



**GERALDEVE**

**19 Mallord Street, Chelsea, London, SW3 6AP**

**Town Planning Statement including Heritage  
Assessment**

On behalf of: Sloane Stanley LLP and Third Space

August 2020

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## 1 Introduction

1.1 This Planning Statement is written on behalf of Sloane Stanley LLP and Third Space (herein referred to as 'the Applicants') in support of an application for planning permission for the change of use redevelopment of 19 Mallord Street (herein referred to as 'the site') from Sui Generis to a new health and fitness club.

1.2 Planning permission is sought for the following:

**“Change of use of basement, ground and three upper storeys from a former telephone exchange (Sui Generis) to a new health and fitness club; creation of a small single storey rear extension at basement level; excavation for a swimming pool at basement level; minor alterations to the existing entrances and external paving; and other minor works and improvements to the building”.**

1.3 The application is made jointly by Sloane Stanley LLP, being the freeholder of the site, and Third Space, who is the proposed occupier of the premises.

1.4 The application is submitted following extensive pre-application consultation with the Royal Borough of Kensington and Chelsea ('RBKC') Officers, key stakeholders and the local community.

### **Sloane Stanley**

1.5 Sloane Stanley is a family owned estate dating back over 300 years. Today, the Estate retains and manages substantial holdings of residential and commercial properties concentrated on and around King's Road and Fulham Road.

1.6 Sloane Stanley are a responsible and ethical landowner that have sought to implement exemplary standards of sustainable development across their portfolio in recent years. They have and will continue to abide by their ethical values and desire to create special buildings and places across the RBKC, for the benefit of local residents, whilst safeguarding the Estate's interests and stewardship.

- 1.7 These proposals for a high-end health and fitness club would help to facilitate Sloane Stanley's intention of bringing this currently vacant building back into active and beneficial use to directly serve local residents.
- 1.8 Sloane Stanley consider that the redevelopment of the site to accommodate a new health and fitness club would also serve to enhance the character of the Chelsea Park / Carlyle Conservation Area, contribute to the vitality and vibrancy of the area and nearby King's Road (west) Town Centre, and complement the diverse range of uses within this part of Chelsea near to King's Road, thereby providing benefits for the wider Borough.
- 1.9 As such, it is considered that these proposals represent the optimum use of the site at 19 Mallord Street.
- 1.10 Having previously undertaken an extensive marketing exercise to secure a new tenant, and exploration of a number of potential land use options for development, Sloane Stanley consider that a new health and fitness club would provide the most appropriate alternative use for the site - and Third Space of which are seen as the preferred operator which meet Sloane Stanley's brief and aspirations for reuse of the building.

### **Third Space**

- 1.11 Third Space is the leading London operator of upscale, full-service health clubs offering fully integrated fitness, spa and food and beverage services in a multi-site format. Having started in 2001, Third Space currently serves over 20,000 members across six prominent locations throughout Central London.
- 1.12 The Third Space brand is steeped in training expertise combined with a high-end service environment that provides an outstanding, holistic fitness and wellness experience which members can feel is their own. Ranging in size from 14,000 sq ft (Marylebone) to 100,000 sq ft (Canary Wharf) all the clubs have at their heart a state of the art fitness and training offering centred around group classes, top quality equipment and personal training. The clubs also have swimming pools, luxury changing facilities, a healthy grab and go café called Natural Fitness Food as well as

facilities which vary from site to site including spas, medical centres, climbing walls, and altitude chambers.

- 1.13 Third Space clubs are recognised for their landmark designs, quality, innovation and unparalleled focus on the member experience. The clubs are designed to sit harmoniously within a range of developments, from heritage buildings to high-specification residential, office and retail mixed use developments.
- 1.14 Third Space provides a fully integrated selection of services and products, including fitness programmes, group fitness classes, personal training, spa services, retail fitness apparel/accessories, and cafés/members lounges. Given Third Space's unique offering and high-quality experience, their clubs are a popular choice for fitness enthusiasts, though are also very accessible to local residents and professionals alike.
- 1.15 The intention is to build upon the success of its other Central London locations, with Third Space Soho first opening in 2001 and most recently in January 2020 Third Space Islington opening. Third Space has a systematic and thoughtful approach to growth that has led to its recent success and strong track record across Central London.
- 1.16 In light of this success, Third Space has carefully considered the locations for further opportunities and new sites throughout Central London, including in Chelsea. The application site (19 Mallord Street) offers the ideal premises to facilitate the provision of a new high-quality health and fitness club in the heart of Chelsea, which currently is underserved by such upscale health and fitness facilities.

### **Collaboration**

- 1.17 Sloane Stanley and Third Space have worked in a collaborative manner over the past year throughout the pre-application stage, and intend to continue to do so through the next stages of the development process for the mutual benefit of each other, local residents and the Royal Borough.

### **Proposals**

- 1.18 The premises were previously used as a telephone exchange, which has laid vacant following its decommissioning in September 2018, despite marketing throughout this period.
- 1.19 The proposals for a high-end health and fitness club would bring this vacant unit back into active and beneficial use for local residents, and would therefore contribute to the vibrancy and vitality of the area. The proposals would also sensitively refurbish and upgrade the existing building, which lies within the Chelsea Park / Carlyle Conservation Area, and provide a new health and fitness club which would fully complement the diverse mix of commercial uses in this part of Chelsea close to King's Road.

### **Application Documentation**

- 1.20 This Town Planning Statement (including a Heritage Assessment) should be read alongside the application forms, together with the proposed plans and drawings, which are submitted for approval with the following supporting application documentation:
- a) Air Quality Assessment, prepared by Air Quality Consultants;
  - b) Applicants Covering Letter, prepared by Gerald Eve LLP;
  - c) CIL Additional Information Form, prepared by Gerald Eve LLP;
  - d) Construction Traffic Management Plan, prepared by Urban Flow Ltd;
  - e) Contamination Assessment, prepared by Geomatters;
  - f) Design and Access Statement (including Photographs and Photomontages), prepared by Ant Architecture;
  - g) Energy and Sustainability Statement (including BREEAM Pre-Assessment), prepared by CDI;
  - h) Existing and Proposed Plans and Drawings (including Elevations, Floorplans and Sections), prepared by Ant Architecture;
  - i) Fire Statement, prepared by Atelier Ten;
  - j) Flood Risk Assessment (including Drainage and SUDS), prepared by OSE;
  - k) Floor Areas Schedule, prepared by Ant Architecture;

- l) Noise and Vibration Impact Assessment, prepared by Red Acoustics;
- m) Operational Management Statement, prepared by Third Space;
- n) Site Location Plan Scale 1:1250 at A4, prepared by Ant Architecture;
- o) Site Plan Scale 1:500 at A3, prepared by Ant Architecture;
- p) Statement of Community Involvement, prepared by Kanda;
- q) Transport Assessment (including Delivery and Servicing Plan, Travel Plan & Waste Management Plan), prepared by Urban Flow Ltd.

1.21 For the avoidance of doubt, there is no separate Heritage Statement submitted with this application and therefore this Statement includes commentary on heritage related matters within Section 10.

### **Summary**

1.22 This Planning Statement provides a comprehensive review of national, regional and local planning policy and considers the statutory tests relevant to the nature of these development proposals.

1.23 It then assesses the degree to which the proposals would meet the requirements of the Statutory Development Plan (set out in Section 6) having due regard to any other material considerations.

1.24 It is considered that the proposals accord with the provisions of the National Planning Policy Framework ('NPPF'), the Statutory Development Plan, and are thus acceptable in planning policy terms.

1.25 In addition, the proposals would also satisfy the relevant statutory tests set out in legislation.

## 2 Site and Surroundings

- 2.1 This section of the Statement outlines the site location, notable features and planning policy designations, as well as the characteristics of the surrounding area.

### Site

- 2.2 The site is located on the south side of Mallord Street in a strategic location close to King's Road in the heart of Chelsea. A Site Location Plan, prepared by Ant Architecture, is submitted in support of this application for planning permission.
- 2.3 The site is broadly rectangular and covers an area approximately 0.08 hectares.
- 2.4 The site comprises a 5-storey (including basement and third floor mansard roof) brick-built structure with a rear service courtyard which has an external ramp leading from basement to ground floor level. On the western end of the building lies the main entrance and servicing access, whilst there is a stepped access at the eastern end of the site which serves as a secondary access. There is an area of paving which falls within the building's demise on the Mallord Street frontage adjacent to the main footpath.
- 2.5 The building was constructed circa 1928 and was previously used as a telephone exchange operated by British Telecommunications ('BT'), with a small amount of floorspace used for ancillary office purposes. As such, it is considered that the lawful use of the property is Sui Generis.
- 2.6 The existing premises has a total floor area of 2,718 sq m (GIA), which is currently vacant following the decommissioning of the BT telephone exchange on the site in September 2018.
- 2.7 The building itself and adjoining properties are not listed but are located in the Chelsea Park/Carlyle Conservation Area.

### Surroundings

- 2.8 The surrounding area comprises a diverse mix of uses. Mallord Street itself is predominantly residential, whilst the nearby King's Road is commercial in character; consisting a varied mix of shops, cafes and restaurants, and pubs and bars at ground floor level, with residential uses above.
- 2.9 The nearest statutorily listed building is the Grade II listed Mallord House at 28 Mallord Street, which is situated directly opposite the site on the other side of Mallord Street.
- 2.10 In addition, the King's Road (west) District Shopping Centre lies in close proximity to the south of the site.
- 2.11 The site is located in TfL Zone 1 between a number of rail services, including, South Kensington and Gloucester Road Underground stations (circa 0.6 miles to the north), Sloane Square Underground station (circa 0.8 miles to the north east), Imperial Wharf Overground station (circa 0.7 miles to the south west) and Earls Court and Fulham Broadway Underground stations (circa 0.9 miles to the north west and west respectively). There are also numerous bus and cycle routes in the surrounding vicinity.
- 2.12 As such, the site benefits from good public transport connectivity, as demonstrated by its Public Transport Accessibility Level ('PTAL') of 4-5 (on a scale where 1a is poor and 6b is excellent).

### 3 Background and Planning History

- 3.1 This section outlines the background to the development proposals and planning history of 19 Mallord Street.
- 3.2 For the avoidance of doubt, only applications that are deemed relevant to these development proposals are referred to in this section of the Statement.
- 3.3 The existing building was constructed circa 1928 and the use as telephone exchange (Sui Generis) followed in the immediate proceeding years thereafter. The site was used as a telephone exchange by BT for a number of years, up until it's decommissioning at the end of 2018.
- 3.4 Following the decommissioning of the telephone exchange, Sloane Stanley, as the freeholder, undertook an extensive marketing exercise to try to secure a new tenant and bring the building back into active use.
- 3.5 The school operator GEMS was selected as the preferred bidder given their existing presence in the local area (at the Hampshire School on Manresa Road) and potential benefits of an additional education facility in the Borough, and therefore a planning application for a new school was pursued.
- 3.6 Despite positive initial pre-application discussions, the application by GEMS for a Class D1 420 place secondary school (Ref. PP/19/02182) was refused by RBKC on 01 July 2019, due to impact on the local highway network, the proposed facility not being 'fit for purpose' for the number of students proposed, and a lack of information on air quality, contamination and acoustic matters.
- 3.7 All other applications at the site have been for minor external alterations and other works not relevant to these proposals.

## 4 Development Proposals

- 4.1 This section provides a comprehensive summary of the development proposals which this application is seeking planning permission for.
- 4.2 The proposals are for the redevelopment of 19 Mallord Street and comprise the change of use from a telephone exchange (Sui Generis) to facilitate a new health and fitness club, as well as a minor extension to the rear courtyard, and other minor associated and ancillary works.
- 4.3 Specifically, Planning Permission is sought for the following:

**“Change of use of basement, ground and three upper storeys from a former telephone exchange (Sui Generis) to a new health and fitness club; creation of a small single storey rear extension at basement level; excavation for a swimming pool at basement level; minor alterations to the existing entrances and external paving; and other minor works and improvements to the building.”.**

### **Third Space Chelsea**

- 4.4 Third Space is a high-end health and fitness club operator that offers a best-in-class performance. A new health and fitness club at the site, (herewith referred to as ‘Third Space Chelsea’) would continue to offer its now well-established up-scale distinctive concept, which runs six full-service clubs across Central London and is the leader in the premium health and fitness lifestyle category.
- 4.5 The Third Space brand is synonymous with cutting-edge design, superior service delivery and unrivalled expertise in the field of health and fitness. Third Space Chelsea will embody these unique brand values that set it apart from its competitors in order to provide a holistic health, fitness and wellness experience.
- 4.6 In keeping with the aspirations of Sloane Stanley LLP, Third Space Chelsea will complement the company’s existing properties, while offering a differentiated product to the local community which is not readily available to residents in this part of Chelsea.

4.7 The proposed health and fitness club at Third Space Chelsea will comprise the following constituent uses and facilities:

- Open fitness and exercise areas (cardio, strength & conditioning, resistance, stretching and boxing and martial arts), which will take up the majority of the first and second floor levels;
- Fitness studios for group and private exercise activities/classes at third floor level;
- Members lounge and a café selling health related snacks, drinks and fitness accessories adjacent to the entrance and reception at ground floor level;
- Fully serviced male and female changing rooms and shower facilities at ground floor level;
- Medical and spa treatment rooms and associated facilities at basement level;
- Swimming pool and associated facilities at basement level;
- Creche facility for members' children at basement level; and
- Other ancillary spaces such as a laundry room, staff facilities and plant will be provided at basement level.

4.8 Third Space Chelsea would operate on a membership model, and attract a broad demographic range of Chelsea residents with their interest in health and fitness in common. Membership at Third Space Chelsea would be extended to any individual seeking a premium and elevated health and fitness experience. It is intended to serve the local community including local residents and professionals for the areas growing population. The diversified clientele would use the club at different times, thus occupancy will be more evenly distributed throughout the day, allowing for a more pleasant atmosphere for members and meaning disruption to the immediate surrounding area is minimised.

4.9 It is anticipated that the club would have an approximate maximum capacity of around 270 visitors, with the maximum number of people in the club at any one time expected to be around 200, plus around 20 staff. Overall, Third Space Chelsea would employ 30-50 people full time, with suitable experience, qualifications and a diversified skill range. An additional 20-30 part-time self-employed people would also have employment with Third Space Chelsea.

- 4.10 It is proposed that the club would operate between the hours of 6:00 - 23:00 on weekdays between Monday to Friday, and 8:00 - 20:00 on Saturdays, Sundays and Bank Holidays. The peak operating times are anticipated to take place during the work week just before work (7:00 - 9:00am), after work (18:00 - 20:30) and on weekend mornings (8:00 - 11:00).
- 4.11 Further operational details of the proposed new health and fitness club at Third Space Chelsea are contained within an accompanying Operational Management Statement, prepared by Third Space.
- 4.12 Access will remain from Mallord Street through the principal gated entrance to the west side of the building's front elevation. Wheelchair access is also provided through the same entrance. There is also another means of access to the east building's front elevation, which provides access to the stairwell and will serve as an emergency exit.
- 4.13 Servicing would take place on-street from Mallord Street, with goods then trolleyed through the main entrance into the rear service courtyard which has an external ramp between ground floor and basement levels. The servicing requirements would be low, with two principal deliveries per day, one for laundry and one for supplies to the café and members lounge, thereby causing minimal disruption.
- 4.14 Waste and recycling will be stored in the rear service courtyard area between collections, whilst complying with the relevant RBKC waste and recycling guidelines.
- 4.15 Short-stay and long-stay cycle stands are to be located in the rear service courtyard, accessed via the main entrance on Mallord Street. In addition, 9 Brompton Bike lockers are contained within the building.
- 4.16 Further transport, servicing and waste related details are contained within Section 9 of this Statement, and are assessed in the supporting Transport Assessment and Delivery and Servicing Plan, prepared by Urban Flow Ltd.

### **External Alterations**

4.17 The external alterations proposed in association with the redevelopment of 19 Mallord Street are very limited, minor in nature and principally involve the following:

- The erection of a small-scale single storey rear extension (42 sqm GIA) into the rear service courtyard area at basement level for a children's creche facility;
- The installation of ventilation louvres to the rear elevation of the building overlooking the rear service courtyard;
- The installation of plant at roof level and condensing units at basement and ground floor levels; and
- Re-paving of the area to the front of the building adjacent to the footpath on Mallord Street.

4.18 An application for Advertisement Consent for the signage associated with Third Space Chelsea would be sought separately and submitted to RBKC.

### **Internal Alterations**

4.19 The principal internal changes required to facilitate the change of use involve the following:

- The sensitive refurbishment of the internal spaces in conjunction with the Third Space Chelsea fit out, including an exceptional quality interior design specification.
- Installation of a new lift connecting the basement, ground, first, second and third floor levels; and
- Digging of a new swimming pool at basement level.

## 5 Consultation

- 5.1 This section of the Statement summarises the consultation that has been undertaken in advance of submitting the planning application.

### **Context**

- 5.2 The Localism Act (2011) emphasises the need to involve and engage with the local community during the planning process.
- 5.3 At a national level, the National Planning Policy Framework ('NPPF') (2019) emphasises that early engagement and good quality pre-application discussion enables better coordination between public and private resources.
- 5.4 In addition, the participation of other consenting bodies in pre-application discussions should enable early consideration of all the issues relating to whether a development will be acceptable.

### **Royal Borough of Kensington and Chelsea**

- 5.5 The Applicants have undertaken considerable consultation with the Council through several pre-application meetings with Planning, Highways and Environmental Health Officers of the Royal Borough of Kensington and Chelsea ('RBKC'). Details of these meetings are set out below.

#### Previous Pre-application Consultation: September 2019 - October 2019

- 5.6 In September 2019, a pre-application request seeking advice regarding the future use of 19 Mallord Street was submitted to RBKC.
- 5.7 Subsequently, a 'use principles' meeting was held with RBKC and the associated Level 3 advice (Ref. AR/19/06403) was issued in October 2019. Officers advised that a range of uses would be considered acceptable 'in principle' on the site, including Class D1 uses (educational/medical), a hotel (Class C1), offices (Class B1(a)), a care home (Class C2), and notably in the context of this Statement a gym. The advice letter

stated that further information would be required in relation to the proposed uses in order to assess the acceptability of them in other regards.

- 5.8 With respect to a new gym/fitness use, the Council's written response stated that the principle would be supported where it benefits Borough residents, and given a gym is considered a "town centre use" it would be subject to the sequential test set out in the NPPF (2019). The response also highlighted the requirement to substantiate the need for such a facility in the context of RBKC's Retail and Leisure Needs Study (2016) - which is addressed at section 7 of this Statement.

#### Current Pre-application Consultation: February 2020 - August 2020

- 5.9 On the 04 March 2020, a follow-up pre-application meeting regarding the future use of 19 Mallord Street as a new health and fitness club was held with RBKC. Following this, formal Level 3 follow-up pre-application advice (Ref. PRE/AR/20/01009/L3FU) was received on the 24 March 2020.
- 5.10 The aforementioned pre-application advice supported the proposed leisure use for a new health and fitness club 'in-principle', but outlined that further information should be provided at application stage in relation to the key issues of noise generation and transport and servicing. Both these issues of which have been robustly investigated in the applications supporting documentation and are considered in the planning policy assessment sections of this Statement, alongside a number of other key considerations.
- 5.11 Subsequently, on the 14 July 2020, a further follow-up pre-application meeting was held with RBKC Officers. The intention of this second follow-up pre-application meeting was to discuss the proposals in more detail since they had been refined through the design development stage, to assess the acceptability of the analysis and conclusions contained within the supporting technical reports, and determine whether any additional investigations/information should be included within the formal submission of the application. The formal Level 3 follow-up pre-application advice (Ref. PRE/AR/20/03224/L3FU) was then received on the 23 July 2020.
- 5.12 The Council's formal pre-application response outlined that the proposals would be acceptable 'in principle' - subject again to further justification being provided on

operational issues (i.e. noise generation from patrons), additional transport and servicing details (i.e. trip generation analysis) and the provision of a Construction Traffic Management Plan and further refuse and waste details being made available in the formal submission.

- 5.13 The application has sought to address the comments raised by RBKC Officers at pre-application stage within the submission. Further details are provided within the relevant sections of this Planning Statement.

### **Public Consultation**

- 5.14 In addition to consulting RBKC Officers, the Applicants have carried out comprehensive wider consultation with political stakeholders, amenity groups and neighbours prior to submission to gauge their views.
- 5.15 With instructed communications consultant Kanda, the Applicants have undertaken an extensive programme of pre-application consultations prior to the submission of this application, and the scheme has sought to positively respond to the comments received.
- 5.16 A detailed breakdown of the consultation undertaken, and meetings held is set out in the accompanying Statement of Community Involvement ('SCI'), prepared by Kanda, and can be summarised as follows:

- Meeting with Ward Councillors;
- Meeting with Member of Parliament;
- Meeting with neighbouring and local residents;
- One to one meetings with stakeholders and local groups;
- Meeting with representatives of local residents' associations;
- Distribution of a covering letter and an A5 booklet summarising the proposals to the surrounding community; and
- Hosting a dedicated virtual exhibition and online public consultation sessions.

5.17 Overall, from the consultation undertaken, there is widespread support for the proposed change of use and alteration works to 19 Mallord Street.

## 6 Planning Policy Context

- 6.1 This section outlines the relevant national, regional and local planning policy context which the proposals will be assessed against.

### **Context**

- 6.2 Planning policy operates at three levels. At a national level, Central Government produces guidance in the form of the National Planning Policy Framework ('NPPF') 2019.
- 6.3 At a regional level the Mayor's London Plan is relevant and is the Spatial Development Strategy for Greater London, which was adopted by the Mayor of London ('Mayor') in July 2011. Since this time it has been amended by the Revised Early Minor Alterations (October 2013), Further Alterations (March 2015) and Minor Alterations (March 2016).
- 6.4 At a local level, planning policy is contained within the Royal Borough of Kensington and Chelsea's Local Plan (2019). Other Supplementary Planning Guidance Notes and Documents (SPG's and SPD's) are also produced by RBKC and are material considerations in the determination of planning applications.
- 6.5 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Statutory Development Plan, unless material considerations indicate otherwise.

### **National Planning Policy Guidance: The National Planning Policy Framework ('NPPF') (2019)**

- 6.6 The NPPF published in February 2019, which supersedes the previous versions from July 2018 and March 2012, sets out the Government's economic, environment and social planning policies for England and supersedes the vast majority of Planning Policy Guidance Notes ('PPGs') and Planning Policy Statements ('PPSs'). It summarises in a single document all previous national planning policy advice. Taken together, these policies articulate the Government's vision of sustainable

development, which should be interpreted and applied locally to meet local aspirations.

- 6.7 The NPPF sets out the Government's requirements for the planning system only to the extent that it is relevant, proportionate and necessary to do so. It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities for their communities.
- 6.8 The NPPF establishes the presumption in favour of sustainable development. Specifically, paragraph 80 states that the planning system should do all that it can to create the conditions in which businesses can invest, expand and adapt. The NPPF states that significant weight should be placed on the need to support economic growth and productivity allowing each area to build on its strengths, counter any weaknesses and address future challenges.

#### **National Planning Practice Guidance ('PPG') (March 2014)**

- 6.9 In March 2014, the Department for Communities and Local Government launched the web-based planning practice guidance resource. This aims to provide planning practice guidance which is useable in an up-to-date and accessible manner.
- 6.10 With regard to decision taking, the PPG is a material consideration in the determination of planning applications.

#### **The London Plan (2011) (Consolidated with Revised Early Minor Alterations (2013), Further Alterations to the London Plan (2015) and Minor Alterations to the London Plan (2016)**

- 6.11 The London Plan is the overall strategic plan for Greater London, defined to include the 32 Boroughs and the City of London. The aim of the London Plan is to set out a framework to co-ordinate and integrate economic, environmental, transport and social considerations over the next 20 to 25 years. The London Plan forms the London-wide policy context within which the Boroughs set their local planning agendas and forms part of the statutory development plan.

- 6.12 The Mayor considers that the greatest challenge London faces is to accommodate significant growth in ways that respect and improve London's diverse heritage whilst delivering the vision for an exemplary, sustainable world city. This will involve the sensitive intensification of development in locations that are, or will be, well served by public transport.
- 6.13 The proposals have taken into account the most relevant London Plan policies and guidance, including those relating to land use, transport and design. The London Plan policies are referred to where relevant under the various planning policy considerations sections of this Statement.
- 6.14 The Draft New London Plan was published in late 2017 and underwent consultation between late 2017 and early 2018. The Plan was considered at Examination in Public in 2019 and was submitted to the Secretary of State. In March 2020, the Secretary of State directed a number of amendments to be made to the 'Intend to Publish' (ItP) London Plan policies that require addressing prior to the Plan's publication. It is anticipated that the New London Plan will be adopted in 2020, potentially prior to the determination of this application, and, as such, significant weight will be afforded to the draft policies to which the Secretary of State's direction does not relate. The Proposed Development has therefore been assessed against this emerging policy where relevant.

### **Local Planning Policy**

- 6.15 The relevant local development plan is RBKC's Local Plan (2019).
- 6.16 On 11 September 2019, the RBKC adopted its Local Plan Partial Review ('LPPR') Publication Policies, February 2017. This includes a new Foreword written by the Leader, Cllr Elizabeth Campbell. The adopted Local Plan incorporates both the 'main modifications' recommended by the Inspector and the 'minor/additional modifications' published by the Council.
- 6.17 Local relevant SPD's and SPG's that have been considered as part of this application include:

### **SPD's**

- i. Access Design Guide (2010);
- ii. Air Quality (2009);
- iii. Designing Out Crime (2008);
- iv. Noise (2009); and
- v. Transport and Streets (2016).

### **Planning Policy Designations**

6.18 The site falls within the following planning policy designations:

- Chelsea Park / Carlyle Conservation Area; and
- CrossRail2 - Safeguarding Areas

## 7 Land Use

- 7.1 This section of the Statement deals with the land use considerations of the proposals and assesses them against the relevant national, regional and local planning policies, as well as taking account of the appropriate legislation.
- 7.2 The proposals involve the change of use of the basement, ground, second and third floor levels of 19 Mallord Street from Sui Generis to facilitate a new health and fitness club.

### Context

- 7.3 On the 20 July 2020, the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 were made. Specifically, the Government laid legislation to make significant changes to the Use Classes Order, coming into force from 01 September 2020.
- 7.4 The Regulations introduce three new Use Classes which are as follows:
- Class E Commercial, Business and Service
  - Class F1 Learning and Non-residential Institutions
  - Class F2 Local Community
- 7.5 Under the current Use Classes Order (1987), health and fitness type uses fall within Use Class D2 (Assembly and Leisure), whereas once the new Use Classes Order (2020) comes into force such fitness related uses would change and fall within the new aforementioned Use Class E (Commercial, Business and Service). Given this application has been submitted before 1 September, the proposed use applied for is Class D2.
- 7.6 It should be noted that at this time a Challenge has been made to the Government's proposed changes to the Use Classes Order seeking a suspension of the changes until a Strategic Environmental Assessment has been carried out, Impact Assessment and Parliamentary debate.

7.7 For the avoidance of doubt, the amendment to the Use Classes Order does not affect the existing use which continues to be classified as Sui Generis (i.e. outside a Use Class).

### **Loss of Existing Use (Sui Generis)**

7.8 In terms of the existing lawful use of the site, as referenced, the building was last used as a telephone exchange which falls under Sui Generis and is not afforded policy protection at a local, regional or national level. Therefore, and in accordance with RBKC planning policies and previous pre-application advice received, the loss of the existing lawful use of the site, as a telephone exchange (Sui Generis), is acceptable in principle.

### **Proposed Health and Fitness Club**

7.9 As highlighted in the previous pre-application advice received, we have considered the proposed health and fitness club use in accordance with the sequential test set out within the NPPF.

7.10 At a national level, paragraph 86 of the NPPF states that main town centre uses (which includes health and fitness centres) should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.

7.11 Whilst the site does not fall within a designated town centre, it is clearly an edge of centre location being immediately adjacent to the King's Road (west) District Town Centre to the south - well within the 300m range definition set out in the NPPF.

7.12 At a local level, RBKC's Local Plan identifies sports facilities as 'social and community uses'. Local Plan Policy CK1 (Social and Community Uses) sets out of the Council's approach to social and community uses and outlines that the Council will [*inter alia*]:

**“ensure that social and community uses are protected or enhanced throughout the borough and will support the provision of new facilities. To deliver this the Council will:**

**b. permit new, and the expansion of existing, social and community uses which predominantly serve, or which provide significant benefits to, borough residents, except where the proposal results in a shared or communal residential/social and community entrance;”**

7.13 Policy CK1 part c. (iii) goes on to state that the Council will permit the change of use of buildings where it is demonstrated that there is a greater benefit to the Borough resulting from this change of use.

### **Assessment**

7.14 The site has been underutilised and laid vacant in recent years and has failed to contribute to the character and function of the immediate and surrounding area. This has meant that the nearby ‘King’s Road West’ District Town Centre (to the south) has failed to benefit from the footfall that bringing this building into active use would generate, and in turn would help to contribute to the vitality and vibrancy of the Town Centre, add further variety to the mix of uses in the area, and provide a number of wider benefits that would complement the special land use characteristics of this part of Chelsea.

7.15 As major landowners in the area, our client has confirmed that there are no other vacant commercial buildings within the King’s Road West’ District Town Centre of a sufficient size to accommodate the proposed new health and fitness club use.

7.16 This proposal would provide significant benefits to the Borough, in terms of providing a social/community use that promotes fitness, health and wellbeing and which the Council acknowledge in the supporting text of the Local Plan (paragraph 18.3.2) are threatened due to other high land value uses taking precedence. The proposed social/community facility would predominantly serve local residents across the Borough (in accordance with Policy CK1) and therefore would benefit RBKC and help to stimulate a sense of community and provide valuable social infrastructure - as identified in the Local Plan.

- 7.17 In addition to the proposed health and fitness club use predominantly serving and providing significant benefits to Borough residents, the building would also be a standalone entity that would not result in a shared entrance. As such, the proposals are considered to comply with Local Plan Policy CK1.
- 7.18 Moreover, Third Space will actively seek to become a valued member of the community through engagement in local initiatives which can bring a range of wider benefits to the Borough, specifically those who are disadvantaged and most in need. Such initiatives that have been employed across other Third Space Clubs include the following:
- a) Operate a summer festival of fitness in outdoor spaces for all local residents and workers to participate in free of charge;
  - b) Provide local schools with fitness equipment for their gyms; and
  - c) Work collaboratively with local resident associations and local schools, sponsoring their own events and donating prizes for fund raising activity.
- 7.19 The provision of such local initiatives would become evident later in the development cycle, subject to planning permission being secured, once Third Space became embedded in the local community.
- 7.20 The UK Health & Fitness sector is worth £5.1bn pa and is growing 12% year on year. There is now a greater awareness of the importance of health, nutrition and tech advancements in the sector and younger demographic groups are allocating more discretionary spend on wellbeing.
- 7.21 As such, a new health and fitness club has the ability to bring new visitors to the area and will contribute to the vibrancy and vitality of this part of the Borough. It is therefore considered that the proposed health and fitness club will provide a valuable new service and differentiated offer to this part of Chelsea and therefore should be welcomed.
- 7.22 This awareness of the importance of health and fitness has been exacerbated in recent months, in light of the coronavirus (COVID-19) pandemic. Citing research from the Department of Health and Social Care, which found there is consistent evidence that people who are overweight have a higher risk of being hospitalised, entering

intensive care, or dying after contracting COVID-19 than those in weight ranges considered healthy - the UK Government has unveiled a new obesity strategy to help people to lose weight to beat COVID-19 and help protect the NHS.

- 7.23 Therefore, it is considered that a new health and fitness facility at the site would incentivise people to take up exercise and give them a new location to undertake this, whilst also aiding the Government's strategy to combat obesity and protect the NHS.
- 7.24 As mentioned, the nearby King's Road generates a significant footfall, and the proposed new health and fitness club will help to fulfil the needs of local residents and regular visitors who frequent the area.
- 7.25 Moreover, office workers are set to increase across the Borough, with the Council's ambition to support the distribution of a wide range of office types in different locations. Therefore, the proposed health and fitness club would help to meet the leisure demand of these future workers, where there is currently a lack of gyms/fitness studios and health and fitness clubs in the vicinity of the King's Road (West) District Centre.
- 7.26 The closest recognised brands are the Virgin Active gym on the Fulham Road (nos. 188a) and the David Lloyd and Pure Gym gyms at Fulham Broadway. Each of these locations of which do not serve the locality around this end of King's Road nor the surrounding area in this part of Chelsea.
- 7.27 To this end, Third Space have commissioned an experienced third-party consultancy, The Leisure Database, to investigate the demand and associated viability of providing new health and fitness club in this location in Chelsea.
- 7.28 The results of this investigation, combined with the management team's extensive experience of opening clubs, supports the significant planned investment at 19 Mallord Street.
- 7.29 The key findings of this investigation that substantiate the demand for a high-end new health and fitness club like that proposed at the site can be summarised as follows:
- There are c.76,000 residents within a 1 mile radius of the site, 87% of which fall into the demographic groups most likely to join Third Space;

- There are a further c.21,000 day-time workers within a 0.5 mile radius, of which 54% fall into the demographic groups most likely to join Third Space;
- The primary catchment of the proposed health and fitness club is expected to be within a 0.5 mile radius, with over 60% of members coming from these geographical locations; and
- There are three existing health and fitness clubs within a 0.5 mile radius, all of which do not provide the same premium offer and are materially different in their market position compared to the proposed Third Space Chelsea.

7.30 Therefore, based on the above and the findings contained within the investigation, there is considerable latent demand for a new health and fitness club in this location, as is proposed in this application.

7.31 For the avoidance of doubt, it should be noted that the proposed creche/nursery facility and food and beverage offering from the café and members' lounge will be only available to patrons of the club and are ancillary to the main health and fitness use.

### **Summary**

7.32 In summary, the proposals would bring a large vacant building back into viable commercial use, would help to support the vibrancy and vitality of the area and nearby King's Road West' District Town Centre, and make a positive contribution to the mix of uses and character of this part of Chelsea through the provision of a differentiated leisure use for the material benefit of the Borough and its residents.

7.33 Based on the above assessment, it is considered that the proposals are acceptable in land use terms given compliance with relevant Local Plan policies outlined above, namely RBKC Local Plan Policy CK1.

## 8 Amenity

- 8.1 This section outlines the amenity considerations of the proposals and assesses them against the relevant national, regional and local planning policies.
- 8.2 At a national level, the NPPF attaches great importance to securing high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 8.3 At a local level, Local Plan Policy CL5 (Living Conditions) sets out of the Council's approach to living conditions standards and outlines that the Council will [*inter alia*]:

**“require all development ensures good living conditions for occupants of new, existing and neighbouring buildings.**

**To deliver this the Council will:**

- a. **require applicants to take into account the prevailing characteristics of the area;**
  - b. **require that there is reasonable visual privacy for occupants of new development and for occupants of existing properties affected by new development;**
  - c. **require that there is no harmful increase in the sense of enclosure to existing buildings and spaces, neighbouring gardens, balconies and terraces;**
  - d. **require that the reasonable enjoyment of the use of buildings, gardens and other spaces is not harmed due to increases in traffic, servicing, parking, noise, disturbance, odours or vibration or local microclimatic effects.”**
- 8.4 Policy CE6 (Noise and Vibration) of the RBKC Local Plan outlines the Council's approach to controlling the impact of noise and vibration generating sources and states that the Council will [*inter alia*]:

**“will carefully control the impact of noise and vibration generating sources which affect amenity both during the construction and operational phases of development. The Council will require new noise and vibration sensitive developments to mitigate and protect occupiers against existing sources of noise and vibration.**

**To deliver this the Council will:**

**a. require that noise and vibration sensitive development is located in the most appropriate location and, wherever located, is protected against existing sources of noise and vibration, through careful design, layout and use of materials to ensure adequate insulation from sound and vibration;**

**b. resist developments which fail to meet adopted local noise and vibration standards;**

**c. resist all applications for noise and vibration generating development and plant that would have an unacceptable noise and vibration impact on surrounding amenity;**

**d. require that development protects, respects and enhances the special significance of the borough’s tranquil areas.”**

### **Assessment**

8.5 It is recognised that the immediate surrounding area is predominantly residential in nature. Therefore, the Applicants are alive to the need to safeguard the amenity of the neighbouring residential occupiers.

8.6 It is relevant to note that the previous telephone exchange use on the site historically included significant noise generating activities, and therefore the existing building fabric is designed to be acoustically insulated, minimising the emission of noise and vibration.

8.7 Specifically, operator Third Space will install appropriate noise insulation and other acoustic attenuation measures to minimise any sound reverberations in the building, and at all times will accord with the standard maximum noise levels set out by RBKC.

The internal fitout of the building will incorporate the highest levels of acoustic performance and secondary glazing is proposed for the windows to minimise sound reverberations and other noise generating sources in order to safeguard surrounding residential amenity.

8.8 The façade sound insulation performances required to achieve appropriate internal noise levels for residences have been set in accordance with BS 8233:2014 *Sound Insulation and Noise Reduction for Buildings*, World Health Organisation and RBKC Guidelines. These can be achieved by upgrading the existing glazing and by using standard thickness secondary double glazing.

8.9 A Noise and Vibration Impact Assessment, prepared by Red Acoustics, has been submitted in support of this application and assesses the proposed façade and plant sound insulation performances. The report recommends a series of noise mitigation measures to control noise generating activities arising from the use of the health and fitness club (i.e. weight drop noise transfer and fitness classes etc.). The various sound insulation and noise mitigation measures to control internal noise transfer can be summarised as the following:

- Upgrading of existing glazing;
- Installation of secondary glazing;
- Installation of acoustically insulated bespoke flooring;
- Installation of internal partitions;
- Installation of wall linings;
- Installation of gyplyner to the staircase;
- Installation of acoustic ceilings; and
- Installation of acoustically rated doors.

8.10 Based on the requirements of RBKC, and on the results of the Noise and Vibration Impact Assessment undertaken, all plant must be designed such that the cumulative noise level at 1m from the worst affected windows of the nearby noise sensitive premises does not exceed LAeq 10dB during the daytime or night. The proposed plant comprises air handling units supplying fresh air and extracting stale air and a ground floor mounted chiller located within a 4.2m high walled enclosure. Further plant details are set out in the Noise and Vibration Impact Assessment submitted as part of this application.

- 8.11 In summary, the accompanying Noise and Vibration Impact Assessment demonstrates that the proposals would not result in unacceptable levels of noise and vibration and therefore would not have a detrimental impact on the surrounding residential amenity.
- 8.12 It should be noted that the accompanying Noise and Vibration Impact Assessment outlines that in order ensure compliance with the relevant plant noise levels, a further study is required to ensure that the Mechanical and Electrical Services Engineers specify appropriate units as well as any attenuation measures (if required).
- 8.13 Further operational details, including how the noise and disturbance caused by members will be controlled to protect surrounding amenity, are contained within an accompanying Operational Management Statement, prepared by Third Space.

### **Air Quality**

- 8.14 At a regional level, under Policy 7.14 of London Plan, “Improving air quality”, Boroughs should implement the Mayor’s Air Quality Strategy and work towards achieving reductions in pollutant emissions. A number of criteria are set out to achieve this including improving the integration of land use and transport and the promotion of sustainable design and construction.
- 8.15 At a local level, Policy CE5 of the Local Plan advises that the Council will carefully control the impact of development on air quality, including the consideration of pollution from vehicles, construction and the heating and cooling of buildings. The Council will support measures to improve air quality and will require development to be carried out in a way that minimises the impact on air quality and mitigates exceedences of air pollutants.
- 8.16 Specifically Policy CE5 outlines [*inter alia*] that:

**“To deliver this the Council will:**

- a. require an air quality assessment for all major developments;**
- b. require developments to be ‘air quality neutral’ and resist development proposals, which would materially increase exceedance**

**levels of local air pollutants and have an unacceptable impact on amenity or health, unless the development mitigates this impact through physical measures, or financial contributions to implement proposals in the Council's Local Air Quality and Climate Change Action Plan;**

**d. require that emissions of particles and NOx are controlled during demolition and construction, and risk assessments are carried out to identify potential impacts and corresponding mitigation measures, including on site monitoring, if required by the Council.”**

### **Assessment**

- 8.17 The entire Borough is located within an Air Quality Management Area. An Air Quality Assessment, prepared by Air Quality Consultants, has been submitted in support of this planning application.
- 8.18 The Air Quality Assessment concludes that due to the fact that the development will generate a small amount of traffic, given that most members are anticipated to arrive on foot, by bicycle or using other active transport modes, and there will be virtually no emission from the building itself. The significance of the impact due to the operation of the development on the selected sensitive receptors is considered to be 'neutral' in accordance to the IAQM/EPUK guidance.
- 8.19 Overall, the proposals are considered to comply with regional and local planning policy and guidance on air quality. Mitigation measures are proposed which will ensure that the development impacts are reduced as far as possible.

### **Other Considerations**

- 8.20 Given that there is no additional height, bulk or mass proposed as part of these proposals, considerations with respect to sense of enclosure and daylight/sunlight are not considered to be relevant and are therefore not addressed in this Statement.

### **Summary**

- 8.21 In summary, given the site's location, building composition and intended operation, it is considered the proposed health and fitness club would not harm the surrounding residential amenity and would have a negligible impact (if any) upon neighbouring residents and their amenity.
- 8.22 Based on the above assessment, it is considered that the proposals are acceptable in amenity terms given compliance with relevant regional and local planning policies on noise and air quality.

## 9 Transport, Servicing and Waste

- 9.1 This section of this Statement addresses the transport related considerations of the proposals and assesses them against the relevant national, regional and local planning policies.

### Transport

- 9.2 At a national level, paragraph 110 of the NPPF states that the transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion.
- 9.3 At a regional level, London Plan Policy 6.3 states that: **“development proposals should ensure that impacts on transport capacity and the transport network, at both a corridor and local level, are fully assessed”**. The policy also indicates that transport assessments will be required in accordance with TfL’s Transport Assessment Best Practice guidance for major planning applications.
- 9.4 Policy 6.9 of the London Plan states that “the Mayor will work with all relevant partners to bring about a significant increase in cycling in London”. Developments are also required to provide on-site changing facilities and showers for cyclists.
- 9.5 London Plan Policy 6.10 indicates that “the Mayor will work with all relevant partners to bring about a significant increase in walking in London, by emphasising the quality of the pedestrian environment, including the use of shared space principles – promoting simplified streetscape, de-cluttering and access for all”.
- 9.6 The cycle parking standards set out within the current (adopted) London Plan, state that for gymnasiums (or similar) uses, 1 space per 8 staff in terms of long stay spaces and 1 space per 100 sqm for short stay spaces are the minimum number of spaces required.
- 9.7 The cycle parking standards set out within the new (emerging) London Plan are the same, and state that for gymnasiums (or similar) uses 1 space per 8 FTE staff in terms

of long stay spaces and 1 space per 100 sqm (GEA) for short stay spaces are the minimum number of spaces required.

- 9.8 It is noted that the draft London Plan states that Brompton Bike lockers do not count towards the cycle parking provision.
- 9.9 The Mayor's Transport Strategy (2010) sets out policies and proposals to achieve the goals set out in the plan. The Mayor's Transport Strategy sets out a vision of London as an exemplary sustainable world city.
- 9.10 At a local level, Policy CT1 of RBKC's Local Plan advises that the Council will ensure that there are better alternatives to car use by making it easier and more attractive to walk, cycle and use public transport and by managing traffic congestion and the supply of car parking.
- 9.11 Local Plan Policy CT1 goes on to state [*inter-alia*] that:

**“To deliver this the Council will:**

- a. require high trip generating development to be located in areas of the borough where public transport accessibility has a PTAL score of 4 or above and where there is sufficient public transport capacity, or that will achieve PTAL 4 and provide sufficient capacity as a result of committed improvements to public transport;**
- b. require it to be demonstrated that development will not result in any material increase in traffic congestion or on-street parking pressure;**
- d. require car parking provided in new residential development to be at or below the adopted car parking standards;**
- e. require that parking in non-residential development is for essential need only;**
- f. require cycle parking, showering and changing facilities in new development;**

**g. require improvements to the walking and cycling environment, including securing pedestrian and cycle links through new developments;**

**h. require new development to incorporate measures to improve road safety, and in particular the safety of pedestrians, cyclists and motorcyclists, and resist development that compromises road safety;**

**i. require Transport Assessments and Travel Plans for larger scale development;**

**m. require that where a development creates new on-street parking it is managed so that parking demand is controlled and the need for off-street parking is minimised;**

**p. ensure that development does not reduce access to, or the attractiveness of, existing footways and footpaths used by the public, or land over which the public have a right of way.”**

9.12 The Council’s car parking and servicing standards are set out in Table 3.1 of RBKC’s Transport and Streets SPD (2016) and carries material weight when determining planning applications.

9.13 In regard to gym/leisure uses, off-street parking is allowed for Essential Need Only. Essential Need is defined as:

- a) Servicing vehicles essential for a site to function in its designated role, including both goods and non-goods vehicles, depending on the land use;
- b) Site-based delivery and service vehicles;
- c) Car parking facilities for those with Blue or Purple Badges who cannot realistically use alternative (public) forms of transport, generally those with special mobility needs.

### **Assessment**

9.14 A comprehensive Transport Assessment, including details of servicing and waste, has been prepared by Urban Flow Ltd and accompanies this planning application.

- 9.15 Members and staff will access the building via the existing main entrance towards the western end of the site from Mallord Street.
- 9.16 The existing site includes a dropped kerb crossover along the western frontage of the site from Mallord Street which serves the main entrance.
- 9.17 There is a secondary stepped entrance at the eastern frontage of the site, which will be used for emergency use only and is also accessed from Mallord Street.
- 9.18 The site is well located for access to public transport with a good Public Transport Accessibility Level ('PTAL') rating of 4-5; although it is expected that approximately 60% of members will come from within a ½ mile radius and 80% within one mile of the site. This localised catchment will mean the majority of members will arrive on foot or by bicycle. Where possible, all members and staff will be encouraged to undertake their trips to and from the site using active and more sustainable modes of transport.
- 9.19 27 long-stay and 2 short-stay cycle spaces will be located in the rear service courtyard, accessed via the main entrance from Mallord Street, and will meet London Plan standards as a minimum, including at least one oversized space. In addition, Sheffield stands for additional cycle parking will be provided on the private footway space along the building's front elevation in order to comply with the relevant cycle standards. The Sheffield stands will not detract from the flow of the existing pedestrian environment or impede the existing pavement on Mallord Street.
- 9.20 As per regional and local level planning policies, lockers and shower facilities for cyclists will be provided as part of the proposals. 9 lockers will also be provided for folding bikes.
- 9.21 Using TRICS data, the typical number of arrivals and departures could be expected to be c.1,080 trips per day.
- 9.22 Therefore, the predicted traffic impact of the proposed development will be very minor, equivalent in a worst-case scenario to a vehicle arrival and departure taking place every 3 to 4 minutes. The majority of these vehicle trips of which will be very quick pick-up / drop-off movements.

- 9.23 Given the anticipated local catchment of members and the proposed Travel Plan measures/initiatives, the demand for on-street car-parking is expected to be very low. Therefore, in accordance with the London Plan and local level planning policies, the proposals will be car free.
- 9.24 Full details of the transport proposals, including details on trip generation, can be found in the accompanying Transport Assessment, prepared by Urban Flow Ltd.

### **Servicing and Waste**

- 9.25 This section outlines the servicing and waste details of the proposals and assesses them against the relevant national, regional and local planning policies.
- 9.26 With respect to servicing, Local Plan Policy CR7 states that the Council will require servicing facilities to be well designed, built to accommodate the demands of new development and sensitively integrate into the development and the surrounding townscape. In particular servicing activities should not give rise to traffic congestion, conflict with pedestrians or be detrimental to residential amenity.
- 9.27 Policy CR7 outlines [*inter-alia*] that:

**“To deliver this the Council will:**

- a. require sufficient on-site servicing space to accommodate the number and type of vehicles likely to be generated and to ensure that this can take place without manoeuvring on the highway;**
- b. require a Servicing Management Plan for all sites with on-site servicing space that will control the hours of servicing, including detail on how vehicles will be managed, and controls on the types and sizes of vehicles to ensure they are appropriate to the local area and are environmentally acceptable;**
- d. require, where developments cannot provide onsite servicing space, that it is demonstrated that the proposal can function satisfactorily**

**without giving rise to adverse effects on traffic congestion, pedestrian safety, residential amenity or impact on bus routes.**

**A Servicing Management Plan will be required in these instances;**

**e. require on-site servicing spaces and entrances to be sensitive to the character and appearance of the building and wider townscape and streetscape.”**

9.28 For waste, Policy CE3 of the Royal Borough's Local Plan states that the Council will meet the waste apportionment figure as set out in the London Plan and will ensure that waste is managed in accordance with the waste hierarchy, which is to reduce, reuse or recycle waste as close as possible to where it is produced.

### **Assessment**

9.29 Full details of servicing and waste arrangements can be found in the accompanying Delivery and Servicing Management Plan, prepared by Urban Flow Ltd and the Design and Access Statement, prepared by Ant Architecture.

9.30 Servicing of the building would take place on-street from Mallord Street using the existing double yellow lines in front of the pervious vehicle entrance.

9.31 This aforementioned servicing strategy is considered optimal, given that the existing vehicle entrance is insufficient in size to allow vehicles to turn and enter/exit in forward gear, there will be minimal servicing trips throughout the day associated with this strategy, thereby causing minimal disruption to residents, and allowing this area to be retained as an informal passing point which does not detract from the existing pedestrian environment.

9.32 The servicing requirements for the proposals would be low to moderate, with an average of two principal deliveries per day, thereby causing minimal disruption.

9.33 Typical deliveries for the proposed health and fitness club would include the following:

- i. Cold food and drink supplies for the café and members lounge;
- ii. Health goods and fitness related retail merchandise for the café;

- iii. General toiletries for the changing facilities and bathrooms;
  - iv. Towels and laundry delivery;
  - v. Health and medical supplies for the medical and spa treatment room;
  - vi. Cleaning and general building maintenance supplies; and
  - vii. General office supplies for the reception.
- 9.34 Given the high number of deliveries that previously occurred when the telephone exchange was operational, it is considered that the amount of deliveries forecast is appropriate and will not materially impact on the capacity or the operation of the local highway network.
- 9.35 The majority of deliveries are expected to be undertaken by small transit vans that will stop outside the site on Mallord Street. The most frequent will be the food/drink and towels/laundry deliveries that are expected to be undertaken on a daily basis with a regular delivery timeslot.
- 9.36 Larger deliveries will be undertaken by larger box vans, these vehicles will be able to wait on Mallord Street outside the building without blocking neighbouring access or having a detrimental effect on the local highway network.
- 9.37 Deliveries and goods would be trolleyed through the main entrance from Mallord Street into the rear service courtyard which has an external ramp between ground floor and basement levels. These goods would then be managed and stored in an appropriate manner.
- 9.38 Waste and refuse will be collected in line with current RBKC waste and refuse collection times. A further collection will be required to dispose of any medical/clinical waste arising from the medical and spa treatment room; this is likely to be infrequent, with one collection per week and will be arranged for private collection.
- 9.39 Overall, the proposed development has been designed to provide adequate levels of servicing in line with relevant planning policies and to minimise the impact of servicing and waste/refuse transport movements on the local highway network.

9.40 Further details of the servicing and waste/refuse can be found in the accompanying Delivery and Servicing Management Plan, prepared by Urban Flow Ltd.

9.41 In addition, the accompanying Operational Management Statement, prepared by Third Space, contains further operational details with respect to servicing and waste considerations at 19 Mallord Street.

### **Summary**

9.42 In summary, the proposals are compliant with relevant transport, servicing and waste planning policies and standards, and they would not have a material impact of the local highway network.

9.43 Based on the above assessment, it is considered that the proposals are acceptable in transport, servicing and waste terms given compliance with relevant planning policies and standards.

## 10 Design and Heritage

- 10.1 This section of this Statement addresses the design considerations of the proposals and assesses them against the relevant national, regional and local planning policies.

### Design

- 10.2 At a national level, the Government attaches great importance to the design of the built environment. The NPPF states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- 10.3 The NPPF goes on to say that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.
- 10.4 At a regional level, London Plan Policy 7.2 requires all new development in London to achieve the highest standards of accessible and inclusive design.
- 10.5 Policy 7.3 of the London Plan advises that Boroughs should seek to create safe, secure and appropriately accessible environments. In addition, the policy states that design should encourage a level of human activity that is appropriate to the location, incorporating a mix of units where appropriate, to maximise activity throughout day and night, creating a reduced risk of crime and a sense of safety at all times.
- 10.6 London Plan Policies 7.4, 7.5 and 7.6 provide guidance for ensuring that development reflects the local character of the area; promotes high quality public realm; and ensures that the architecture makes a positive contribution to a coherent public realm and streetscape.
- 10.7 London Plan Policy 7.6 sets out a series of overarching design principles for development in London, seeking to incorporate the highest quality materials and design appropriate to its context. The policy seeks buildings and structures to: be of the highest architectural quality; be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm; comprise details and materials that complement the character of the area; incorporate best practice in

resource management and climate change mitigation; and meet the principles of inclusive design.

10.8 At a local level, RBKC Local Plan Policy CL1 (Context and Character), outlines that the Council will require all development to respect the existing context, character and appearance, taking opportunities available to improve the quality and character of buildings and the area and the way it functions, including being inclusive for all.

10.9 Local Plan Policy CL2 (Design Quality), requires all development to be of the highest architectural and urban design quality, taking opportunities to improve the quality and character of buildings and the area and the way it functions.

10.10 Specifically, Policy CL2 of the Local Plan outlines [*inter-alia*] that:

**“To deliver this, the Council will require development to be:**

- a) Functional;**
- b) Robust;**
- c) Attractive;**
- d) Locally distinctive;**
- e) Sustainable;**
- f) Inclusive; and**
- g) Secure.”**

10.11 In addition, RBKC Local Plan Policy CL6 (Small-scale Alterations and Additions), outlines that the Council will require that alterations and additions do not harm the existing character and appearance of the building and its context.

10.12 Local Plan Policy CL6 outlines [*inter-alia*] that:

**“To deliver this, the Council will resist small-scale development that:**

- a. harms the character or appearance of the existing building, its setting or townscape;**
- b. results in a cumulative effect which would be detrimental to the character and appearance of the area; and**

- c. **is not of high-quality form, detailed design and materials or is not discreetly located.”**

### **Assessment**

- 10.13 Following careful consideration, Ant Architecture were appointed as architects for these proposals. As the retained architects used by Third Space, Ant Architecture have considerable experience in this area of development, and have been key to the delivery and rapid expansion of Third Space’s growing portfolio of health and fitness clubs across Central London in recent years.
- 10.14 As such, Ant Architecture have provided further details and design related justification in the supporting Design and Access Statement, which assesses the proposed changes to the building in design terms and should be read in conjunction with this Statement.
- 10.15 The extent of physical alterations proposed is very limited. Internally, the unit will be sensitively refurbished and the proportions of the building will be retained. There will be some minor excavation at basement level to install a swimming pool – it has been confirmed with officers at pre-application stage that this does not constitute a ‘basement’ and therefore the requirements of Policy CL7 are not relevant.
- 10.16 Externally, the only changes are a small extension at basement level, the installation of louvers to the buildings rear façade, plant and associated MEP works at roof level and re-paving of the area to the front of the building onto Mallord Street.
- 10.17 The proposed extension at basement level would be small-scale (42 sqm GIA) and only extend to the existing building’s rear perimeter wall. The proposed extension would facilitate an appropriately sized crèche facility to allow members with young children to make use of the facilities whilst having their children cared for by suitably qualified staff.
- 10.18 Moreover, by virtue of the proposed extension being located at basement level and in the concealed courtyard at the rear of the building, it would be obscured from both public and private views.

- 10.19 The proposed extension would use materials to match existing and ensure the principles of high quality and sustainable urban design are implemented.
- 10.20 The louvres would be located on the building's rear elevation, which overlooks the concealed rear courtyard, and again would be mostly obscured from public and private views.
- 10.21 The proposed alterations at roof level would be behind the existing mansard roof and therefore would be minimally visible from street level and in public and private views. In addition, the plant and associated MEP equipment would also benefit from a plant enclosure, which would offer screening and thereby ensure that the works are obscured further.
- 10.22 As discussed at Section 5 of this Statement, the scheme has been the subject of detailed pre-application discussions with RBKC Officers and local stakeholders, both of whom have been supportive of the proposals in design terms.
- 10.23 The proposed scheme has taken into consideration the history of the site's use, the relationship of the elevations facing the surrounding residential premises, and the Conservation Area which it sits within. We believe that this scheme will contribute meaningfully to enhancing the site and the wider area.
- 10.24 The fit out of the building and associated alterations have been designed to make a positive contribution to the appearance of this part of Chelsea in accordance with planning policy at all levels.
- 10.25 Therefore, it is considered that the proposed scheme is of a high quality that remains sympathetic to the surroundings of the site, and will continue to be attractive to local residents.
- 10.26 The proposals will provide benefits to local residents, whilst also providing a design that preserves and enhances the local townscape and Chelsea Park / Carlyle Conservation Area.

## **Heritage**

- 10.27 This section deals with the heritage considerations of the proposals and assesses them against the relevant national, regional and local planning policies and statutory legislation.
- 10.28 The site is not listed but it is located within the Chelsea Park / Carlyle Conservation Area and directly opposite the Grade II listed Mallord House at 28 Mallord Street.
- 10.29 In accordance with the requirements of the NPPF, this section of this Statement considers:
- a) The historic significance of the undesignated heritage asset and its contribution to the adjacent designated heritage assets - the Chelsea Park / Carlyle Conservation Area and surrounding listed buildings; and
  - b) Any harm arising from the proposals as a whole to designated heritage assets - the conservation area and adjacent listed buildings.
- 10.30 Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 states that, in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 10.31 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that, in considering whether to grant planning permission for development which affects a conservation area or its setting, the local planning authority must have special regard to the desirability of preserving the conservation area or its setting or any features of special architectural or historic interest which it possesses.
- 10.32 At a national level, the NPPF provides Government guidance on the impact of development on heritage assets which are of historic or architectural merit.
- 10.33 Paragraph 189 of the NPPF states that, in determining planning applications, local authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail

should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

10.34 When considering whether a proposal has an impact on the significance of a heritage assets, Paragraph 190 of the NPPF states that:

**“Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.”**

10.35 At paragraph 192 the NPPF states that when local authorities determine planning applications they should take account of:

- a) The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) The desirability of new development making a positive contribution to local character and distinctiveness.

10.36 NPPF paragraphs 193 and 194 state that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

10.37 Paragraph 195 states that:

- a) **“Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial**

**public benefits that outweigh that harm or loss, or all of the following apply:**

- a) the nature of the heritage asset prevents all reasonable uses of the site; and**
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and**
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and**
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.**

10.38 Paragraph 196 states that:

**“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”**

10.39 Paragraph 197 states that:

**“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”**

10.40 In addition, paragraph 200 states that:

**“Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.”**

- 10.41 At regional level, the London Plan provides further policy and guidance on the way in which heritage assets should be dealt with.
- 10.42 Policy 7.8 (a) of the London Plan states that London’s heritage assets and historic environment, including listed buildings; registered parks and gardens and other natural and historic landscapes; conservation areas; World Heritage Sites; registered battlefields, scheduled monuments; archaeological remains and memorials should be identified, so that the desirability of sustaining and enhancing their significance and of utilising their positive role in place shaping can be taken into account.
- 10.43 London Plan Policy 7.8 (d) states that development affecting heritage assets and their settings should conserve their significance by being sympathetic to their form, scale, materials and architectural detail.
- 10.44 At a local level, RBKC Local Plan Policy CL1 requires all development to respect the existing context, character and appearance, taking opportunities available to improve the quality and character of buildings and the area or the way it functions, including being inclusive for all.
- 10.45 Specifically, RBKC requires development, through its architecture and urban form, to contribute positively to the context of townscape, scale, height, bulk, mass, proportion, plot width, building lines, street form, roof scape, materials, views, gaps and historic fabric (Local Plan Policy CL1 (a)).
- 10.46 RBKC’s Local Plan Policy CL2 requires all new buildings to be of the highest architecture and urban design quality taking opportunities to improve the quality and character of the buildings in the area and the way it functions.
- 10.47 In addition, Policy CL3 of RBKC’s Local Plan states that the Council will require developments to preserve, and take opportunities to enhance, the character or appearance of the conservation areas, historic places, spaces and townscapes, and their settings.

## Assessment

- 10.48 It should be noted that there is no Heritage Statement or Historic Building Report submitted with this application, and for the avoidance of doubt this section of this Statement assesses the heritage impact of the proposals, namely on the significance of the existing building and the proposed development in the context of the Chelsea Park / Carlyle Conservation Area.
- 10.49 As outlined, the existing building is not listed and therefore not considered a heritage asset in itself. However, the Chelsea Park / Carlyle Conservation Area Appraisal (2017) classifies the site as a 'positive building'. Such buildings are seen to make a positive contribution to the historic and architectural character and appearance of the conservation area, and any change must be managed to conserve and, where appropriate, enhance their significance in accordance with national and local planning policies. As such, we have considered any contribution that the existing building makes to the Chelsea Park / Carlyle Conservation Area in which it is located.
- 10.50 There are several listed buildings in the surrounding area, including the properties at 28 Mallord Street opposite the site, which is Grade II listed, as are Nos. 9-15 Mallord Street, circa 15 metres to the east of the site. The locations of the nearby listed buildings are addressed in the accompanying Design and Access Statement, prepared by Ant Architecture.
- 10.51 The Chelsea Park / Carlyle Conservation Area Appraisal (2017) states that the conservation area comprises groups of generally modest residential properties that form an oasis of pleasant family homes and studios between the bustle and activity of Fulham Road and King's Road.
- 10.52 The Conservation Area Appraisal states that Mallord Street is characterised by its narrower street and smaller scale buildings when compared to the surrounding streets. The Appraisal says that while Mallord Street has one or two strikingly individual, Grade II Listed houses between longer runs of terraced houses, it is more accidental.

- 10.53 The Appraisal goes onto say that the houses (on Mallord Street) remain largely in their original condition, however, there have been some alterations which have caused harm to the character and appearance of the conservation area.
- 10.54 It is worth noting that the Conservation Area Appraisal also makes specific reference that Mallord Street has the telephone exchange and is noticeably closer to the noise and bustle of King's Road.
- 10.55 As has been outlined, the extent of physical alterations proposed to the building associated with the change of use are very limited. The external alterations include a small extension at basement level, the installation of louvers to the buildings rear façade, the installation of plant and associated MEP equipment at roof level and re-paving to the front space adjacent to the footpath on Mallord Street.
- 10.56 The proposed rear extension at basement level would be small-scale (42 sqm GIA), only extend to the existing building's rear perimeter wall, and by virtue of its location at basement level and in the concealed rear courtyard, it would be imperceptible from the street and obscured from both public and private views.
- 10.57 The louvres would be metal clad to match the existing window surrounds. They would not occupy a particularly prominent part of the building, on the buildings rear elevation facing the internal courtyard, and would again be imperceptible from street level and concealed from public and private views.
- 10.58 The proposed roof plant will be obscured behind the existing mansard roof and a plant enclosure would provide further screening. As such, these works would be barely perceptible from street level and minimally visible in public and private views.
- 10.59 The re-paving proposed to the front of the building would improve this area which current is characterised by broken and dirty paving slabs.
- 10.60 Therefore, the impact of the aforementioned proposed external alterations on the appearance of the wider Conservation Area is considered to be neutral/positive.
- 10.61 It is considered that the redevelopment of the site comprising the change of use of the building to a health and fitness club use would serve to enhance the character and

appearance of the conservation area, as it will directly serve and benefit Borough residents, contribute to the vitality and vibrancy of the nearby Town Centre, complement the diverse range of uses within this part of Chelsea near to King's Road, and will also result in bringing a long vacant unit back into active and optimum viable use.

10.62 In heritage terms, it is considered that the proposals would sensitively refurbish an unlisted building. The proposed external alterations will be very discrete and in keeping with the architectural style and materials of the existing building. The paving works to the front of the building would improve the immediate context when viewed from the street. It is considered that the proposed use and associated works would preserve or enhance the character and appearance of the conservation area and would protect the setting of the listed buildings in the vicinity.

10.63 In accordance with paragraph 192 of the NPPF, the proposals are considered to **“sustain and enhance the significance of heritage assets”**. Overall, the proposals are considered to enhance the setting of the views within the conservation area and nearby listed buildings. Therefore, in accordance with NPPF, it is considered that the proposals will not result in any harm to, or loss of, the significance of any designated heritage assets.

### **Summary**

10.64 In summary, the proposals are considered to implement the principles of exclusive and sustainable design, and would not impact on the existing character and appearance of the host building and its wider surrounding context and townscape, including the Chelsea Park / Carlyle Conservation Area and nearby listed buildings.

10.65 Therefore, based on the above assessment, it is considered that the proposals are acceptable in design and heritage terms given compliance with relevant planning policies and statutory legislation.

## 11 Other Technical Matters

- 11.1 This section of this Statement addresses all the other relevant planning considerations of the proposals and assesses them against the relevant national, regional and local planning policies.
- 11.2 These 'Other Technical Matter comprise contamination, flood risk/drainage and energy/sustainability.

### Contamination

- 11.3 At a national level, paragraph 178 of the NPPF states that planning policies and decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.
- 11.4 At a local level, Policy CE7 of the RBKC Local Plan outlines that the Council will consider the potential risks of contaminated land and will ensure that it is adequately mitigated before development proceeds.
- 11.5 To deliver this the Council will:
- a. require the reports and investigations shown in criteria (b) to (e) to be carried out by a competent person;
  - b. require a desk top study and preliminary risk assessment;
  - c. require a site investigation and detailed risk assessment in line with current best practice guidance;
  - d. require a remediation strategy that sets out how any identified risks from the reports above are going to be addressed;
  - e. require a validation report once remediation has taken place.

### Assessment

- 11.6 Given the excavation works required for the proposed swimming pool and the introduction of a use cited as 'sensitive' and 'vulnerable' in a creche at basement level,

RBKC Officers deemed it necessary to require further contamination details to be submitted.

- 11.7 Contamination Consultant Geomatters submitted a Phase I Geotechnical investigation report to RBKCs Contamination Officer with the second pre-application submission on the 19 June 2020, and received detailed feedback on the 22 June 2020.
- 11.8 Specifically, the comments from the Contamination Officer set out that further information was required, and the current report would not be sufficient to discharge the preliminary risk assessment condition. The feedback went on to state that given the nature of the proposed development and the potential contamination sources on and close to the site, an updated contamination assessment should be submitted to support the planning application.
- 11.9 As such, a Phase II Geotechnical investigation report, prepared by Geomatters is submitted in support of this planning application.
- 11.10 The accompanying Phase II Geotechnical investigation report outlines that there are no elevated levels of contaminants present across the site, nor any evidence of groundwater, and the soil is considered to be of good stability.
- 11.11 The report does not recommend any remediation works, although, subject to comments from the Regulatory Authorities does outline that further works will be necessary and appropriately licensed waste management contractors will need to liaised with to determine requirements for additional analysis should materials be considered for off-site removal / disposal.
- 11.12 Further details and associated justification on contamination matters are included in the accompanying Phase II Geotechnical investigation report, prepared by Geomatters.

### **Flood Risk and Drainage**

- 11.13 At a national level, the NPPF states that local plans should take account of climate change over the longer term, including factors such as flood risk, coastal change, water supply and changes to biodiversity and landscape.
- 11.14 At paragraphs 155 and 156, the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. Local plans should be supported by Strategic Flood Risk Assessment and develop policies to manage flood risk from all sources, taking account of advice from the Environment Agency and other relevant flood risk management bodies, such as lead local flood authorities and internal drainage boards. Local plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property and manage any residual risk, taking account of the impacts of climate change.
- 11.15 At a regional level, Policy 5.12 of the London Plan states that the Mayor will work with all relevant agencies including the Environment Agency to address current and future flood issues and minimise risks in a sustainable and cost effective way. It goes on to states that development proposals must comply with the flood risk assessment and management requirements set out in the NPPF and the associated technical guidance on flood risk. Developments are required to pass the Exceptions Test set out in the NPPF and the Technical Guidance will need to address flood resilient design and emergency planning by demonstrating that:
- a) The development will remain safe and operational under flood conditions;
  - b) A strategy of either safe evacuation and/or safely remaining in the building is followed under flood conditions;
  - c) Key services including electricity, water etc. will continue to be provided under flood conditions; and
  - d) Buildings are designed for quick recovery following a flood.
- 11.16 Developments that are adjacent to flood defences will be required to protect the integrity of existing flood defences and wherever possible should aim to be set back from the banks of watercourses and those defences to allow their management, maintenance and upgrading to be undertaken in a sustainable and cost effective way.

11.17 At a local level, Policy CE2 of RBKC's Local Plan states that the Council will require development to adapt to fluvial flooding and mitigate the effects of, and adapt to, surface water and sewer flooding.

### **Assessment**

11.18 The site lies within the low probability flood risk area (Flood Zone 1) accordingly to the Environment Agency flood maps. It also lies outside of any Critical Drainage Area as defined by RBKC.

11.19 A Flood Risk Assessment ('FRA') and Sustainable Drainage Statement ('SDS') has been prepared by ADC Infrastructure and is submitted in support of this application.

11.20 The FRA concludes that the site has a low risk of flooding from all sources (including surface water and sewer flooding), and that a viable means of foul and surface water drainage can be provided for the proposed development.

11.21 However, the FRA recommends that further ground investigation is undertaken including groundwater monitoring to inform the groundwater flood risk and any potential mitigation measures for the basement.

11.22 Further details and analysis on flood risk and drainage matters are included in the accompanying Flood Risk Assessment and Sustainable Drainage Statement, prepared by ADC Infrastructure.

### **Energy and Sustainability**

11.23 At a national level, the National Planning Policy Framework adopts a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

11.24 Section 14 of the NPPF identifies the role that planning plays in helping shape places to secure radical reductions in greenhouse emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure.

- 11.25 At a regional level, the Mayor's vision in the London Plan is to ensure London becomes an exemplary, sustainable world city whilst allowing London to grow in a responsible and considered socio-economic manner.
- 11.26 Policy 5.2 states that proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the Mayor's energy hierarchy:-
- i. Be lean – use less energy;
  - ii. Be clean – supply energy efficiently;
  - iii. Be green – use renewable energy.
- 11.27 Policy 5.3 states that development proposals should ensure that sustainable design standards are integral to the proposal, including its construction and operation, and ensure they are considered at the beginning of the design process.
- 11.28 Policy 5.4 of the London Plan aims to reduce carbon dioxide emissions and improve the efficiency of resource use and minimise the generation of pollution and waste from existing building stock.
- 11.29 At a local level, Policy CE1 of RBKC's Local Plan, advises that the Council recognises the Government's targets to reduce national carbon dioxide emissions by 34 per cent against 1990 levels by 2020 in order to meet a 80 per cent reduction by 2050 and will require development to make a significant contribution towards this target.
- 11.30 To deliver this, the Council will require an assessment to demonstrate that non-residential development of 1,000 sq m or more meets BREEAM very good with 60 per cent of the unweighted credits available in the energy, water and materials sections and conversions and refurbishments of 1,000sq.m or more non-residential development achieve BREEAM very good rating.

### **Assessment**

- 11.31 An Energy and Sustainability Statement has been prepared by CDI Building Services Engineers, which accompanies the planning application. The Statement describes the recommended solution to service the proposed development in the most energy

efficient and sustainable manner, following the Be Lean, Be Clean and the Be Green hierarchy set out above.

Be Lean:-

- 11.32 Energy efficiency elements of the proposed development have been considered and will be optimised through the use of passive design features including the following:
- a. Building fabric to be internally lined with insulation on all floors in order to exceed Part L2B requirements;
  - b. Roof to be insulated in order to exceed Part L2B requirements;
  - c. Windows to be upgraded in order to exceed Part L2B requirements;
  - d. MVHR to be supplied with EC motors and heat recovery; and
  - e. LED lighting throughout of at least 100 Lm/W with linked daylighting control.

Be Clean:-

- 11.33 The London Heat Mapping tool indicates that there are no existing or proposed district heat networks in the vicinity of the development, and therefore the proposals cannot feasibly connect to any district heat networks.

Be Green:-

- 11.34 Due to the unique constraints of the development, there is limited scope to incorporate many of the available renewable energy technologies within the scheme. Air source heat pumps have been incorporated to reduce energy consumption and will function as the primary means of providing heat energy for space heating plus cooling energy for any summertime comfort cooling needs.
- 11.35 The analysis from the Energy and Sustainability Statement sets out that by utilising good design principals, following the Energy Hierarchy and installing air source heat pumps, such energy efficiency measures are expected to save at least 28% of non-domestic regulated CO2 emissions compared to the existing building using SAP10 carbon factors as encouraged in the SPG Energy Assessment Guidance (2018).

11.36 A BREEAM Pre-assessment Study has also been undertaken by CDI Building Services Engineers and is submitted in support of this application. The Design Stage BREEAM assessment indicates that the current preliminary score that could be achieved is likely to be a 'Very Good' rating (55.54%), subject to provision of all evidential support documentation.

11.37 Further details and analysis on energy and sustainability matters are included in the accompanying Energy and Sustainability Statement and BREEAM Pre-assessment Study, prepared by CDI Building Services Engineers.

## 12 Summary and Conclusions

- 12.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the statutory development plan unless material considerations indicate otherwise.
- 12.2 This Statement has assessed the proposals against the development plan, relevant statute and other relevant planning policy and guidance at national, regional and local policy level.
- 12.3 The proposals would involve the sensitive internal refurbishment of an unlisted building and very limited and sensitive external alterations to facilitate the proposed change of use of the premises and other minor works at the site.
- 12.4 The development proposals would deliver a premium and differentiated high-end health and fitness club, which would directly serve local residents and complement the character of this part of Chelsea, close to King's Road.
- 12.5 Specifically, the proposals would deliver a range of planning, socio-economic and other benefits, including the following:
- i Bringing a vacant building back into active and beneficial use, and therefore re-animating this part of Chelsea;
  - ii The members of the health and fitness club would predominantly be Borough residents and other members of the locality who work in and visit the area, and would therefore make a positive contribution to the community;
  - iii Providing a new premium and differentiated health and fitness club in Chelsea offering a best-in-class fitness experience, which would complement the diverse mix of commercial uses near to King's Road and would, in particular, meet an observed demand for such a use in the area;
  - iv The creation of a high-quality building that will preserve and enhance the character and appearance of the Chelsea Park / Carlyle Conservation Area, as well as the setting of the nearby Grade II listed buildings;

- v Limited, sensitive external alterations to the building to facilitate the proposed change of use and significant investment into the general refurbishment of the unit which will protect, preserve and secure the future of the building;
  - vi Enhancing the vitality and vibrancy of the area and nearby King's Road (west) Town Centre by serving members throughout the day and complementing the existing uses in the vicinity;
  - vii Facilitate additional employment generation alongside other wider associated benefits within the Borough; and
  - viii Enable the provision of a use that encourages and incentivises healthier lifestyle choices.
- 12.6 The proposals have been developed in close consultation with RBKC Officers, local interest groups, neighbours and other relevant stakeholders, and a high level of support has been demonstrated. The principal of the change of use and other associated works has been confirmed as acceptable by Officers.
- 12.7 These proposals represent a significant opportunity for the Borough to bring a vacant, redundant and dilapidated building back into active and beneficial use.
- 12.8 It is considered that these proposals represent the optimum viable use of the site at 19 Mallord Street.
- 12.9 The proposed development meets the aspirations of the Local Plan and planning policy at all other levels, and also satisfies the relevant statutory tests. Other material considerations of substantial weight also indicate that planning permission should be granted.
- 12.10 The proposals also positively respond to, and accord with, the Council's pre-application feedback.
- 12.11 Overall, it is considered that the proposals would create a well-designed building and sense of place to facilitate a new health and fitness club which is acceptable in

planning policy terms and satisfies the relevant statute, and should therefore be granted planning permission accordingly.