

Application ref: 2023/1561/P
Contact: Alex Kresovic
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Date: 7 June 2023

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

Plainview Planning Ltd
Watermoor Point
Watermoor Road
Cirencester
GL7 1LF

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
47 Crogsland Road
London
NW1 8QJ

Proposal: Use of basement level gym with no restriction on hours of use

Drawing Nos: Acoustic Report prepared by HA Acoustics, Ref: HA/AB795/V1, dated 13 January 2020; Planning Statement prepared by Planview Planning Ltd, Ref: 3261, dated April 2023; Gym Noise Assessment Report prepared by KP Acoustics, Ref: 23565.GNA.01 dated 10/11/2021; Architectural Plans prepared by Mesh Architects, job number 187, (SK)51 dated 24/02/2020 Rev: A, (TE)001, (TE)002, (TE)003, (TE)004 dated November 2019,

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:
Acoustic Report prepared by HA Acoustics, Ref: HA/AB795/V1, dated 13 January 2020; Planning Statement prepared by Planview Planning Ltd, Ref: 3261, dated April 2023; Gym Noise Assessment Report prepared by KP Acoustics, Ref: 23565.GNA.01 dated 10/11/2021; Architectural Plans prepared by Mesh Architects, job number 187, (SK)51 dated 24/02/2020 Rev: A, (TE)001, (TE)002, (TE)003, (TE)004 dated November 2019.

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

- 3 The recommendations set out in the Acoustic Report prepared by HA Acoustics, Ref: HA/AB795/V1, dated 13 January 2020 shall be implemented prior to the occupation of the site as a 24/7 gymnasium.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1, A4, TC1, TC2 and TC4 of the London Borough of Camden Local Plan 2017.

- 4 The unrestricted hours of use relates solely to the use of the basement as a gymnasium under Class E(d). If the use of the basement changes in the future to another use falling within Class E, the use shall not be carried out outside the following times: 08:00 to 23.00 Sunday to Thursday and 08.00 to 00.30 Friday and Saturday.

Reason: To safeguard the amenity of the adjoining premises and the area in accordance with policies A1 and A4 of the Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission:

This application seeks to use the gymnasium at basement level without any restriction on opening hours (i.e. 24 hours a day 7 days a week). Currently, condition 14 attached to planning permission reference 2020/1487/P, dated 10/02/2021 restricts the hours to 08:00 to 23.00 Sunday to Thursday and 08.00 to 00.30 Friday and Saturday. No other works are proposed.

An acoustic report has been provided which demonstrates that the operation of a gymnasium on a 24 hours a day 7 days a week basis will not have a harmful impact on the amenity of the surrounding development and upper levels, subject to improved sound insulation. As such, a condition will require improvements to the sound insulation prior to the use of the gymnasium with unrestricted hours.

It is noted that the acoustic report also reveals that the operation of a gymnasium on a 24 hour, 7 day a week basis will not exceed the DBs levels mentioned in conditions 12 and 19 of planning permission 2020/1487/P, which indicates an acceptable level of noise for the gymnasium.

The Council's Environmental Officer has reviewed the acoustic report and is satisfied with the submitted information.

It is considered that the proposal would have no material effect in terms of impact on character and appearance of the host building or the surrounding streetscene or neighbouring amenity. Whilst there would be no restriction on opening hours, it is not considered that visitors to the gym outside of the previously allowed hours would cause undue harm to residential amenity in the locality. A condition is attached to ensure that the lack of restriction on opening hours applies solely to the use of the basement as a gym and no other use falling within Class E. This is because the specific impacts would need to be assessed based on the proposed use.

No objections were received and the planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1 and A4, of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the 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 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) 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 2021.

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

A handwritten signature in black ink, appearing to read 'DPope', written in a cursive style.

Daniel Pope
Chief Planning Officer