

Application ref: 2020/0477/P
Contact: Jaspreet Chana
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Development Management
Regeneration and Planning
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The Old Fire Station EC
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:

Lower Ground Floor
81 Haverstock Hill
London
NW3 4SL

Proposal:

Variation of Condition 6 (Use Class) of planning permission 2018/2041/P granted 10/12/2018 (Change of use of basement from Class A1 (retail) to Class D2 (yoga Studio) namely to add the use of the floorspace as a gymnastics studio for children up to 10 years old

Drawing Nos: 000 Site location plan, 001 Block plan, 002 Existing LG Floor plan, 003 Proposed LG Floor plan (As approved), 004 Existing GF Floor plan, 005 Proposed GF Floor Plan (As approved), 006 Cycle Storage (As approved), Planning & Design Statement.

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

Condition(s) and Reason(s):

- 1 The use 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: 000 Site location plan, 001 Block plan, 002 Existing LG Floor plan, 003 Proposed LG Floor plan (As approved), 004 Existing GF Floor plan, 005 Proposed GF Floor Plan (As approved), 006 Cycle Storage (As approved), Planning & Design Statement.

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

- 4 No music shall be played on the premises 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 A1, A4 and TC3 of the London Borough of Camden Local Plan 2017.

- 5 The use hereby permitted shall not be carried out outside the following times 07:00 to 21:00 Mondays to Fridays, 08:00 to 18:00 Saturdays and 08:00 to 16:00 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 A1, A4 and TC3 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reason for granting permission -

This application is proposing to vary condition 6 of planning permission 2018/2041/P. The use of the said permission was for granted for and restricted for use as a yoga studio and it is proposed to vary that condition to extend its use within D2 Use class to accommodate a gymnastics studio also considered a D2 Use, to be used by children up to 10 years of age. No new floorspace would be generated as part of the proposal, nor would there be any external changes to the building or the surrounding landscaping. The proposal would have the gymnastics for 2-10 year olds during the day (small classes of a maximum of 15 children) with the approved yoga studio to be run during the evenings.

The current site has been vacant for over 2 years, so therefore adding the addition D2 use within the lower ground floor would help further revive the subject site and make it more desirable for use. The gymnastic studio alongside the yoga studio would be considered an appropriate local centre use,

and would help support the viability and vitality of the area. Given that the ground floor of the site would still be in retail use which can be occupied by a retail business in the future would mean that the proposal for just the lower ground floor would not result in a total loss of shopping provision.

The size and nature of the D2 leisure uses would be compatible with neighbouring uses, including neighbouring retail and residential units, subject to restrictions on hours of operation and noise levels which are secured by condition. It would not generate any significant traffic or pedestrian movements.

The proposal is not considered to cause any adverse impacts on the amenity of adjoining residential occupiers.

One comment has been received from the Conservation Advisory Association Committee which said to 'request that appropriate safeguard measures are put in place to minimise traffic the additional traffic generated through the dropping off and picking up of children', the transport team have been consulted on this application and they have said that the new use would not significantly increase travel demand and therefore have no further concerns. Furthermore a hours of use condition has been attached to this permission so the uses would only operate within those timeframes and therefore only have pick up and drop offs at specified times resulting in controlled traffic.

As such, the proposed development would not impact the character or appearance of the Eton Conservation Area and would be in general accordance with the London Plan 2016 and the National Planning Policy Framework 2019.

- 2 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 3 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these

hours.

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 written over a light grey rectangular background.

Daniel Pope
Chief Planning Officer