

Mrs Susie Stephen
Turley
The Charlotte Building
17 Gresse Street
London
W1T 1QL

Application Ref: **2016/1611/P**
Please ask for: **Laura Hazelton**
Telephone: 020 7974 **1017**

23 May 2016

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
12 Oval Road
London
NW1 7DH

Proposal:
Change of use from offices (B1a use) to flexible office and leisure (B1a/D2) at basement level.

Drawing Nos: 1403/P/P03 Rev.A and planning statement dated 23 March 2016.

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: 1403/P/P03 Rev.A and planning statement dated 23 March 2016.

Reason:

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

- 3 Notwithstanding the provisions of Classes D2 of the Schedule of the Town and Country Planning (Use Classes) Order, 1987, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, any part of the premises relating to D2 and not B1a, shall not be used for any other uses other than yoga, Pilates and meditation.

Reason: To ensure that the future occupation of the building does not adversely affect the surrounding area by reason of its close proximity to residential properties, in accordance with policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 4 The D2 use hereby permitted shall not be carried out outside the following times 0600 to 2130 on Monday to Friday, 0800 to 2030 on Saturdays and 0830 to 2000 on Sundays and Bank Holidays.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 and CS7 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26, DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 5 No music shall be played on the premises in such a way as to be audible within any adjoining premises or on the adjoining highway.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy 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 Reasons for granting permission:

Although the proposals would result in the loss of some office floorspace, 94sqm of the existing office space fronting onto Oval Road would remain, with separate access from the front of the building, which would help to ensure that the development did not harm the viability of this unit. The change of use would also result in 20 additional jobs (full and part time) linked to the new leisure use.

The application is similar to that previously approved at the adjacent building (51a & b Jamestown Road) which imposed a condition stipulating that if Tri-yoga were to cease its operations; a similar yoga, Pilates, meditation use within the D2 remit would be able to continue in accordance with the flexible B1a office use, ensuring that any future uses caters for both employment and leisure needs in the vicinity. It is recommended that the same condition is applied to the current application to ensure that should the flexible D2 use cease, the property would revert back to B1a use.

The proposals do not involve any external alterations and the development would not impact the character and appearance of the locally listed host building or the surrounding streetscene.

The change of use relates to the rear of the site at lower ground floor level only and the only windows look out onto office buildings. The proposals would therefore not cause harm to the amenity of neighbouring residents in terms of a loss of privacy, outlook or daylight. Although it is recognised that the proposed opening hours (to be secured by condition) are relatively long in nature, these hours are considered to be the standard for such a use. To ensure the use does not result in disturbance to neighbours, a condition has been attached limiting the D2 element of the use to yoga, Pilates and meditation and requiring that all music played within the building shall not be audible from anywhere outside the building

Although no additional cycle parking has been proposed, there is existing parking provision for 18 bicycles in secure spaces adjacent to the existing studios at 57a and b Jamestown Road, in addition to a further eight spaces reserved for Triyoga within the bike store to the rear of the Rotunda Building. Although the cycle stands are upright and therefore do not comply with the recommendations set out in Camden's planning guidance (CPG7 - Transport), the provision would exceed the London Plan's standards in terms of the number of spaces provided, and the Council's Transport Officer has confirmed this is acceptable given the space constraints of the existing site.

No objections have been received prior to making this decision. The planning history of the site and surrounding area were taken into account when coming to this decision. The subject property is not within a Conservation Area nor is the building listed or within the setting of a Listed Building.

As such, the proposed development is in general accordance with policies CS5, CS8 and CS14 of the London Borough of Camden Local Development Framework Core Strategy and policies DP13, DP15, DP16, DP17, DP26, and DP28 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with policies 4.1, 4.2, and 4.3 of the London Plan 2016, and paragraphs 14, 17, 18-22 and 69-70 of the National Planning Policy Framework.

- 2 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 are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website

[http://www.camden.gov.uk/ccm/content/contacts/council-](http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en)

[contacts/environment/contact-the-environmental-health-team.en](http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en) or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

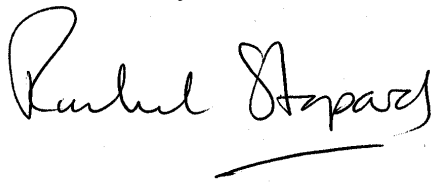
- 3 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).

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



Rachel Stopard
Director of Supporting Communities