

## **Planning Statement**

In respect of:

Maximum Fitness

(Operating Name of Classic Training Limited)

144 Fortess Road

NW5 2HP

By Fortess Fitness Limited

### **1.0 Introduction**

1.1 We, Fortess Fitness Limited (the applicant) are proposing the continued use as a gymnasium (D2 leisure use) with ancillary retail and office use of 144 Fortess Road, NW5 2HP (the site) within the London Borough of Camden. Fortess Fitness Limited is looking to take over the operation of these premises from Classic Training Limited (currently operating as Maximum Fitness) in order to operate a fitness facility in the area.

1.2 The planning statement has been prepared in support of the variation of condition 1 and the removal of condition 2 of the planning permission E12/10/19/37170, relating to opening hours of the gymnasium and the occupation by a specific individual, Clive Manley. The current conditions restrict operational hours between 09:00 – 22:00 Monday to Saturday. We intend to operate under the opening hours of 06.00 – 22.00 Monday to Friday and 09:00 to 16:00 Saturdays, Sundays and bank holidays (the "extended hours"), which is in keeping with the hours Maximum Fitness has operated for at least the last 20 years.

1.3 Fortess Fitness Limited aims to maintain and improve the access to health and fitness activities, to encourage and improve health by continuing to provide a local gymnasium in the Tufnell Park area. Fortess Fitness Limited will provide a high quality of health and fitness activity with an increased provision of highly trained, dedicated training staff. Through the extended hours Fortess Fitness will provide greater flexibility and access to facility for its customers and will allow for greater member occupancy.

1.4 This planning statement sets out the historical significance of the gymnasium within the local community, the key planning policies which the proposed development needs to be considered against and the planning considerations of the application.

1.5 A number of letters have been produced by other local vendors attesting to Maximum Fitness having run the during the extended hours for at least the last 10 years with no detrimental impact on the local environment and these letters should be read in conjunction with the support plans.

### **2.0 Site and Surrounding Area**

2.1 The application site consists of a single storey metal frame structured behind a strip of shops on Fortess Road, this is connected to Fortess Road via a 2 storey building in the strip with an associated shop front.

2.2 The gym is a car free development although there is street parking available on Fortess Road.

2.3 The surrounding area contains a mix of residential and commercial/employment uses. The site forms part of a parade of shops along Fortess Road adjacent to the major intersection with Dartmouth Park Hill, Junction Road, Tufnell Park Road and Brecknock Road

2.4 In terms of accessibility, the site has a Public Transport Accessibility Level of 6b (Excellent), and is readily accessible by a variety of public transport modes, providing quick access from around the surrounding area to and from the site. This includes Tufnell Park Underground Station and Kentish Town Underground and railway station within 5 and 10 minutes walking distance respectively. The gym attracts clientele which are usually based locally, and are likely to travel to the gym on foot and by public transport. The majority of trips are undertaken as linked trips either on their way to and from home or work, or in conjunction with utilising other services and facilities within the area.

2.5 The proposed gym operation is designed for local use, focused on those within the immediate surrounding community. They are located in urban areas where the membership for the use is drawn from a local catchment. Access to The gym by foot and public transport is therefore encouraged.

### **3.0 Operation History**

3.1 As detailed on Camden Council's online planning search, the Site has been subject of a number of planning applications. The most relevant application to this current proposal have been described below.

3.2 In 1984 planning permission was granted for the 'change of used from a warehouse to gymnasium with ancillary retail and office uses' (Ref E12/10/19/37170) dated 24<sup>th</sup>Jan 1984. The permission was subject to the following conditions:

3.2.1 The use hereby permitted shall not be carried out otherwise than between the hours of 9.00am and 10.00pm on Mondays to Saturdays.

3.2.2 This permission shall be personal to Clive Manley during his occupation and shall not enure for the benefit of the land. On his vacating the premises the use shall revert to the lawful use for warehouse purposes.

3.2.3 No music shall be played on the premises in such a way as to be audible within any adjoining residential accommodation.

3.3 Maximum Fitness has operated as a gymnasium since 1984, it has been an integral part of the community and maintained a positive influence on the community, in terms of the health benefits to its members but also in its collaboration with the other local vendors.

3.4 Maximum Fitness currently has in excess of 150 members the majority of which live or working in the nearby area.

3.5 Maximum Fitness has been operating under the extended hours for in excess 10 years which has been verified by a number of other local residents and shop operators.

#### **4.0 Proposed Development**

4.1 The current proposed development, discussed in greater detail in the section below, proposes a variation to the condition 1 of the above planning permissions (3.2.1). This is to enable continued operation of The gym facility during the extended hours.

4.2 The current proposed development, discussed in greater detail in the section below, proposes the removal of the condition 2 of the above planning permissions (3.2.2). This is to enable Fortess Fitness to take over the operations of the gym with the aim continuing its trade and improving its facilities.

4.3 Fortess Fitness aims to maintain and improve this provision of health and fitness activity. Fortess Fitness aims to improve and update the equipment within the Gym, specifically with the addition of new functional fitness equipment. We also aim to improve the access for members to qualified coaching professionals. A key component of the Gym's operation and offer to its members are its opening hours providing flexibility and greater member numbers without producing a strain on the site's capacity.

#### **5.0 Planning Policy Context**

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires development proposals to be determined in accordance with the statutory Development Plan unless material considerations indicate otherwise.

5.2 In this instance, the Development Plan consists of:

5.2.1 The London Plan (2016);

5.2.2 Camden Core Strategy (2010);

5.2.3 Camden Development Policies (2010).

5.3 The Camden Local Plan Adoption (2017) is given material weight

5.4 The National Planning Policy Framework (NPPF) (March 2012), which sets out the Government's planning policies for England and how these are to be applied, and the National Planning Practice Guidance (NPPG) (March 2014) are also material considerations.

5.5 The following section sets out the relevant planning policy context to which the proposal should be assessed against.

##### **National Planning Policy Framework**

5.6 The NPPF includes a requirement on local planning authorities to plan positively for growth and states that "It is important that needs for retail, leisure, office and other main town centre uses are met in full and are not compromised by limited site availability". Moreover "planning policies should aim for a balance of

land uses within their area so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities”.

### **The London Plan (2016)**

5.7 At the regional level of planning policy, the Greater London Authority (GLA) adopted the London Plan Consolidated within Alterations in March 2016 which forms part of the Development Plan for Brent. 5.8

5.8 The relevant policies of the London Plan are:

- 3.2 – Improving health and addressing health inequalities
- 7.1 – Lifetime neighbourhoods
- 7.4 – Local Character

### **Core Strategy (2010)**

5.9 The London Borough of Camden’s Core Strategy sets out a range of strategic objectives for each topic area which is underpinned by relevant policies.

5.10 The Core Strategy policies relevant to the proposed development are:

- CS5 – Managing Growth and Development Development Policies (2010)

5.11 The London Borough of Camden’s Development Policies provides guidance for managing development across the borough.

5.12 The policies relevant to the proposed development are:

- DP15 – Community and Leisure Uses
- DP16 – The Transport Implications of Development
- DP26 – Managing the Impact of Development on Occupiers and Neighbours
- DP28 – Noise and Vibration Camden Local Plan (2016)

5.13 The emerging Camden Local Plan sets out a range of planning policies for managing development across the borough.

5.14 The policies relevant to the proposed development are:

- G1 - Delivery and Location of Growth
- C1 – Health and Wellbeing
- C3 – Cultural and Leisure Facilities
- A1 – Managing the Impact of Development
- A4 – Noise and Vibration
- D3 – Shop Fronts

## **6.0 Planning Considerations**

6.1 The use of the premises at 144 Fortess Road as a health and fitness business is already established, given the previous planning permissions on the site. This current application seeks to allow the continued use in this capacity, unrestricted by the occupation by Clive Manley. It also seeks to continue operations in extended hours, which have been in operation for a significant amount of time (over 10 years) without a negative impact to the surrounding locale.

6.2 In planning policy terms, G1 states *'The Council will create the conditions for growth to deliver the homes, jobs, infrastructure and facilities to meet Camden's identified needs and harness the benefits for those who live and work in the borough.'* C1 States *'The Council will improve and promote strong, vibrant and healthy communities through ensuring a high quality environment with local services to support health, social and cultural wellbeing and reduce inequalities.'* C3 states *'The Council will seek to protect cultural and leisure facilities and manage the impact of adjoining uses where this is likely to impact their continued operation.'* Maximum Fitness has existed as a provider of leisure facilities to the community for over 3 decades and has supported the health and well-being of its members through the provision of weight machines, free weights and cardiovascular equipment. The current membership numbers support the site as being in demand as a leisure provider.

### **Design and appearance**

6.3 D3 states *'Where an original shopfront of architectural or historic value survives, in whole or in substantial part, there will be a presumption in favour of its retention'*.

6.4 The proposal will not result in any external changes to the existing unit. As such, there would be no impact upon the existing visual character of the area. The proposal would provide for the retention of the original shopfront.

### **Residential amenity**

6.5 Policy A1 states *'the council will seek to protect the quality of life of occupiers and neighbours'*.

6.6 The proposal would not result in any increase in built form or footprint, and in this regard there would be no additional impact upon the amenities of adjoining neighboring properties in terms of any additional overbearing effects or any loss of light or outlook.

6.7 We are A4 states *'The Council will seek to ensure that noise and vibration is controlled and managed'*.

6.8 We understand that the site has been operating hours under the hours of 06.30 – 22.00 Monday to Friday and 09:00 to 16:00 Saturdays, Sundays and bank holidays for over the last 10 years. We do not believe that these have historically caused any detrimental effect on the environment and our plan would only extend this by a further 30 minutes on weekday mornings.

6.9 We will install flooring designed to muffle noise, to further reduce any noise pollution.

### **Transport matters**

6.10 In planning policy terms, DP16 states *'development is properly integrated with the transport network and is supported by adequate walking, cycling and public transport links'*.

6.11 The existing gym unit is located in an area of excellent accessibility for public transport, with a PTAL rating of 6b. The Gym attracts clientele which are usually based locally, and are likely to travel to the gym on foot and by public transport. The

majority of trips are undertaken as linked trips either on their way to and from home or work, or as part of utilising other services and facilities within the area.

6.12 The proposed gym operation is designed as a local use, focused on those within the immediate surrounding community. They are located in urban areas where the membership for the use is drawn from a local catchment. Access to The Gym by foot and public transport is therefore encouraged.

6.13 The proposed use will result in minimal deliveries and servicing as the use generates minimal waste and the deliveries are limited to minimal vending products.

## **7.0 Summary And Conclusions**

7.1 This planning statement is submitted by Fortess Fitness Limited to support its application for the variation of condition 1 and removal of condition 2 of E12/10/19/37170 to allow for operation 06.00 – 22.00 Monday to Friday and 09:00 to 16:00 Saturdays, Sundays and bank holidays and without the mandated occupation of Clive Manley.

7.2 Planning permission for the use of the site for D2 (Leisure) use was granted in 1984 and the proposals to seek to allow a new operator in order to maintain a health and fitness facility in this Central London location.

7.3 The proposal is in compliance with the Development Plan and we therefore respectfully request that the Council grant consent for the variation of conditions as proposed.