

Square Feet Architects
8A Baynes Mews,
London
NW3 5BH

Application Ref: **2017/3812/P**
Please ask for: **Alyce Keen**
Telephone: 020 7974

10 October 2017

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
111-113 Bartholomew Road
LONDON
NW5 2BJ

Proposal:
Change of use at ground level from office (Class B1) to a gym (Class D2) with associated works to front elevation including new aluminium framed doors, windows and ventilation louvres.

Drawing Nos: 1716_L_002; 1716_L_010; 1716_L_030; 1716_L_110; 1716_L_130.

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 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans 1716_L_002; 1716_L_010; 1716_L_030; 1716_L_110; 1716_L_130.

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

- 4 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 used as D2 shall not be used for any other uses other than a gym.

Reason: To ensure that the future occupation of the building does not adversely affect neighbouring amenity by reason of noise, traffic congestion or excessive on-street parking pressure, in accordance with policies C3, A1 and A4 of the London Borough of Camden Local Plan 2017.

- 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 policies G1, CC1, D1, A1, and TC3 of the London Borough of Camden Local Plan 2017.

- 6 The use hereby permitted shall not be carried out outside the following times 8.00 to 23.00 Mondays to Saturdays, 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.

- 7 The external noise level emitted from plant, machinery or equipment at the development hereby approved shall be lower than the lowest existing background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, D1, A1, and TC3 of the London Borough of Camden Local Plan 2017.

- 8 Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of the sound insulation of the floor/ ceiling/ walls separating the commercial part(s) of the premises from [dwellings] [noise sensitive premises]. Details shall demonstrate that the sound insulation value $D_{nT,w}$ and $L'_{nT,w}$ is enhanced by at least 10dB above the Building Regulations value and, where necessary, additional mitigation measures are implemented to contain commercial noise within the commercial premises and to achieve the 'Good' criteria of BS8233:2014 within the dwellings/ noise sensitive premises. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, D1, A1, and TC3 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

The approved B1, use at ground floor has not been implemented and has remained vacant since 2009. To further increase potential occupancy, this proposal seeks to permit the use of the ground floor commercial space to Class D2 Use, namely for a gym. The applicant has identified, by way of marketing evidence, the difficulty in offering the unit solely for B1 uses.

Although this proposal has the potential to result in the loss of specific Class B1 floorspace, this will be countered with the provision of a suitable replacement use in the locality, namely a leisure/ fitness facility, with a significant provision of employment for 8 employees. Whilst the development will have some impact in terms of loss of office space, it is considered that the proposed change of use from office use to D2 use would not result in harm to the economic viability of the area given the proposal would retain potential employment opportunities.

Council's economic development and policy teams reviewed the marketing evidence provided. They advised that whilst they are keen to see a B1 use, they recognise that the D2 use would also deliver economic benefits for Camden residents and bring an active use to the premises. In light of the marketing evidence provided and continued employment use, the purpose of policy E2 is considered to be met.

The proposal involves associated works to the front elevation including new aluminium framed doors, windows and ventilation louvres. These works are not considered to impact the character and appearance of the host building or the surrounding streetscene.

As a result of the change of use, with minor external alterations, the proposal would not cause harm to the amenity of neighbouring residents in terms of a loss of privacy, outlook or daylight. To ensure the use does not result in disturbance to neighbours, a condition has been attached limiting the D2 element of the use to fitness studio/ gym and requiring that all music played within the building shall not

be audible from anywhere outside the building. Conditions will also secure insulation measures for between the gym use and the above uses to safeguard amenity.

Given the sites excellent access to public transport, it is considered that a significant portion of potential users of the site by walking/ cycling and public transport. The footway width directly in front of the site is insufficient to accommodate cycle stands and allow pedestrians and those in wheelchairs or with buggies to pass. As such there is little scope to provide on-street cycle parking facilities directly outside the site. Some cycle parking is available outside the Kentish Town station, 400m away.

One comment was received prior to making this decision which is addressed in the consultation summary. The sites planning history was taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies G1, A1, A4, D1, E1, E2 and C3 of the Camden Local Plan 2017.

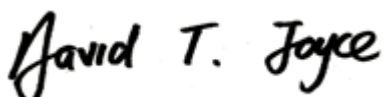
- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building 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.

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