

Application ref: 2018/4428/P
Contact: Matthias Gentet
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RPS
140 London Wall
London
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:

The Old Heating Station
Coram Street
London
WC1N 1HB

Proposal: Removal of condition 1 (hours of operation) of planning permission PS9704920R2 dated 17/04/1998 as varied by planning permission PSX0104075 dated 13/03/2001, planning permission 2015/4176/P dated 28/10/2015 (Change of use to a gym) and planning permission 2017/3697/P dated 06/09/2017 (temporary hours of operation) namely to allow for a permanent 24-hour use of the premises 7 days a week.

Drawing Nos: Cover Letter (12/09/2018); Planning Statement (September 2018); Clarke Saunders Acoustics Letter (22/06/2018); Site Location Plan; DH/005.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 For the purpose of this decision, condition no.1 of planning permission PS9704920R2, dated 17 April 1998 as varied by PSX0104075 dated 13 March 2001, shall be removed starting from the date of this decision notice.

Reason: The proposal is in accordance with policies A1 and C5 of the Camden Local Plan 2017.

- 2 Noise levels at a point 1 metre external to sensitive facades shall be at least 10dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 15dB(A) below the LA90, expressed in dB(A).

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

- 3 No music shall be played on the premises within the additional hours of use 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, TC2 and TC3 of the London Borough of Camden Local Plan 2017.

- 4 The current CCTV installations with CCTV cameras installed in strategic locations within the lower basement, upper basement and ground floor levels, shall be retained in perpetuity.

Reason: The level of security is required to ensure there is no amenity impact in terms of noise and disturbance, in accordance with policies A1 and C5 of the Camden Local Plan 2017.

- 5 The advertisement of telephone numbers - which shall be manned 24 hours a day, 7 days a week - at the front door of the premises, and providing direct phone line to a security firm shall be retained in perpetuity.

Reason: The level of security is required to ensure the wellbeing of the users of the premises, as well as providing assurance that the neighbouring residents can alert the relevant authority in the case of any disturbances arising. The proposal is therefore in accordance with policies A1 and C5 of the Camden Local Plan 2017.

Informative(s):

- 1 Planning permission was granted for the change of use from a heating station to a health and fitness club on 17/04/1998 (planning ref: PS9704920R2). Condition no.1 of this planning permission controlled the hours of operation from 0700 to 2100 Mon-Sat with no operation of the unit allowed on any other day. This condition was subsequently varied on 13/03/2001 (planning ref: PSX0104075) to extend the hours of operation as follows; 0600 to 2300 Mon-Fri, 0700-2200 on Sat and 0800-2200 on Sundays and Bank Holidays, again under application reference: 2015/4176/P for the 12 months temporary use of the facility 24hrs a day and 7 days a week. As the 2015 permission was not implemented, a fresh application, reference: 2017/3697/P, for a new 12 month

temporary use of the facility 24hrs a day and 7 days a week was granted on 04/12/2017.

The information submitted with this current application was considered to be adequate to demonstrate that the proposed extension of the operating hours would now be appropriate permanently. This is also based on confirmation from the Council's Environmental Health Officer that no complaints were received in relation to noise disturbance caused by the public using the gym and/or from plant equipment on and/or used by the premises. As such the permanent removal of condition no.1 of planning permission PS9704920R2 is considered acceptable.

Following a process of public consultation, one response was received and was duly considered when forming this decision. The planning history of the site was also considered when forming this decision.

The proposed development is therefore in accordance with policies G1, CC1, D1, A1 and A4, TC2 and TC3 and C5 of the Camden Local Plan 2017.

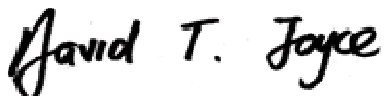
- 2 You are advised that the decision only relates to the removal of condition 4 and shall only be read in the context of the substantive permission granted on 17 April 1998 under reference number PS9704920R2 and is bound by all the conditions attached to that permission.
- 3 It is advise that the Council can take action under the Environmental Protection Act 1990 if the level of noises are different than stated within the Extract Noise Study (19/10/2017), and a statutory nuisance is witnessed.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2018.

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