

Mr Neil Quinn
Flat 4
36 Coolhurst Road
London
N8 8EU

Application Ref: **2017/2805/P**
Please ask for: **Obote Hope**
Telephone: 020 7974 **2555**

25 July 2017

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
1 Belsize Crescent
London
NW3 5QY

Proposal:
Change of use from office (Class B1) to physiotherapy clinic (Class D1).
Drawing Nos: NLA 104-01, NLA 104-02, NLA 104-03 and Planning Statement no date.

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

Conditions and Reasons:

- 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 NLA 104-01, NLA 104-02, NLA 104-03 and Planning



Statement no date.

Reason:

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

- 3 The use hereby permitted shall not be carried out outside the following times 08:00 - 20:00 Monday to Friday and 08:00-18:00 on Saturdays & closed 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 G1, CC1, D1, A1, A4 and TC3 of the London Borough of Camden Local Plan 2017.

- 4 Notwithstanding the provisions of Class D1 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, the premises shall not be used as a Physiotherapy Clinic.

Reason: To ensure that the future occupation of the building does not adversely affect the adjoining premises/immediate area by reason of noise traffic congestion and excessive on-street parking pressure in accordance in accordance with policies G1, CC1, D1 and A1 of the London Borough of Camden Local Plan 2017.

Informatives:

- 1 Reasons for granting permission.

At present the entire building provides 150.5 sqm of B1 floorspace, the proposal would result in the change of use of the basement, ground and mezzanine level into a physiotherapy clinic (Class D1). The proposed use would incorporate five consulting rooms at basement and ground floor level where the main reception would be located and exercise/rehabilitation space on the mezzanine level. Separate storage for medical waste would be provided at ground floor level. The application was accompanied by retail survey which demonstrate that the property has been unsuccessfully marketed as offices (Class B1a) since July 2016. Various advertisement methods were used such as, a letting board outside the premises, through local occupiers, rent incentives, as well as the property being advertised via West End and City based estate Agents and local agents. The change of use of the premises to community use is therefore in accordance with policy E2.

The policy C2 in the Local Plan 2017 recognises that community facilities such as schools, community centres, leisure facilities and health centres are a vital part of the infrastructure which contributes to the supporting Camden's quality of life. Notwithstanding this, the Local Plan also stipulates that 'provision for sports and exercise, contribute enormously to Camden's attractiveness as a place to live, work or study. These facilities support opportunities for people from all walks of life to meet and interact and promote a sense of belonging and connection'.

The site is located within PTAL 4 with good accessible by a range of transport modes and located in with both Finchley Road and Belsize Park LUL stations within 10-15 minutes walk and bus routes to Central London which would be accessible from Fitzjohns Avenue and Finchley Road. As such, would be readily available and easily accessible to the local community. There are no off street parking on available on-site and it's anticipated that customers would travel to the Physiotherapy Clinic by public transport . As such, it is considered that the new use is acceptable and it is unlikely to raise any implications on the local transport network.

The proposed D1 use of a physio clinic is considered appropriate in this location, however other D1 uses may not be acceptable due to the number of people coming and going and how these would be managed. Therefore, a condition will be used to ensure that the premises is only used as a Physiotherapy Clinic use and no other use within the D1 Use Class.

There would be no impact on daylight, sunlight, outlook or privacy due to no extension being proposed. It is considered that the modest size of the property would limit the amount of noise generated. Furthermore, it is not considered that there would be further harm that would be detrimental to the neighbouring residential amenities, given the nature of the proposed use and hours of operation, which will be secured via condition.

No objections have been received prior to making this decision. The sites planning history has been taken into account when coming to this decision.

Considerable importance and weight has been attached to the harm and 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 Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposed development is in general accordance with policies A1, A4, C1, C2, C3, CC5, E1,E2, T1, T3 and TC3 of the Camden Local Plan 2017; and policies in the London Plan 2017, and relevant paragraphs of the National Policy Framework.

- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that 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, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 3 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 Noise and Licensing

Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS
(Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website 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.

- 4 You are advised that this proposal will be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL as the additional floorspace exceeds 100sqm GIA or one unit of residential accommodation.

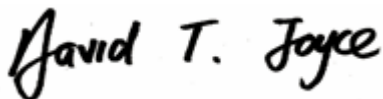
This amount is an estimate based on the information submitted in your planning application. The liable amount may be revised on the receipt of the CIL Additional Information Requirement Form or other changes in circumstances. Both CIL's will be collected by Camden after the scheme has started and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement and/or for late payment. We will issue a formal liability notice once the liable party has been established. CIL payments will also be subject to indexation in line with the construction costs index.

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



David Joyce
Director of Regeneration and Planning