

Delegated Report		Analysis sheet		Expiry Date:		07/12/2009	
		N/A / attached		Consultation Expiry Date:		13/11/2009	
Officer				Application Number(s)			
Anette de Klerk				2009/4482/P			
Application Address				Drawing Numbers			
6 Fitzroy Square London W1T 5HJ				Refer to decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Change of use from business (Class B1) to yoga studio (Class D2) at second floor level.							
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	30	No. of responses	0	No. of objections	0
				No. electronic	0		
Summary of consultation responses:		A site notice was displayed between 23/11/2009-13/11/2009. No response was received.					
CAAC/Local groups comments:		Bloomsbury CAAC – No comment					

Site Description

The application site is located on the north-east side of Fitzroy Square and comprises a Grade I listed four storey plus basement level property located within the Bloomsbury Conservation Area. The application property is one of a Grade I listed Georgian terrace of buildings (nos.1-8) which forms the east side of Fitzroy square (built 1792-4 by Robert and James Adam).

Relevant History

2008/0681/P: Installation of glazed roof to internal courtyard and infilling of rear basement lightwell, replacement of basement window with two new sash windows and installation of two new sash windows at front ground floor level. Granted 06/11/2008.

2007/4938/L : Works associated with the installation of glazed roof to internal courtyard including demolition of part of ground floor façade facing internal courtyard and infilling of rear basement lightwell, replacement of basement window with two new sash windows and installation of two new sash windows at front ground floor level and internal alterations at basement and ground floor level. Granted 06/11/2008.

LS9904964: Listed building consent works of repair and reinstatement of original railings, including internal alterations to chimney piece, fire surround, fire alarm control panel and reinstatement of stone paved floor. Granted 09/11/1999.

9500561: Planning permission for change of use of basement ground and first floor from bank (Class A2) to offices (Class B1) and conversion of second and third floors from 4 one bedroom flats to 1 one bedroom flat and 1 two bedroom flat. Granted on 05/05/1995 Associated listed building consent application (ref: 9570074) was also granted on 05/05/1995 for internal alterations forming part of conversion of second and third floors from four residential flats into two flats and the change of use of the basement ground and first floor from bank (Class A2) to offices (Class B1).

HB686: Listed building consent for internal alterations at the ground floor of 6 Fitzroy Square, involving formation of a lobby within the staircase hall to separate the staircase from the ground floor rooms. Refused on 21/12/1973

HB479: Listed building consent for formation of opening in party wall, removal of existing timber partitions and erection of new partitions on first floor of 6 and 7 Fitzroy Square. Granted on 25/10/1972.

Relevant policies

Set out below are the UDP policies that the proposals have primarily been assessed against. However it should be noted that recommendations are based on assessment of the proposals against the development plan taken as a whole together with other material considerations.

Camden Replacement UDP 2006

SD6 – Amenity of occupiers and neighbours

SD7B – Light, noise and vibration pollution

SD8 – Disturbance

B6 – Listed buildings

B7 – Conservation areas

E2 – Retention of existing business uses

C3 – New leisure uses

T2 – Capacity for transport provision

T9 – Impact on parking

Camden Planning Guidance 2006

Bloomsbury Conservation Area Statement

Assessment

Proposal:

The proposal entails the change of use from office use (Class B1) to a yoga studio (Class D2) at second floor level. The internal layout and external appearance of the building will remain unaltered. The second floor comprises of 115sq m of floorspace and is currently vacant. The average number of staff and clients present at any one time would be eight in total. The operating hours would be as follows:

Monday to Friday: 08am to 7pm

Saturday: 09am to 4pm

Assessment:

The principle considerations relative to this case are considered to be the:

- Loss of B1 floorspace and replacement with D2 use
- Amenity and Transport

Loss of B1 floorspace and replacement with D2 use

Principle of the change of use:

Policy E2 of the UDP has a broad presumption against the loss of employment floorspace where there is potential for that use to continue. It should be acknowledged that this policy is specifically aimed towards larger premises (1000sqm+), which have the ability to be used flexibly within the B1c/B8 use class. Given the limited floorspace (115sqm), location, the poor state of repair and lack of modern facilities of the application site, it is unlikely that the floorspace is suitable for a range of B1/B2/B8 uses. In addition the applicant submitted information regarding vacant office accommodation in the immediate surrounding area. The information contains a description of the office accommodation available. The information indicates that there is a low demand for office accommodation in the area.

Policy E2 states that, where the a site does not have the potential to continue its existing business use, preference will be given to maintaining the site within an alternative business use, with higher priority to retention of flexible space for B8 or B1 light industry. Due to the application site's limited floorspace, location, poor state of repair, poor layout and lack of lift facilities etc. it has been demonstrated that the site may not be suitable for B1 light industrial or B2 use, when considered against the features listed in UDP paragraph 7.18.

In light of the above it is considered that the proposal is acceptable in the context of Policy E2.

New leisure uses

Policy C3 states that the Council will grant permission for the development of leisure uses, subject to accessibility and public transport considerations and providing that no harm is caused to the character and function of the area. The site is located in a central London location with a variety of uses and is highly accessible to a number of modes of public transport. In addition it is expected that the proposed use as yoga studio would primarily attract people within walking distance of the building. No concerns with regard to impact on transport or character and function of the surrounding area are raised.

Amenity

Policy SD6 states that the Council will not grant planning permission for development that it considers causes harm to the amenity of occupiers and neighbours in terms of overlooking, loss of daylight/sunlight, noise, odour and fumes and light. Given that there are no external alterations proposed, the proposal would not result in an adverse impact for neighbouring properties in terms of

overlooking, loss of sunlight or daylight. Furthermore, given the relatively limited floor area of 115sq m, it is considered unlikely that large numbers of people can be accommodated at the premises. However, it is recognised that Class D2 encompasses various uses which could include a cinema, concert hall, dance hall, bingo hall, gymnasium or an area for indoor sports/recreations which may have implications for traffic generation and/or residential amenity; hence it is recommended that a condition be imposed to restrict the use to specifically a yoga and meditation studio within Class D2 to enable the Council to retain control over any future change in usage.

In light of the above it is considered that the change of use from office use (B1) to a yoga studio (D2) would be acceptable

Recommendation: Grant Planning Permission

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