

Application ref: 2019/4275/P
Contact: Obote Hope
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Date: 11 February 2020

Development Management
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CMA Planning
113 The Timberyard
Drysedale Street
London
N1 6ND
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**9-13
Grape Street
London
WC2H 8ED**

Proposal:

Change of use of the gymnasium at basement and first floors (D2) and the studio and gallery on third floor (sui generis use), along with the retention of office on the other floors, for office use (B1); installation of roof lights to the rear/side roof-slope and installation of air condenser units to the rear elevation at roof level.

Drawing Nos: TP099; TP100c; TP101d; TP102c; TP103d; TP104e; TP105d; TP106c; TP130; TP131f; TP133d; Noise Impact Assessment by Venta Acoustics dated 19 August 2019 and Cover Letter from CMA Planning dated 19 August 2019.

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: TP099; TP100c; TP101d; TP102c; TP103d; TP104e; TP105d; TP106c; TP130; TP131f; TP133d; Noise Impact Assessment by Venta Acoustics dated 19 August 2019 and Cover Letter from CMA Planning dated 19 August 2019.

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

- 4 Prior to occupation of the proposed use, the cycle storage facility as shown on drawing number TP100 at basement level shall be provided in its entirety prior to the first occupation of any of the new units, and permanently retained thereafter.

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

- 5 Prior to occupation the development hereby approved shall submit an energy statement demonstrating how the development achieves a 19% reduction in carbon dioxide emissions beyond Part L 2013 Building Regulations in line with the energy hierarchy, and a 20% reduction in carbon dioxide emissions through renewable technologies.

Reason: To ensure the development contributes to minimising the effects of, and can adapt to a changing climate in accordance with policies CC1, CC2, CC3 of the London Borough of Camden Local Plan 2017.

- 6 Prior to occupation, a BREEAM Design Stage Assessment Report by an independent licensed BREEAM assessor shall be submitted and approved in writing by the Local Planning Authority.

Reason: To ensure the development contributes to minimising the effects of, and can adapt to a changing climate in accordance with policies CC1 and CC2 of the Camden Local Plan 2017.

- 7 Before the use commences, the air-conditioning plant shall be provided with acoustic isolation, sound attenuation and anti-vibration measures in accordance with the scheme approved in writing by the local planning authority. All such measures shall thereafter be retained and maintained in accordance with the manufacturers' recommendations.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy G1, A1, A4, D1, CC1

and DM1 of the London Borough of Camden Local Plan 2017.

- 8 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.

- 9 Prior to occupation, details of the location, design and method of waste storage and removal including recycled materials, shall be submitted to and approved by the local planning authority in writing. The facility as approved shall be provided prior to the first occupation of any of the new units and permanently retained thereafter.

Reason: To ensure that sufficient provision for the storage and collection of waste has been made in accordance with the requirements of policy CC5, A1 and A4 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission:

Council Local Plan policy E1 seeks to protect employment space in the borough by retaining land and buildings that are suitable for continued business and resisting the loss of office space. The premise at Nos. 9-13 Grape Street (currently vacant) comprising exercise rooms and changing rooms (Class D2) at basement level; office space at ground floor level (Class B1), gym and reception rooms at first floor level (Class D2); photography studio (B1) and photographic studio and gallery (Class sui generis use) at second and third floor levels that was granted planning permission in 2009 (2009/0636/P). Planning permission is now sought for the use of the basement, the gymnasium/reception at first floor, the second and third floors use class sui generis to be used as offices (Class B1).

The proposed change of use to offices (Class B1) would cover approximately 508sqm at basement, first and third floor levels and majority of the works would take place within the existing building. The host building is located within London's Central Activities Zone (CAZ) and the area contains many of the activities that define London's role as the UK's capital and a major international city. Furthermore, the Council seeks to support commercial developments where these provide additional employment with other benefits and the

proposed change of use would be in general accordance with Policies E1 and E2 of the Camden Local Plan that encourage office use. Notwithstanding the above, the site is ideally located within the Central London Zone which is appropriate for the use of the site as offices.

The loss of the gymnasium (Class D2), photographic studio and gallery (Class sui-generis) are considered acceptable. Camden Local Plan policy C3 protects cultural and leisure facilities, and notes the criteria to be considered to make an assessment of whether they are no longer in demand. These uses were justified as being lost under a recent permission (2016/2036/P) and have remained vacant.

It is further noted that the Camden Local Plan (para 4.57) seeks to protect the provision of 'specialist sport facilities'. The current use does not provide a specialist sport facility, rather a privately operated gym. Similarly, Sport England's guidance on "Assessing needs and opportunities guide for indoor and outdoor sports facilities" does not include gyms in its categories of sports facilities. There are a number of alternative gyms available close to the site, and there are amenity issues arising from leisure facilities at this specific site. Private gyms are not identified as a priority among the cultural and leisure facilities protected by policy C3, nor are they identified as sports infrastructure by Sport England or the Camden Infrastructure Study 2015. As such, it is considered on balance in this instance that a marketing/viability exercise would not be required.

Although the Council generally seeks to replace lost D2 floorspace with an alternative community use, given the fact that the existing building has been vacant since 2013. The combined use of the floor space as sui-generis the office use is considered as an appropriate replacement in this location and the loss of the art gallery is considered acceptable in this instance.

A condition is attached requiring a BREEAM Stage Assessment Report by an independent licensed BREEAM assessor demonstrating that the proposal is in compliance with current policy targets for such refurbishment schemes.

- 2 A condition is attached requiring energy statement demonstrating how the development achieves a 19% reduction in carbon dioxide emissions beyond Part L 2013 Building Regulations in line with the energy hierarchy, and a 20% reduction in carbon dioxide emissions through renewable technologies. This would ensure that the proposal would be in general compliance with policies CC1, CC2, CC3 of the London Borough of Camden Local Plan 2017.

In this scheme, the proposed rooflights would be less than what was approved and the elevation alterations would be as approved in 2016 (2016/2036/P). The six inset rooflights are proposed to the rear, the rooflights are appropriate in terms of materials and would be flush with the existing roof slope. Therefore, the proposal would be in general accordance with D1 and D2 of the Local Plan 2017.

The proposal includes plant to the rear at roof level that would rationalise the existing air condenser units with Heat Recover Units. The proposed Heat Recover Units would not have a detrimental impact on the design and

appearance of the Bloomsbury Conservation Area and is considered acceptable given the existing plant arrangements, its settings at roof level and its location to the rear.

Due to the nature of the external alterations, the works are considered to preserve the building's special interest and the character and appearance of the conservation area and preserve the setting of adjacent listed buildings.

A noise report has been submitted which has concluded that the noise levels would be 10dBA below the background noise level at the adjacent properties which would comply with Council noise standards. The Council's Noise Officer have been consulted and concludes that the cumulative noise emission levels from the proposed plant is not expected to have a significant adverse noise impact and is considered acceptable subject to planning conditions.

It is not anticipated that the proposed rooflights would exacerbate levels of overlooking giving its located on the rear roofslope. Overall, the proposal would not have a detrimental impact on neighbouring amenities in regards to loss of privacy, outlook nor noise pollution.

Considerable importance and weight has been attached to the harm and special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

The site is located on Grape Street, which is a one-way street connecting Shaftesbury Avenue and New Oxford Street to High Holborn with no vehicular access to the site and none is proposed. The Transport team was consulted and 6 long term x 1 short term cycle storage places are required and the proposed change of use would provide 16 spaces of internal bicycle store, given the site restrictions the location is acceptable in this instance. Details of the bin storage has been conditioned and the details would be submitted for approval.

No objections have been raised and the comments that were received are address separately in relation to the works. The application site's planning history and relevant appeal decisions were taken into account when coming to this decision.

The proposed development is in general accordance with policies G1, A1, A4, C3, D1, D2, E1, E2, T1 and T2 of the London Borough of Camden Local Plan 2017, The London Plan 2016, and NPPF 2019.

- 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).
- 4 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 paragraph 38 of the National Planning Policy Framework 2019.

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, appearing to read 'DPope', is positioned above the printed name and title of the signatory.

Daniel Pope
Chief Planning Officer