

Paul Semple
Bidwells
Seacourt Tower
West Way
Oxford
OX2 0JJ

Application Ref: **2015/5454/P**
Please ask for: **James Clark**
Telephone: 020 7974 **2050**

18 November 2015

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:
242 & 246 High Holborn
London
WC1V 7EX

Proposal:
Variation of Condition 1 (operational hours) of planning permission granted on 18/07/1997 reference PS9704354 for the change of use of vacant basement office storage and part of vacant retail unit to use as a health and fitness club. Variation of gym operational hours to include opening on Sunday 07:00-21:00.

Drawing Nos: HH/105 & 106

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 Condition 1 of the planning permission granted on 18/07/1997 under reference number PS9704354 shall be replaced by the following condition:

REPLACEMENT CONDITION 1

The use hereby permitted shall not be carried out outside the following times 07:00



to 21:00 Monday to Sundays, including Bank holidays.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 2 The shop area shown on drawing nos HH/105 & 106 shall not be used for any purpose other than a purpose falling within Class A1 of the Schedule of the Town and Country Planning Order, 1987, or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order.

Reason: To ensure the function and vitality of the Central London Area is maintained in accordance with the requirements of policies CS7 of the London Borough of Camden Local Development Framework Core Strategy and policy DP12 of the London Borough of Camden Local Development Framework Development Policies.

- 3 No music shall be played on the premises in such a way as to be audible within any adjoining residential accommodation.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 The proposed variation in the gym operational hours to include Sunday and Bank holiday opening hours from 07:00-21:00, would not result in any discernible increase in the amenity harm to the surroundings. The location of the gym in the basement alongside the existing condition stating that no music shall be played on the premises in such a way as to be audible within any adjoining residential accommodation, is considered to provide sufficient protection to amenity. The location of the gym in a busy area of central London would provide flexible hours of use that reflect modern working and living patterns. The additional hours would not harm the amenity of residential dwellings in the location given the character of the surrounding area.

One letter of comment has been received and taken into account prior to making this decision. The site's planning history and relevant appeal decisions were taken into account when coming to this decision.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the listed buildings and Conservation Area Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposed development would not harm the character and design of the site within its location and is considered to accord with policies CS5, CS7 and CS14 of the London Borough of Camden Local development Framework Core Strategy, and policy DP12 and DP26 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with policies 7.4 7.6 and 7.8 of the London Plan 2015; and paragraphs 14, 17, 56-66 of the National Planning Policy Framework.

- 2 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings, conditions (and obligations where applicable) as attached to the previous planning permissions.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully



Ed Watson
Director of Culture & Environment