

Application ref: 2017/6454/P  
Contact: Sofie Fieldsend  
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Date: 7 March 2018

**Development Management**  
Regeneration and Planning  
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Rolfe Judd Planning  
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Claylands Road  
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London  
SW8 1NZ

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)

### Full Planning Permission Granted

Address:

**Basement and ground floor**  
**35 Farringdon Road**  
**London**  
**EC1M 3JB**

Proposal:

Change of use of the basement from Sui Generis (Nightclub) use to D2 (Gym) use. Alterations to the front entrance and the installation of 7x air condition units and associated acoustic attenuation shelf to the rear external wall of the courtyard at ground floor level.

Drawing Nos: EX01, EX02, GA.00 M001, M002, 015FAR / 101, 015FAR / 200, 015FAR / 204, 015FAR / 300, 015FAR / 410 rev.A, Transport Statement (dated January 2018) and Acoustics Report ref. A1234 R01 (dated 17th November 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 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 and D2 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:

EX01, EX02, M001, M002, 015FAR / 101, 015FAR / 200, 015FAR / 204, 015FAR / 300, 015FAR / 410 rev.A and Acoustics Report ref. A1234 R01 (dated 17th November 2017).

Reason:

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

- 4 The use hereby permitted shall not be carried out outside the following times: 6:30am to 9:30pm Monday to Friday, 8:30am to 5pm Saturdays and 8:30am to 5pm 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 D1, 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, adjoining highway/footway.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, A1 and A4 of the London Borough of Camden Local Plan 2017.

- 6 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 A4 of the London Borough of Camden Local Plan 2017.

- 7 Prior to use, plant or equipment and ducting at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.

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 of the London Borough of Camden Local Plan 2017.

- 8 Before the development is first occupied, a Sheffield stand which will provide 2 secure long stay parking spaces for staff on the ground floor lobby as shown on Drawing No. GA.00 will be installed and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the policy requirements of Policy T1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

The change of use from a nightclub (sui generis) to a gym (D2) use would be suitable for the Central London Area as it would provide a service for the local community, encourage a healthy lifestyle and would encourage trip generation, subsequently helping support other businesses. The new development is in close proximity to Farringdon Station and is very well located to public transport nodes. The site has a PTAL score of 6b, it is considered that its location is appropriate to allow as many people as possible to enjoy their benefits and make use of public transport to get there. As the existing unit is a non-retail use and located at basement level, the proposed change would not alter the existing row of consecutive uses. In addition the current use is not protected and therefore its loss in this context is considered to be acceptable. As such, the change is not considered to harm to the character of the host property, streetscene or Hatton Garden Conservation Area.

The proposal will replace an existing set of double glass doors normally screened by a metal shutter with a set of aluminium glazed doors on the front elevation. It is considered that the increased glazing and removal of the shutter will create a more active frontage along Farringdon Road. Therefore it is considered to preserve and enhance the character of the host property and the wider conservation area. These alterations and the change of use would not result in any loss of outlook, light or privacy to any adjoining neighbour.

The proposal includes the installation of seven air conditioning units mounted on the wall of the ground floor courtyard at the rear of the building. The proposed plant equipment would not be visible from the street as it would be screened by the existing 2.9m high brick wall. Overall, given the nature of the development and the fact that it would be well screened from public views, it is considered that the proposal would preserve the character and appearance of the host property and wider Hatton Garden Conservation Area.

A noise survey has been submitted in support of the application. The Council's Environmental Health officer has reviewed the information and considers it to be acceptable, subject to noise compliance and noise/vibration reduction being secured by planning condition. The development would not result in a material impact on the amenity of neighbouring properties in terms of noise.

To comply with policy six vertical cycle spaces would be required to be located on site, however given the space constraints on site and that the applicant has demonstrated that this is not feasible. The use of basement space for cycle parking

provision is not considered to be practical as there is not a lift. To mitigate the absence of the required short stay cycle parking Highways officers have requested the installation of 1 Sheffield stand to provide 2 secure long stay parking spaces for staff on the ground floor lobby and a Pedestrian, Cycling and Environmental Contribution which will be secured by a S106 legal agreement. It is considered that this is sufficient to overcome the issue of not being able to provide the policy requirement of six cycle spaces.

No comments were received during the consultation period. The planning history of the site has been taken into account when coming to this decision.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Hatton Garden Conservation Area, under s.72 of the Planning (Listed Buildings and Conservation Area) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposed development is in general accordance with policies G1, CC1, A1, A4, C3, D1, D2, T1 and T3 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.
- 4 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.

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

