

Delegated Report		Analysis sheet		Expiry Date:	19/01/2010
		N/A / attached		Consultation Expiry Date:	29/12/2009
Officer			Application Number(s)		
Aysegul Olcar-Chamberlin			2009/4698/P		
Application Address			Drawing Numbers		
Unit 2 The O2 Centre 255 Finchley Road London NW3 6LU			See draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Partial change of use from gym (Class D2) to Retail Shop (Class A1)					
Recommendation(s):		Grant planning permission			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	00
			No. electronic	00		
Summary of consultation responses:	<p>A site notice was displayed from 04/12/09 to 25/12/09.</p> <p>No reply is received.</p>					
CAAC/Local groups* comments: *Please Specify	No reply is received.					
Site Description						
<p>The application relates to a unit on the ground floor (level1) of a shopping mall which has mixes of gym (Class D2), retail (Class A1) restaurant (Class A3) and cinema (class D2) uses. The shopping mall known as the O2 centre is located on the west side of Finchley Road. The unit (2) which is the subject of this application is located on the south side of the O2 centre and accommodates a gym with a number of sport and leisure activities.</p> <p>The site is in a designated town centre (Finchley Road/Swiss Cottage).</p>						
Relevant History						
None						
Relevant policies						
Camden Replacement Unitary Development Plan (2006) SD1 – Quality of life SD6 – Amenity for occupiers and neighbours B1 - General design principles R1 – Location of new retail and entertainment uses R2 – General impact of retail and entertainment uses C4A – Protecting leisure facilities T2 – Capacity of transport provision						
Camden Planning Guidance (2006)						
Planning Guidance for Finchley Road/Swiss Cottage: Retail, Food, Drink and Entertainment Uses (2006)						

Assessment

The existing gym has a floor area of 4073sqm. The proposal is for the conversion of the 563 sqm part of the gym into two retail units. The proposed units would be separated by the existing fire escape route from the gym to the common passage/corridor for the users of the centre and would be opposite to another retail unit (Waterston's bookshop). The proposed unit 2A would have a floor area of 236sqm. The proposed unit 2B would have a floor area of 327sqm.

The proposal would involve reconfiguration of the east part layout of the gym. The reception, kitchen, offices, staff rooms, nursery and studios would be relocated in different parts of the gym. The new kitchen would be next to a unit which is in use as a restaurant.

Principle of proposal:

The Council's guidance for Finchley Road/Swiss Cottage considers the parade of shops on the western side of Finchley Road from the O2 centre (an existing purpose-built shopping centre) to Swiss Cottage underground station and Northways Parade on the eastern side of the road to be the retail heart of Finchley Road / Swiss Cottage. The proposal would enhance the retail function of the Finchley Road/Swiss Cottage Town Centre by adding two good size retail units within the Q2 centre. Policy R1 supports the provision of new retail floorspace within the designated centres, and as such the proposal complies with policies R1 and R2.

The proposal would result in loss of approximately 14% of the floorspace of the gym. In principle, policy C4A of the adopted UDP protects leisure facilities and states that the Council would consider loss of such facilities where it can be demonstrated that an adequate replacement facility will be provided; or the loss would not create, or add to, a shortfall in provision; and the specific leisure use is no longer required.

Policy C4A was formulated with regard to instances where entire leisure uses were to be lost. There is no reference in the policy to part change of use of such premises. In light of this it is acknowledged that the proposals will not result in the outright loss of an existing leisure facility, and a large amount of D2 floorspace will remain on site (approximately 3,500sqm). The loss of small proportion of the gym is not considered to prevent viably continuing the operation of the gym in the remaining space. In light of the above it is considered that the proposal complies with the aims of Policy C4A.

Consequently, the proposal is considered to be acceptable in land use terms.

Amenity:

As the proposal is within a mixed used purpose-built shopping centre, it would not raise any amenity issues and comply with policy SD6.

Access:

The proposal would not change the fire exit route but it would change the main access route to the gym. Given the generous spaces around the new entrance to the gym the proposal would be likely to comply with the mandatory requirements of Part M of the Building Regulations.

Transport:

No impact on the existing transport conditions as the proposal would not increase the floor area in Unit 2 and has a very good access to the public transport network. The floor area of the proposed Class A1 use is also below the Council's threshold of 1000sqm for the requirement for travel and service plan. It is also noted the Council has similar parking standards for class A1 and class D1 uses.

Given the size of the proposed retail floor space and the location of the site, the proposal is not considered to significantly increase the travel demand or have an adverse impact on the transport conditions.

Recommendation: Grant Conditional Permission.

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