

C/O Ms. Norah Andrea  
London Borough of Camden  
Regeneration and Planning, Culture and Environment  
5 Pancras Square  
LONDON  
N1C 5AG

Ref: JL/PB/369

**BY E-MAIL**

24 November 2016

Dear Ms. Andrea,

**RE: 2A BAYHAM STREET, KINGS CROSS, LONDON, NW1 0ES**  
**FP APPLICATION [2016/5731] – B1 TO D2**  
**SUPPORTING PLANNING, DESIGN & ACCESS INFORMATION**

This letter provides Planning, Design and Access Information, prepared by James Lloyd Associates Limited, in support of a Full Planning Application (2016/5731) (hereafter referred to as the 'Application'), submitted on behalf of Morefit Limited (hereafter referred to as the 'Applicant'), with regard to 2A Bayham Street, Kings Cross, London, NW1 0ES (hereafter referred to as the 'Site').

This Application seeks consent from the London Borough of Camden (hereafter referred to as the Council') for the: *"Change of use of property from B1 to a yoga studio (Use Class D2: Assembly and Leisure)."*

The contents of this letter are as follows:

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This letter provides a detailed analysis of the planning merits of the proposals having regard to national, regional, and local planning policies. In conformity with the provision of the Department for Communities and Local Government Circular 01/2006: Guidance on Changes to the Development Control System (June 2006), and Section 327A of the 1990 Town and Country Planning Act (as amended), this letter sets out both the design principles and concepts that have been applied to the proposed development and how issues relating to access to the development have been dealt with.

This letter has followed the guidance contained within the Commission for Architecture and the Built Environment (CABE) guidance Booklet 'Design and Access Statement, How to Write, Read and Use Them' and the Council's supplementary planning guidance.

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## 1. BACKGROUND & OBJECTIVES

### i. Background

The Applicant has agreed terms with the landlord on which to lease the basement part of building on the Site in order to open a new branch. Morefit Limited is an 'established' client orientated fitness facility.

Web link: <http://www.morefit.co.uk/yoga.htm>

### ii. Objectives

The proposed development is intended to achieve the important planning aims of regeneration and sustainable development, arising out of the Site's particular characteristics and accessible location, together with the existing planning policy context. The main objectives of the proposed development are:

- Effective and efficient use of the building on the Site, including the creation of jobs
- A significant enhancement to the character of the Site and surrounding area
- Increase vitality and viability within the area

## 2. SITE DETAILS

### i. Site Description

A self-contained ground floor with a substantial frontage with three separate access points. The unit is mainly open plan with two separate room, private toilet. The area extends to about 850 sq.m.

Photograph of the Site (Front Elevation)



## ii. Context

2 Bayham Street is located in Camden, London, NW1. The Site lies 0.3 miles from Morning Crescent Underground Station and 0.9 miles from Kings Cross and St Pancras station. It is situated where Bayham Place meets Bayham Street.

## Transport & Accessibility

The Site has a Public Transport Accessible Level (PTAL) rating of 6b, which is excellent, with bus stops in close proximity and numerous stations within walking distance of the Site.

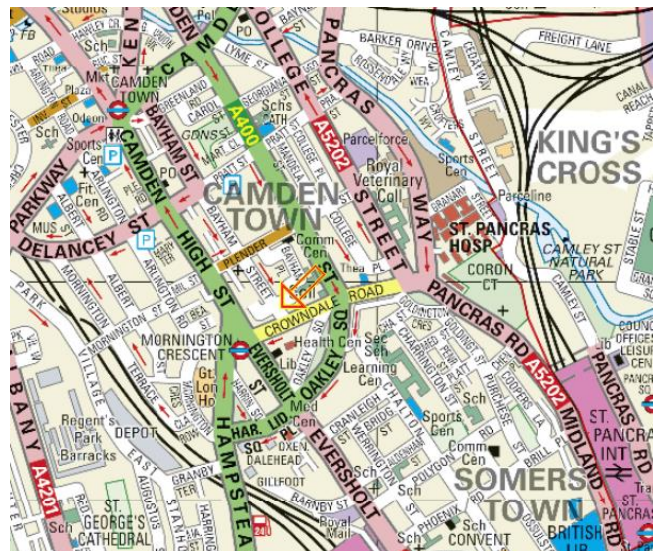
## Heritage Assets

The Site is designated within a Conservation Area. The building, itself, is not statutorily or locally listed.

## Flood Risk

The Site is not located within a Local Flood Risk Zone.

### Street Map



### TfL Planning Information Database

Address or co-ordinates  
NW1 0ES

Access level (PTAL)

PTAL: a measure which rates locations by distance from frequent public transport services.

**Map key - PTAL**

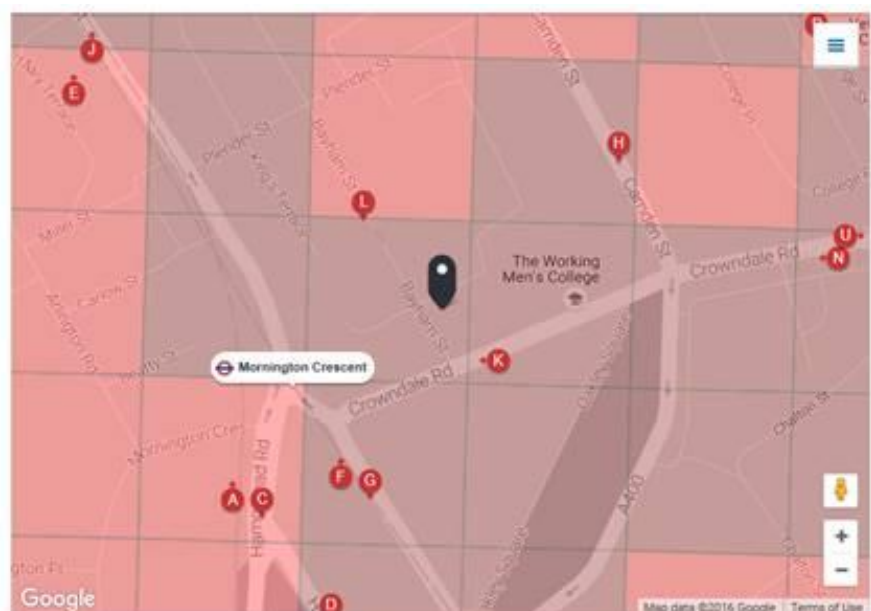
0 (Worst)	1a
1b	2
3	4
5	6a
6b (Best)	

**Map layers**

PTAL (cell size: 100m)

**Scenario**

2011 (Base year)



You can click anywhere on the map to change the selected location.

PTAL output for 2011 (Base year)  
6b

## Environmental Constraints

The Site is not contaminated and is not or forms part of a Safety Hazard Zone, or part of a military explosive storage area.

### iii. Planning History

A planning history search of the Site has been undertaken by making use of the online property search engine on the Council's website.

Application Number	Site Address	Development Description	Status	Date Registered	Decision
2004/1211/P	2 Bayham Street London NW1 0ES	Change of use and works of conversion from offices to residential at first floor level into 1 x one-bedroom flat.	FINAL DECISION	07-04-2004	Granted
2003/3157/P	2 Bayham Street London NW1 0ES	Change of use of 1st floor and erection of a mansard roof extension to create 2 x 1-bed flats at first and second floor levels. Ground floor to be retained as workshop (Class B1 use).	FINAL DECISION	18-12-2003	Refused
8903060	2 Bayham Street NW1	Alterations to the ground floor front elevation as shown on drawing No.s CAE/531/3B CAE/531/4A and 4b.	FINAL DECISION	25-01-1989	Grant Full or Outline Perm. with Condit.
8701365	2 Bayham Street NW1	Alterations to the front elevation as shown on drawing nos.CAE/531/1 2 3 and 4.	FINAL DECISION	28-09-1987	Grant Full or Outline Perm. with Condit.
8601422	2 Bayham Street NW1	Construction of a new vehicular access to the existing workshop and alteration to the front elevation as shown on 2-unnumbered drawings.	FINAL DECISION	30-07-1986	Grant Full or Outline Perm. with Condit.

## 3. PROPOSED DEVELOPMENT

This Application seeks consent from the Council for the: *“Change of use of property from B1 to a yoga studio (Use Class D2: Assembly and Leisure).”*

- Internal fitting out with no major structural alterations are proposed
- No external alterations are proposed
- The existing AC will be utilised
- The opening hours would be 07:00 to 21:00 Monday to Friday and Saturday 09:00 to 12:00
- There would be two / three trainers with 30 customers per day (210 per week).

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## 4. MAIN PLANNING ISSUES

The main issues in the consideration of this Application are the principle of the development, highways and parking, and impact on the character and appearance of the area.

## 5. RELEVANT PLANNING POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that when determining a planning application, regard is to be had to the Development Plan, and the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

- National Planning Policy Framework 2012
- London Plan 2016
- LDF Core Strategy and Development Policies:

CS1 – Distribution of growth

CS5 – Managing the impact of growth and development

CS14 – Promoting high quality places and conserving our heritage

DP2 – Making full use of Camden’s capacity for housing

DP13 – Employment premises and sites

DP16 – The transport implications of development

DP17 – Walking, cycling and public transport

DP18 – Parking standards and limiting the availability of car parking

DP22 – Promoting sustainable design and construction

DP21 – Development connecting to the highway network

DP23 – Water

DP24 – Securing high quality design

DP25 – Conserving Camden’s heritage

DP26 – Managing the impact of development on occupiers and neighbours

- Camden Planning Guidance 2015: CPG1 Design
- Camden Planning Guidance 2011: CPG6 Amenity, CPG7: Transport Camden Square Conservation Area Appraisal and Management Strategy (March 2011)

The relationship the National Planning Policy Framework (2012) wishes to establish between economic needs and the planning system is clearly explained in Paragraph. 19:


*“The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system”.*

Paragraph 14 is a good example of how far the importance granted to economic growth has gone in creating a much more permissive system and how this is going to impact local economies. The paragraph presents the presumption in favour of sustainable development as *“a golden thread running through both plan-making and decision-taking”.*

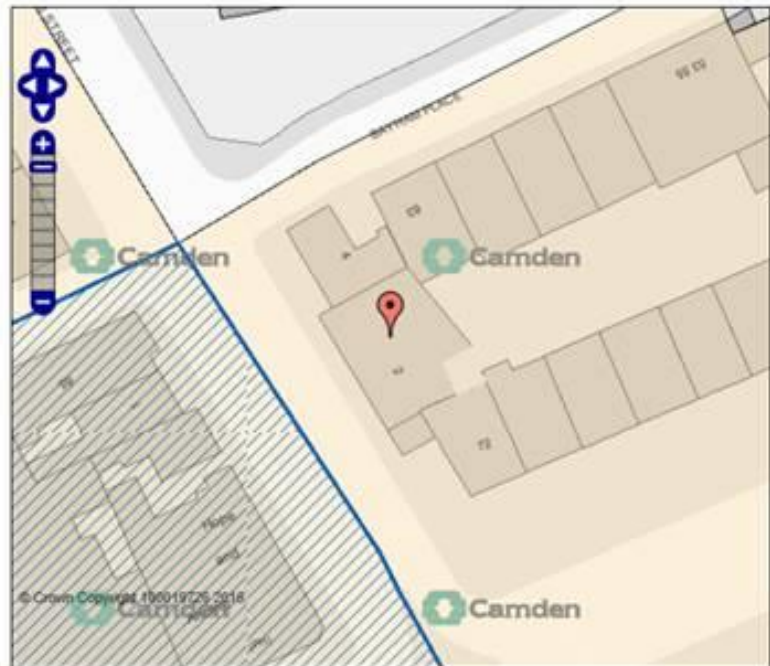
## Adopted Online Proposals

Find planning policies by clicking the map or using the address / postcode search

**Map key**

 Conservation Area  
Camden Town

For more information, or if you are unable to view the map, please contact the Forward Planning and Projects Team



## 6. PLANNING CONSIDERATIONS

The following section contains an assessment of the development proposals against the policies outlined above.

It is considered the main planning issues are:

- Loss of B1 floorspace
- Need for a yoga studio
- Design and sustainability
- Impact upon the host building, adjoining properties and surrounding area
- Impact upon residential amenity (e.g. noise and disturbance)
- Transport and movement

### i. Loss of B1a Floor Space (Policy DP13)

Policy DP13 (Employment premises and sites) seeks to protect employment floor space irrespective of location. It should be demonstrated that; a) it can be demonstrated to the Council's satisfaction that a site or building is no longer suitable for existing business use; and b) there is evidence that the possibility of retaining, reusing or redeveloping the site or building for similar or alternative business use has been fully explored over an appropriate period of time. It is considered that the configuration of the current building, its location on a narrow street in a predominantly residential area, and the lack of space, make it difficult for the nature of the business to function, grow or develop, or be used easily for a different operation.

The premises constitutes employment land but is not specifically identified for employment purposes. There would be a loss of potential rather than existing employment space, because there is no activity taking place at present. It is important to note that the Council has accepted the loss of offices through the conversion of the first floor to residential (2004/1211/P) thereby further reducing its appeal.

The Site is considered to be a “Category 3” site following the criteria discussed in paragraph 6.11 within the Camden Planning Guidance 5 (Town Centres, Retail and Employment):

- Small, isolated premises
- poor access - narrow streets, small doors, steps;
- no goods lifts;
- little or no space for servicing;
- Incompatible neighbouring uses (most often residential); and • lower ground or basement level

## Marketing Evidence

Please refer to the supporting Marketing Appraisal prepared by Featherstone Leigh Commercial. The existing property commercial agent has detailed the constraints of the existing floorspace and conclude that the space is no longer suitable or viable for continued employment use.

The existing basement office floorspace (approximately 66 square metres) is considered unlikely to contribute significantly to the employment floor space within the locality and London Borough overall. It is recognised that premises may be vacant for the short to medium-term and by requiring marketing over an extended period of time this should ensure the long-term health of Bayham Street.

Ongoing regeneration of the local environment and stimulation of the local economy would, it is considered, now be likely to derive the greatest benefit from the buildings on the Site becoming occupied at the earliest opportunity, regardless of whether this is for a D1 use. Given the widely varying character of development in this part of Bayham Street, it is considered that the occupier would be able to find equally or better suited premises elsewhere in the area should an occupier take up the premises before a suitable use comes forward.

It is considered that the occupation of commercial premises, as proposed, would have greater immediate beneficial impact than retention on the basis only of hope and for a further potentially lengthy period of the empty floorspace, or its interim use for some low-key commercial use.

## Alternative Marketing Evidence

It is necessary, therefore, to consider whether there are any special circumstances applicable to this scheme that are sufficient to justify an exception to policy in this instance.

The overarching strategy for the Borough is its sustainable community strategy.

The Council acknowledges that under-used buildings should be brought into the appropriate use(s) as soon as practicable through conversion, adaptation, or other alteration. This is to ensure the optimum use of the land available in such areas. Moreover, a mix of commercial uses can be particularly beneficial at street level where it enhances vitality and interest. Such vitality is an essential element of the character of many areas in the Borough, especially commercial areas such as Bayham Street. As such, it is considered that a gym would complement the surrounding services.

Furthermore, it is considered that the proposed change of use would be complementary to the commercial area given it provides a direct service to the public. The opening hours would have similar times to surrounding shops and would contribute to increasing footfall in the area, assisting to maintain and improve the vitality and viability during the daytime. The Council acknowledges the role of service uses in local shopping streets. Services such as yoga studios are frequently visited in conjunction with a shopping trip / work patterns.

The proposed additional walk-in facility would attract a regular floor of people during normal shopping hours, thus maintaining a level of activity similar to that of a retail use. Conversely, it might also have the effect of drawing trade towards this part of Bayham Street. While most of the customers are likely to be drawn from the surrounding residential area, with good public transport links close by, the gym may also attract people from further afield. There may be no empirical evidence that some of customers would make use of nearby shops, but equally there is no reason to suppose they would not, especially if passing them on their way to or from the gym.

An analysis of the 'benefits' of the scheme are set out in the subsequent sections of this letter and in the conclusion where the benefits of the scheme as a whole will be weighed against the land use and any other material considerations.

### **Provides a Direct 'Community / Healthcare' Service to the Public**

A yoga studio cannot be described as ancillary to a retail use. However, it could be argued that it would be a unique use within the area, where the Council supports a mix of uses that include community / healthcare facilities.

The Council acknowledges that community facilities are important for the communities they serve and the provision of such facilities would be sought on appropriate sites. However, such facilities would be required to: be located as near as possible to the residential / commercial areas they serve; not harm the amenity of the surrounding area, including the effect of any traffic generated by the proposal; be safe and easy to reach on foot, by cycle and by public transport.



Photographs – Example of Morefit Work Out



We understand the Council would also take into account the proposed role of the facility. Some types of community facility have a wide range of functions that may vary from very local to regional. Moreover, the Council would take the different impact of each facility into account when assessing the effect of any proposals on local amenity. Consequently, proposals would be assessed in relation to the demand for them, the scale and location of the facility, and its impact on the area in environmental terms.

Morefit Limited – Community Involvement

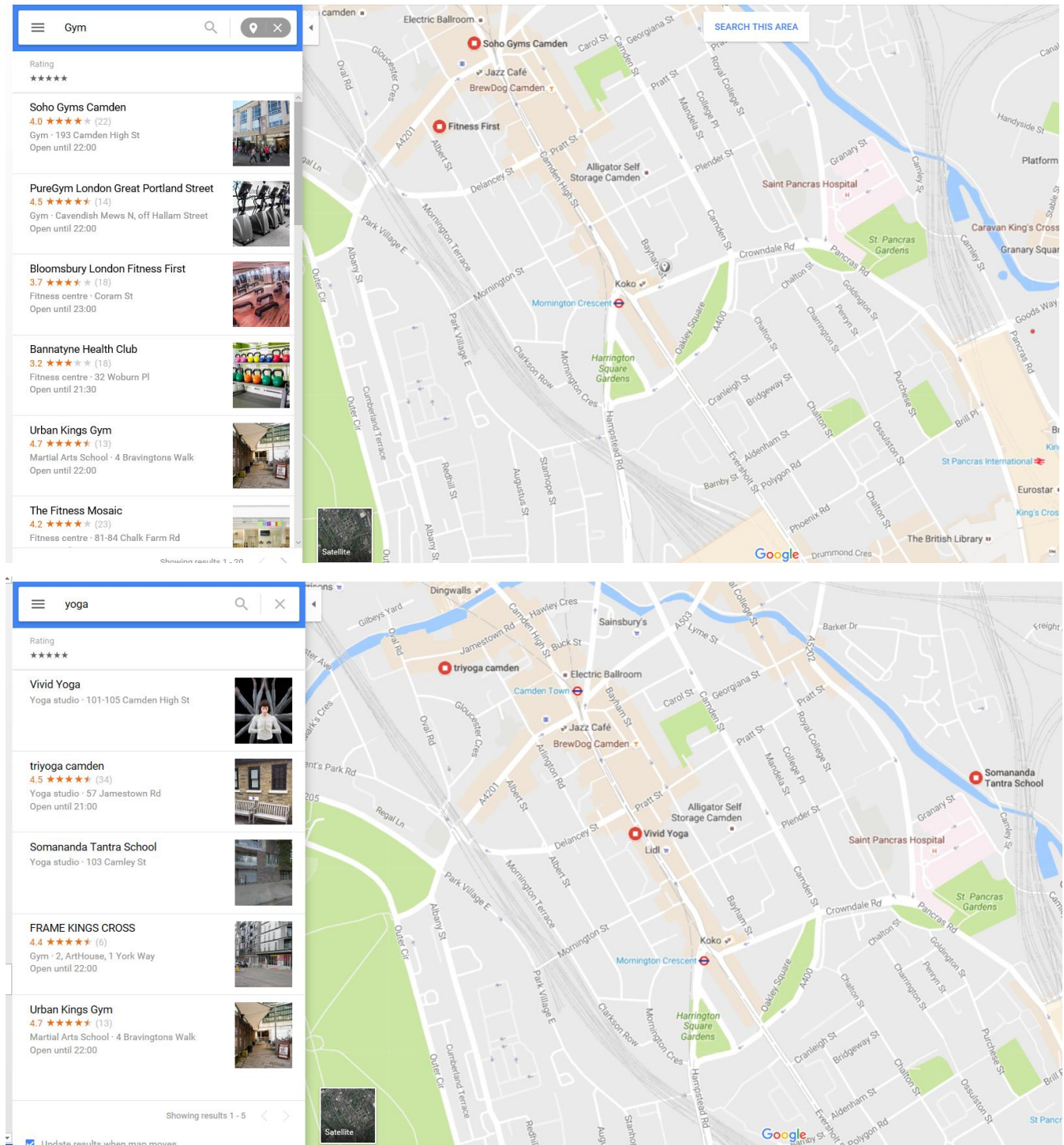


Overall, in seeking not only to protect the ongoing popularity and success of Bayham Street, the proposed development would improve and expand the amenities to ensure its ongoing success for the benefit of the local community. Without the improvement offered by the proposed development, the area would not make the most of the potential opportunities available to improve its attractiveness.

## Will not Result in an Over-Concentration of Such Uses in the Area

The building on the Site has been chosen as it has easy access by residents / businesses in the surrounding area, it is a short distance from a range of transport modes, and the premises are close to high volume traffic routes and target groups.

### Street Map (NW1) – Proximity to Other Gyms / Yoga Studios



It is considered that the proposed change of use would not result in an overconcentration of such uses in the area, as there is not an abundance of yoga studio in this part of the Camden. The proposed studio would hope to provide a facility to the local community. Furthermore, the proposed development is on a scale appropriate to the area and, as such, strengthens the neighbourhood.

This is reflected in the reduced cover of yoga studios in the locality. In any case, the benefits of a new studio to the wider community would be greater than that to the smaller number of people who would otherwise occupy the t floorspace.

### **Will not detract from the Residential Amenities of the Area**

The Site is located within an area containing a mix, commercial and residential, of uses and building styles. In view of the nature of the surrounding uses, we consider that the coming and goings of staff and customers of the yoga studio, whether by car or on foot, would have no materially adverse effect on the living / working conditions of local residents in terms of noise and disturbance. The opening hours would be similar to standard shop hours within the immediate locality. Furthermore, a studio is not an injurious use for this location. No external alterations are proposed.

The proposed use would provide an element of sound-proofing and appropriate conditions (if necessary) attached to a planning consent.

### **Will not Unacceptably Add to Traffic & Parking Problems in the Area**

The Site has a Public Transport Accessible Level rating of 6b, which is excellent. The proposed development is car free and no cycle provision is proposed. It is considered that access to all main land uses by foot and bicycle is good, public transport modes are located within reasonable walking distance of the Site, and the Site is located such that it would be attractive to non car-users.

The proposed yoga studio would see, on average, no more than approximately 30 customers per day. As such, the level of activity it would generate would be modest. It is expected that some of customers would use public transport to travel to and from the Site, and that most of those travelling by private car would park in the nearby car parks or at a metered car parking space. The same may be true of the staff at the studio.

The existing front entrance to the building on the Site has been cleared by Regulation Control Regulations but is not suitable for the disabled. It is considered that the proposed access layout would not cause any safety problems. There are no servicing requirements.

These considerations lead us to conclude that the proposed development would not materially affect highway and pedestrian safety or the free flow of traffic.

### **Will not have a Detrimental Visual Impact on the Shop-Front**

No external alterations are proposed. Overall, it is considered that the Site's location and its designation has been carefully considered within the proposals. The premises on the Site would continue to connect positively with its surroundings and the building's historic interest would be protected from inappropriate development and treated sensitively.

## ii. Design Quality

The scheme proposes an internal fitting out with no major structural alterations proposed. No external alterations are proposed apart from a plaque adjacent to the entrance. As such, it is considered that the proposed development is compliant and would not have a detrimental impact on the character or appearance of the area.

The existing entrance to the building on the Site, which is compliant with Building Control Regulations (relating to mobility and access) to maintain a level threshold access, would be utilised with no changes proposed.

## iii. Transport & Movement

The existing parking and servicing arrangements, including refuse and recycling, would continue unchanged. However, by reason of the site location, high Public Transport Accessibility Level rating, and potential proposed opening hours, it is considered that the proposed development would not prejudice the free flow of traffic.

## iv. Sustainability

There will be no physical alterations to the fabric of the buildings. All elements of the works proposed will fully comply with planning policies, Building Regulations, and Disability Discrimination Act requirements.

## v. Planning Obligations

The Applicant would enter into discussions with the Council on the appropriate planning obligations necessary to mitigate the impact of the proposed development.

## 7. CONCLUSIONS

While the proposed development would result in the loss of B1a floorspace, the proposed yoga studio is considered acceptable. This is due to its limited size and location within a basement, and its appropriate location and accessibility.

The proposed development would not materially affect highway and pedestrian safety or the free flow of traffic, nor represent an unneighbourly form of development.

The proposed yoga studio will not adversely affect the character of the area. The external appearance of the unit on the Site will not alter from what is found at present and the scheme has been designed to ensure that it will not create unacceptable noise levels. The Site will remain in an employment use and will provide local jobs.

It is respectfully requested that **PERMISSION be granted** subject to appropriate conditions and informatives.

I trust this letter is satisfactory for the registration and validation of the application and I look forward to receiving an acknowledgement of this letter shortly. However, please let me know should you require any additional information or have any queries.

Yours sincerely,



**James Lloyd** B.Sc (Hons) M.Sc TCP MRTPI  
**Managing Director**