

Mr Dan Fyall
DP9 Ltd
100 Pall Mall
London
SW1Y 5NQ

Application Ref: **2017/5314/P**
Please ask for: **Laura Hazelton**
Telephone: 020 7974 **1017**

31 October 2017

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
350 Euston Road (Ground Floor East)
Regent's Place
London
NW1 3BH

Proposal:
Change of use from Class A2 (professional services) to flexible Classes A1 (retail), A2 (professional services), D1 (non-residential institution), and D2 (assembly and leisure).
Drawing Nos: 001, 002 003 and Cover letter dated 22 September 2017

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: 001, 002 003 and Cover letter dated 22 September 2017.

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

- 3 No music shall be played on the premises and no noise shall be generated by the Class D2 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 A4 and TC4 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

The proposals involve the change of use of 500sqm of the eastern portion of the ground floor from A2 use (currently a recruitment agency) to flexible A1 (retail), A2 (professional services), D1 (non-residential institution), and D2 (assembly and leisure) use.

Planning permission was originally granted at this site for an office building with space at ground floor level for uses within Classes A1, A2, A3 or D1 (ref: PS9804430R1 granted on 08/02/2000), subject to the condition that not less than 500sqm shall be made available for A1 purposes. Following this, planning permission was granted to remove this condition, and a new condition was secured stating that no more than 500sqm of the ground floor must be made available for Class A3, A4 or A5 purposes (ref: 2007/1375/P granted on 06/06/2007). The purpose of this was to ensure that the non-office element of the building is not used solely for Class A3, A4 or A5 purposes.

The current application seeks permission for the change of use of the entire ground floor east unit from A2 use to flexible A1/A2/D1/D2 use. The intended immediate use is as a gym (class D2); however, to retain flexibility and avoid the unit remaining vacant, the originally approved use classes A1/A2/D1 are also reapplied for. The southern portion of the ground floor would retain its current tenants in A1 and A2 use.

The introduction of a new D2 assembly and leisure use is considered acceptable in land use terms. Policy C3 encourages new leisure facilities in large mixed-use developments provided it would not harm the amenity of the area or the local community. The proposed use as a gym (or any other assembly and leisure use within the D2 use class) is considered appropriate in this location and would not harm neighbouring amenity given the fact there are no residential dwellings in close proximity. A condition will be imposed to ensure that music/noise generated by the Class D2 use is not audible from surrounding premises. Furthermore, the

flexible use would include provision for retail, financial/professional services and non-residential institutions in line with the original 2000 approval.

The proposed change of use would not involve any associated external alterations and is therefore not considered to impact the character and appearance of the host building or wider area.

Although no cycle parking would be provided, the Council's Transport Officer has confirmed that the existing cycle parking on-site would be adequate to meet demand.

No objections were received prior to the determination of this application. 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 G1, C1, E2, A1, TC1, T1 and D1 of the London Borough of Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework 2012.

- 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 T. Joyce

David Joyce
Director of Regeneration and Planning