence were the area shown provided

commercial drinking/eating for its guest or the general public. Acknowledging the benefits of the hotel use in this central location mindful of the mixed use character, officers not only sought to reflect the above policies but also seek to address its impact on residents' amenities.

4.5 This is an existing terrace area that is publically accessible and by the entrance of the hotel. The area which is generally accessible to all enables members of the public to gather on the staircase and terrace and to some extent naturally, which could be control by the hotel management. Whilst it is considered that there would be some noise resulting from the use of the terrace area. It is reasonable to infer that the control of how the terrace is used for eating/drinking could result in some limited if any significant negative harm to residents' amenity. However, this conclusion may be a perception and does not correlate with the actual circumstances as discussed above. Mindful of residents' concerns and with the applicants' compliance it is considered that the proposal be modified and conditions to control the hours of operation as follows:

- a) the hours of operation be restricted by 1 hour less than originally sought (09:00 -20:00pm);
- b) the use of the terraced area be given a 1 year temporary consent;
- c) the submission of a management plan over the plan period of the temporary use;

4.6 As discussed above there is plethora of existing noise and notwithstanding the amendments, it is considered that the use of the terrace would not materially increase any significant opportunities for additional overlooking; especially were a condition to be added to control the use of the terraced area as set out in the management plan.

4.7 It is considered that the above amendments would allow for the monitoring of the roof terrace use. It should be noted that should the applicant seek a permanent use of the roof terrace; supporting information for the Council's consideration should be submitted, such as a noise assessment plus a management plan and the Council's decision would be subject to a section 106 legal agreement.

Conclusion

Whilst acknowledging the concentration issues of locating food, drink entertainment use on the application site, the proposal would allow for the formal use of a roof terrace space of a hotel which would contribute favourably to the character and function of Covent Garden. Conditions are considered sufficient to control the impact on residential amenity, and are consistent with other operators within the immediate locality.

Recommendation: Grant planning permission subject to conditions.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 23th January 2016, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.



Mr Nick Jenkins
Smith Jenkins Ltd
30A High Street
Stony Stratford
Milton Keynes
MK11 1AF



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

Tel 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

Application Ref: **2016/3825/P**
Please ask for: **Hugh Miller**
Telephone: 020 7974 2624

18 January 2017

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:
Travelodge Hotel
10 Drury Lane
London
WC2B 5RE

Proposal:

Variation of condition 6 [avoid flat roofs as amenity terraces or commercial drinking/eating) of planning permission ; (ref.2009/2628/P, 07/10/2009) to allow some limited outdoor seating associated with the hotel .

Drawing Nos: Location plan; H8685/03 Rev B; H8001/03; Management Plan.

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 use as a commercial drinking/eating area immediately to the north of the main

hotel entrance doors to Drury Lane shown hatched on plan hereby permitted shall be for a temporary period of twelve months (1 year) from the date of this permission or the period during which the premises are occupied by Travel Lodge Hotel whichever is shorter. At the end of this period the roof terrace area shown hatched shall revert to the unobstructed entrance forecourt; unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 and CS7 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 and DP12 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The roof terrace area immediately to the north of the main hotel entrance doors to Drury Lane hereby approved as shown on plan drawing number H8001/03 shall not be used as amenity terraces or commercial drinking/eating area outside of the following times 0900 hours - 2000 hours on Mondays to Saturdays and on Bank Holidays; unless with the prior written consent of the local planning authority. No customers and or employees shall be on the roof terrace area and no sound emanating from the area shall be audible within any adjoining premises outside of these hours.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 and CS7 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 and DP12 of the London Borough of Camden Local Development Framework Development Policies.

- 4 Prior to the first use of the roof terrace area immediately to the north of the main hotel entrance doors to Drury Lane hereby approved a management plan shall be submitted to and approved in writing by the Local Planning Authority and shall be adhered to throughout the period of its use.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 and CS7 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 and DP12 of the London Borough of Camden Local Development Framework Development Policies.

- 5 The development hereby permitted shall be carried out in accordance with the following approved plans [Location Plan; H8001/03; H8685/03 Rev B; Management Plan.]

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

Informative(s):

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Executive Director Supporting Communities