

Application ref: 2018/1489/P
Contact: Sofie Fieldsend
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Date: 24 May 2018

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GL Hearn
280 High Holborn
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**Shop and Premises at Unit 7c Level 2 The O2 Centre
255 Finchley Road
London
NW3 6LU**

Proposal: Change of use from A3 (restaurant) to D2 (gym) use.

Drawing Nos: AL(04)0700 Rev.P01, AL(04)0701 Rev.P01 and AL(04)0702 Rev.P01.

The Council has considered your application and decided to grant permission subject to the following conditions:

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:

AL(04)0700 Rev.P01, AL(04)0701 Rev.P01 and AL(04)0702 Rev.P01.

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

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), the premises shall be used for no other use

than that falling within D2 (gym) use of the Schedule to the Town and Country Planning (Use Classes) Order 1987

Reason: In order to maintain the character and function of the premises and the Finchley Road Town Centre as a whole, and to protect the residential amenities of neighbours in accordance with policies G1 and A1 of the London Borough of Camden Local Plan 2017.

Informatives:

1 Reasons for granting permission.

The change of use from a restaurant (A3) to a gym (D2) targeted at children's use would be suitable for the Town Centre as it would provide a service for the local community, encourage a healthy lifestyle, have compatible hours of use with the other facilities in the O2 premises, and would encourage footfall within the O2 centre, subsequently helping support other businesses. The new development is in close proximity to Finchley Road and Finchley Road and Frognal Stations and is very well located to public transport nodes. It is noted that the shopping centre has 17 cycle spaces in the car park and a further 8 cycle spaces outside the entrance on Finchley Road. The site has a PTAL score of 6a, 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. The use is unlikely to generate more servicing trip generation than the existing A3 use. The current use is not policy protected and therefore its loss in this context is considered to be acceptable. Overall the proposed use is considered to be compatible with the character, function, vitality and viability of the Town Centre, in accordance with policies TC2 and TC4.

The existing unit is located within the shopping centre and has no separate external frontage. No external alterations are proposed and as such, the change is not considered to harm to the character of the host building or the surrounding area or result in any loss of outlook, light or privacy to any adjoining neighbour.

As it is located within the shopping centre, the hours will be within the centre's operation and in this instance no condition restricting its hours of use is required. The proposal would not have a significant impact on the local amenity.

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

As such, the proposed development is in general accordance with policies G1, A1, C3, TC2 and TC4 of the London Borough of Camden Local Plan 2017 as well as Policy 4 and 12 of the Fortune Green and West Hampstead Neighbourhood Plan 2015. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework 2012.

2 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.

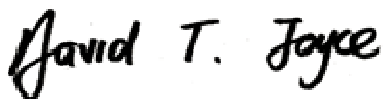
- 3 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).

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

A handwritten signature in black ink that reads "David T. Joyce". The signature is written in a cursive, slightly slanted style.

David Joyce
Director of Regeneration and Planning