

Application ref: 2022/2937/P
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Date: 21 December 2022

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

Phone: 020 7974 4444

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

Metropolis Planning and Design
4 Underwood Row
London
N1 7LQ

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
182 Drury Lane
London
WC2B 5PP

Proposal: Change of use from cafe at ground and mezzanine floor levels and spa facility at basement floor level (Sui Generis) to a spa facility at basement, ground and mezzanine floor levels (Sui Generis).

Drawing Nos: AR 01; AR 02; 004 and Planning statement commissioned by Metropolis planning and design dated 07.07.2022; OS Map reference 2089171.

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: AR 01; AR 02; 004 and Planning statement commissioned by Metropolis planning and design dated 07.07.2022; OS Map

reference 2089171.

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

- 3 The spa facility uses hereby permitted at basement, ground and mezzanine floor levels shall not be carried out outside the following times: 07:30 to 21:00 hours, Monday to Saturday, and 09:00 to 20:00 hours on Sundays and Bank Holidays. No customers shall be on the premises and no sound emanating from these premises 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 A1 and A4 of the London Borough of Camden Local Plan 2017.

- 4 No music shall be played on the premises in such a way as to be audible at any time 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 and A4 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission:

The application site is located within a secondary frontage in the Covent Garden Specialist Shopping Area where the Council seeks to protect the retail function of the frontage. Planning permission was previously granted for a change of use from a furniture showroom (Sui Generis) to cafe at ground and mezzanine floor levels and spa facility (Sui Generis) at basement floor level. It is noted that permission was granted subject to a condition restricting the use of the ground and mezzanine to café use only. Since the previous approval, the Use Classes Order has been updated and the café use would now be considered to be Class E, however, it is still restricted by the previous condition to sole café use. Therefore, the loss of the approved café use is considered in this assessment rather than the full range of uses encompassed within Class E.

Policy TC2 seeks to protect secondary frontages as locations for retail shops with a broader range of other town centre uses to create centres with a range of shops, services, and food, drink and entertainment uses which support the viability and vitality of the centre. Although the food and drink use would be lost, the spa use would also contribute to the viability and vitality of the centre and offer services to the local community. The loss of the café is therefore considered acceptable.

The ground floor to the premises will contain an open reception hall and a small welcome desk / kiosk would be located to the side of the entrance with display shelving showcasing the business' retail goods which are on offer and

available to the general public. A new treatment room will be housed on the mezzanine floor and the basement will continue to house the associated spa treatment facilities.

The previous condition restricting the café use was imposed in order to prevent disturbance to neighbouring occupiers and to protect the character of the ground floor commercial unit.

As discussed above, the use of the entirety of the site as a Spa and Wellbeing centre is an acceptable town centre use in line with the intentions of policies TC2 and TC4 and the ground floor reception and retail kiosk are considered to preserve the commercial character of the ground floor frontage. It is also considered that there would be no undue or detrimental impact on the amenities of any neighbouring properties as a result of the proposals. Nevertheless, to ensure that the amenities of any adjoining residential occupiers are safeguarded, permission would be granted subject to conditions controlling hours of operation and noise levels. The proposed change of use is therefore considered acceptable.

No external alterations are proposed, and the development would therefore not impact the character or appearance of the Seven Dials (Covent Garden) Conservation Area.

One comment was received from a neighbouring resident welcoming the applicant's confirmation that the proposed change of use would not result in noise disturbance to neighbouring properties. The Covent Garden Community Association also confirmed they do not object subject to a condition restricting hours of use as per the previous consent. The applicant has agreed to these house and such a condition has been attached accordingly.

The site's planning history and relevant appeal decisions were taken into account when coming to this decision.

Special regard has been attached to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposal is in accordance with policies A1, A4, D1, D2, T1, TC3 and TC4 of the Camden Local Plan. The proposed development also accords with the policies of the London Plan 2021 and National Planning Policy Framework 2021.

- 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 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) 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.

- 4 You are reminded that this approval relates to the proposal as described above and as shown on the approved drawings, and does not grant planning permission or consent for any external alterations. In particular, attention is drawn to the need to apply for planning permission for any new or replacement external plant, shopfront or equipment in connection with any approved use(s). Planning advice may be sought by contacting the Council's Development Management Team, Town Hall, Argyle Street WC1H 8EQ, or by email at planning@camden.gov.uk.
- 5 You are reminded of the need to provide adequate space for internal and external storage for waste and recyclables. For further information contact Council's Environment Services (Waste) on 020 7974 6914/5 or see the website <http://www.camden.gov.uk/ccm/content/environment/waste-and-recycling/twocolumn/new-recycling-rubbish-and-reuse-guide.en>.

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 2021.

You can find advice about your rights of appeal at:

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

Yours faithfully



Daniel Pope
Chief Planning Officer