

Monmouth Planning Ltd

Our ref: LP/LIN.21.10

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Royal Borough of Kensington & Chelsea
Planning and Place
Kensington Town Hall
Hornton Street
London
W8 7NX

3rd January 2024

Dear Sir/Madam,

Town and Country Planning Act 1990 (As Amended)
15-17 Exhibition Road and 25/28 Thurloe Place London SW7 2HE
Variation of condition 2 (hours) pursuant to planning permission PP/20/07058 granted 9 February 2021.

Planning Portal Ref: PP-

On behalf of our client Lina Stores ER Ltd we write in support of the planning application submitted via the planning portal in respect of the above site. This application has been submitted in accordance with Section 73 of the Town and Country Planning Act 1990 (As Amended) to vary condition 2 of planning permission PP/20/07058 granted on 9 February 2021. The aim of this application is to align the opening hours with the licensing hours.

To assist the Council in the consideration of this application we enclose with this letter the following documents:

- Application forms and Certificates
- CIL form
- Noise Impact Assessment
- Operational Management Statement

The application fee has been paid online via the planning portal payment system.

The Site and Surroundings

The application property is located at the corner of Exhibition Road and Thurloe Place. The application site includes the ground floor Class E unit.

The property is not listed but is located within the Thurloe Estate and Smiths Charity Conservation Area.

VAT REGISTRATION NUMBER: 203 0372 68

Monmouth Planning Ltd is a limited liability partnership registered in England & Wales under number 9306223. A list of directors is available for inspection at our registered office at 38a Monmouth Street, London WC2H 9EP.

Background

The application site will be occupied by Lina Stores as a restaurant specialising in Italian goods with café and restaurant use.

Lina Stores was first established in 1944 at 18 Brewer Street in the London Borough of Westminster and is still open to this day. In May 2018 Lina Stores opened their very first restaurant in Greek Street a short walk from their first store in Brewer Street and have a number of other successful operating stores in Kings Cross, The City of London, Marylebone, Clapham, and are in the process of expanding and growing their portfolio of properties.

Lina Stores is a well-established business in London. They are a responsible operator who have an understanding of the nature of the locality in which the premises is located.

Relevant Planning History

The site is subject to extensive planning history. The most relevant planning permission is set out below:

Planning permission PP/20/07058 granted on 9th February 2021 for the removal of Condition 1 (personal permission) of planning permission PP/08/03541 as there is no restriction on the use of the restaurant premises to one particular company or one particular type of restaurant.

Proposal

This application seeks planning permission under section 73 of the Town and Country Planning Act 1990 (as Amended) to vary Condition 2 pursuant to planning permission PP/20/07058 to align the opening hours with those granted under the current premises licence granted after a licensing sub-committee in July 2023.

Condition 2 of planning permission PP/20/07058 states:

"The use hereby permitted shall only be carried out between 07:00 hours and 22:00 hours Mondays to Fridays and 08:00 hours and 22:00 hours Saturdays and between 08:00 hours and 20:00 hours on Sundays or public Holidays.

REASON: To safeguard the amenity of neighbouring property."

Proposed wording:

The use hereby permitted shall only be carried out between 07:00 hours and 00:30 hours Mondays to Fridays and 08:00 hours and 00:30 hours Saturdays, Sundays and bank holidays.

Planning Policy Considerations

This proposal has been assessed against the Royal Borough of Chelsea and Kensington Local Plan 2019, which is the Council's spatial planning document. The policies relevant to this scheme include Policies CL5 and CE6.

The application site is located in a mixed-use area with both residential and commercial uses. The proposal seeks to alter the hours of operation to match the recently approved licensing hours considered under the licensing committee.

An Operational Management Strategy has been prepared, which sets out how the applicant will operate efficiently and satisfactorily with the extended opening hours. The strategy sets out the relevant policies in place, appreciating the premises are within an area with residential uses. The Plan identifies a thorough procedure all staff and members of the public undertake including age verification, procedure upon arrival and departure, noise, waste and cleaning and staff procedures. Importantly, the operator is experienced in London in dealing with sensitive sites. The strategy demonstrates there are sufficient operational measurements in place ensuring surrounding residents will not be unduly disturbed an extended opening hour.

A noise report has also been prepared in support of the application which demonstrates that the design and layout of the building ensures that no noise will penetrate between the building and that adjoining properties are protected from unacceptable noise disturbance. It confirms that the noise generated by the development is effectively mitigated to prevent adverse impacts on health and quality of life.

The Council's approach is to maintain a balance in the amount and type of evening and night-time economy uses across the Borough and protect residential amenity which this proposal would maintain, in accordance with the Councils Local Plan policies CL5 (e) and CE6.

Conclusion

There are a number of evening economy uses within the local area which is supported and encouraged by planning policy. The amended opening hours will facilitate the unit to fulfil the primary purpose and role they have to offer to the public. This area is a bustling part of London being within close proximity to Shoreditch and comprises a range of pubs, bars and restaurants within the area, supporting and contributing to a vibrant and active local economy.

On the basis of the above we trust that the Council will agree that the proposals are acceptable and look

forward to receiving a speedy and positive decision. However, should you require any further information or wish to discuss any of the enclosures please do not hesitate to contact us.

Yours faithfully

Monmouth planning Limited

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