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ROYAL BOROUGH OF KENSINGTON AND CHELSEA
PLANNING SERVICES COMMITTEE 16TH DECEMBER 1997

**APPROVED BY
PLANNING SERVICES CTTEE**

DEC 16 1997

CONSENT REF.....

ADDENDUM REPORT BY THE EXECUTIVE DIRECTOR
PLANNING AND CONSERVATION

119-131 LANCASTER ROAD, KENSINGTON, W.11

APPLICATION NUMBER TP/97/1749 - AGENDA ITEM 392

**RECOMMENDATION
ADOPTED.**

1.0 BACKGROUND

- 1.1 On 19th November 1997, the Planning Services Committee considered an application seeking Planning Permission for the change of use from educational (Class D1) to a health and fitness centre falling within Class D2 at 119-131 Lancaster Road.
- 1.2 The recommendation to the Committee was that Planning Permission should be granted subject to a number of conditions and subject to the applicant entering into a Planning Obligation to ensure a bicycle park is located and permanently retained for the use by the general public and managed in accordance with an agreed management plan.
- 1.3 The Committee deferred a decision so that a number of matters could be addressed or confirmed. These matters relate primarily to the impact of the proposal on surrounding residents and the implications of the loss of the existing educational use. This included traffic generation issues, car parking facilities and conditions to be attached to a Planning Permission in order to achieve satisfactory safeguards to the levels of amenity locally.
- 1.4 A meeting was subsequently held with the applicants, and agreement was reached on the following points. Each request or concern voiced by the Committee is printed in bold with the relevant response set out beneath:

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1.5 WHAT IS THE ESTIMATED CATCHMENT AREA FOR THE PROPOSED USE

Based on other Holmes Places developments, the applicant has estimated that the catchment area for membership will be drawn from a three-quarter mile radius around the proposed club. A radius of three-quarters of a mile would result in the catchment area being bounded at the South by Notting Hill Gate/Holland Park Avenue, to the North by Harrow Road, to the East by Westbourne Park Road's junction with the Great Western Road and to the West by the West Cross Route.

1.6 WHAT IS THE SPLIT BETWEEN STUDENTS USING THE COLLEGE WHO LIVE WITHIN THE BOROUGH AND OUTSIDE THE BOROUGH

The college role for its last academic year was 855 with 80 members of staff, 17% of the students were resident in the Borough, 38% of the students were resident in Westminster and 45% of the students came from other Boroughs.

1.7 WHAT IS THE MAXIMUM NUMBER OF MEMBERSHIP REQUIRED AND THE MAXIMUM NUMBER OF MEMBERS ON SITE AT ANY ONE TIME

The maximum number of members is limited to 6000, with the maximum allowed on site at any one time being 400.

1.8 WHAT ARE THE MEANS OF VENTILATION AND WHAT STEPS ARE PROPOSED TO PREVENT THE TRANSFERENCE OF NOISE TO THE SURROUNDING AREA

The proposed health club is to be air conditioned with the plant enclosed within the roof of the building. Because the building is air conditioned, all the windows have to be sealed for the system to function. All the windows will have secondary glazing internally to prevent sound and air movement.

2.0 CONSIDERATIONS

2.1 The concerns of the Planning Services Committee, as stated in Paragraph 1.3 of this report, relate in part to the level of membership, the number of members on site at any one time, and the effect the proposal would have upon traffic generation and car parking in the local area.

2.2 Detailed figures are available to the Council for several similar fitness clubs operated by Holmes Place (the current applicant) in this, and neighbouring Boroughs, including floor area, locker numbers, membership levels, etc. Further detailed analysis and survey work has been carried out for the Fulham Road, Chelsea, proposal. These figures and surveys enable the Council's Transportation Officer to calculate the impact of the current proposal in terms of use and traffic generation.

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2.3 The original intention of the applicant was to accommodate a membership of 8000, with a maximum number of members on site at any one time of 600. Following meetings with the applicant, the proposal has now been revised to a maximum membership of 6000, with a maximum number of members on site at any one time of 400.

2.4 The Council's Transportation Officer has calculated the impact of the proposal for a maximum membership of 6000. Empirical evidence suggests that 20% of all visits are made by car. It is found that the peak time for use is at 6.45pm. This can be set out as follows:

Daily visits to the Club:	1008
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Maximum people on site at 6.45pm:	288 (average)
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Total maximum on site:	400 (maximum)
Total maximum car visits:	80 (maximum)

2.5 The Council's Transportation Officer has undertaken an assessment of parking occupancy in the local area, in particular Lancaster Road, St. Mark's Road and Cornwall Crescent. It was found that the parking stress in this area is not as high as in other areas in the Borough but, nonetheless, considerable. The survey indicates that in the evening, of the legal spaces available:

- Lancaster Road - 80% were occupied with 10 legal spaces available.
- St. Mark's Road - 88% were occupied with 1 legal space available.
- Cornwall Crescent - 78% were occupied with 11 legal spaces available.

2.6 The proposal seeks to provide 50 car parking spaces on site and whilst the Committee sought to see this number reduced to 25, the Council's Transportation Officer is of the opinion that the additional traffic movements generated by the use would not cause any operational difficulties on the road network as long as the access/egress was a one way arrangement and the 50 car parking spaces were retained.

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- 2.7 The majority of membership of the proposed Club would be drawn from a three-quarter mile radius and, as a consequence, these members who would drive to the site would be residents of the Borough and have in their possession, a resident car parking permit.
- 2.8 The proposed use therefore serves the local community, and although the Council are committed to a policy of sustainable development which seeks to reduce reliance on the private car, PPG13 suggests that the local scale of a health club serving the local community is appropriate in this location.
- 2.9 The maximum number of people allowed on site at any one time is restricted to 400, which would generate 80 car visits. The upper limit of 400 is to accommodate special events and circumstances when members remain on the premises after using the health and fitness facilities. The special circumstances have proven to be events such as the Wimbledon Tennis Final and Rugby and Football Internationals.
- 2.10 The normally expected maximum number of members expected on the site at any one time is, as stated in Paragraph 2.4 of this report, at 6.45pm. The accumulative number of members is calculated at 288 people, generating 57 cars.
- 2.11 If the car parking on site is retained at 50, the proposal would not have any significant detrimental effect upon the operation or safety of the local road network. It should, however, be emphasised that some on-street parking would undoubtedly take place on some occasions.

The existing educational use has a car park with no restriction upon the number of cars that can be parked. The College allows the market traders of Portobello Road to use the car park at the weekend and currently 25 cars are parked on Saturdays and Sundays.

- 2.12 The College and the car park are most active between the hours of 9am and 5.30pm, but it does provide evening classes for approximately 35 students and 8 staff and this continues until 9.00pm. The existing use is constant and considerable during the weekdays until 9.00pm with the weekends being restricted to the car park only. Furthermore, other uses of the building which fall within the same use class, and thus not requiring planning permission, could generate significant amounts of traffic over and above that as currently experienced. Such uses could include Meeting Halls, Community Centre, other educational establishments, Social Services establishments, and premises for religious purposes.

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3.0 CONCLUSION

3.1 The proposed health club will result in more activity being generated in terms of car arrivals and departures, but when compared with the existing and former use which also generates a considerable amount of activity, the Council's Transportation Officer is of the opinion that the proposal will not have a detrimental effect upon the amenity of the local area or the road network.

3.2 For the Council to ensure the proposal will not have a detrimental effect upon the local area, it is considered the following matters shall be subject to a Planning Obligation:

- (a) The membership is limited to a maximum of 6000, with no more than 400 on site at any one time.
- (b) The car park shall not exceed 50 spaces with no provision for members of staff with access/egress one way.
- (c) The membership role shall be made available for inspection by the Executive Director of Planning and Conservation when required.

The applicant has advised the Council of his willingness to add these matters to the existing proposed Planning Obligation to provide a bicycle park.

3.3 Further conditions are suggested, ensuring the windows are not openable and providing an electronic entrance/exit register for members so the attendance figures can be easily checked.

4.0 RECOMMENDATION

4.1 Subject to conditions and a Planning Obligation under Section 106 of the Town and Country Planning Act 1990 to:

- (a) ensure that a bicycle park is located in the basement as indicated on the submitted drawings, and permanently retained, for use by the general public and managed in accordance with an agreed management plan;
- (b) ensure that the membership does not exceed 6000 with no more than 400 members or their guests on site at any one time;
- (c) ensure that the car park shall not exceed 50 spaces with no provision for members of staff and feature a one way entrance/egress system; and
- (d) allow the Executive Director of Planning and Conservation to inspect the membership register at his request.

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5.0 RECOMMENDATION

- 5.1. Grant Planning Permission for the conversion of the premises into a health and fitness centre.

M. J. French
Executive Director, Planning and Conservation

Background Papers

The contents of file TP/97/1749 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.

Report Prepared By: AP
Report Approved By: RT/MJF
Date Report Approved 03/12/97

PSC9712/AP. REP

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INFORMATIVES

1. I.5
2. I.8
3. I.9
4. I.10
5. I.14
6. I.21
7. I.22
8. I.29
9. I.30
10. I.31
11. The applicant is advised that a pair of Kestrels nest in the roof of the premises and steps should be taken to ensure the Wildlife and Countryside Act is not breached and, accordingly, the applicant should contact English Nature.

CONDITIONS

- 1. C.1 2. C.48 3. C.49
- 4. C.45 "06.30am until 22.00"
- 5. C.11(f) 6. C.71
- 7. Drawings shall be submitted to and approved in writing by the local planning authority at a scale of 1:50 showing all external alterations, including the proposed boundary wall before the development hereby permitted commences. Such alterations, when implemented, shall accord with the approved drawings.
- 8. Details of any re-surfacing and/or soft landscaping of the car park area or hard surface around the main building, shall be submitted in writing to and agreed in writing, by the local planning authority. Any such works shall be carried out in accordance with the approved details.
- 9. C.68
- 10. An electronic entrance/exit register for members and their guests shall be installed and operated at all times during club opening hours.
- 11. The windows to the health club shall be fixed shut at all times other than when required to be opened for maintenance purposes.
- 12. Prior to occupation of the development hereby approved, a detailed car parking scheme shall be submitted to, and agreed in writing by the local planning authority. Such a car park shall not exceed 50 spaces, and shall include a proportion of spaces for disabled drivers, to be agreed by the Council's Access Officer. The agreed parking scheme shall be implemented prior to occupation of the development and be retained thereafter for use only in connection with the development hereby approved.
- 13. The car park shall be used by members of the Club only whilst they are using the Club facilities.

REASONS FOR THE IMPOSITION OF CONDITIONS

- 1. R.1 2. R.48 3. R.48 4. R.42 5. R.11
- 6. R.71 7. R.11 8. R.16 9. R.68
- 10. To enable monitoring of the requirements of the Planning Obligation, and to safeguard the amenity of the area.
- 11. R.48 12. R.30
- 13. To prevent the car parking being used by members for other purposes when not using the Club facilities.

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THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA

PLANNING SERVICES COMMITTEE

19/11/97

APPLICATION NO.
TP/97/1749/L/43

AGENDA ITEM
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REPORT BY THE EXECUTIVE DIRECTOR OF PLANNING AND CONSERVATION

APPLICANTS NAME/ADDRESS

The Colman Partnership,
7/8 Midford Place,
London W1P 9HJ

DEFERRED

Application dated 25/07/97
Revised 18/09/97 and
23/10/97
Completed 01/08/97
Polling Ward D13

ON BEHALF OF : Holmes Place PLC
INTEREST : Not known

District Plan Proposals Map:

Cons.Area	CAPS	Article 4 Direction	Listed Building	HBMC Direction	A/O Consulted	Objectors (to date)
NO	NO	N/A	N/A	N/A	134	7 + petition of 47

RECOMMENDED DECISION :-

- (1) SUBJECT to a Planning Obligation under Section 106 of the Town and Country Planning Act 1990 to ensure that a bicycle park is located, and permanently retained, for use by the general public and managed in accordance with an agreed management plan.
- (2) GRANT planning permission for the conversion of the premises into a health and fitness centre.

At: 119-131 LANCASTER ROAD, KENSINGTON, W.11

As shown on submitted drawing(s) No(s): TP/97/1749, TP/97/1749/A and TP/97/1749/B

Applicant's drawing(s) No(s) : 9757/5/A, 6, ~~7, 8, 10, 13, 14, 11, 12, 15,~~
~~16A, 17A, 18, SK100,~~

CONDITIONS

- 1. Details of any re-surfacing and/or soft landscaping of the car park area or hard surface around the main building shall be submitted in writing to, and agreed in writing by, the local Planning authority prior to occupation of the development hereby approved. Any such works shall be carried out in accordance with the approved details.

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2. Prior to occupation of the development hereby approved, a detailed car parking scheme shall be submitted to, and agreed in writing by the local Planning authority. Such car park shall not exceed 50 spaces, no more than 3 of which shall be allocated to and used by members of staff, and shall include a proportion of spaces for disabled drivers, to be agreed by the Council's Access Officer. ~~The agreed parking scheme shall be implemented prior to~~ occupation of the development and be retained thereafter for use only in connection with the development hereby approved.

3. C.45 "0.6.30am" until "22.00" 4. C.48 5. C.49 6. C.1
7. C. 8 8. C.71 9. C.11(f)

10. Drawings shall be submitted to and approved in writing by the local Planning authority at a scale of 1:50 showing all external alterations, including the proposed boundary wall before the development hereby permitted commences. Such alterations when implemented shall accord with the approved drawings.

REASONS FOR THE IMPOSITION OF CONDITIONS

1. R.16 2. R.30 3. R.42 4. R.48 5. R.48 6. R.1
7. R.68 8. R.71 9. R.11 10. R.11

INFORMATIVES

1. I.5 2. I.8 3. I.9 4. I.10 5. I.14 6. I.21
7. I.22 8. I.29 9. I.30 10. I.31

11. The applicant is advised that a pair of Kestrels nest in the roof of the premises, and steps should be taken to ensure the Wildlife and Countryside Act is not breached and accordingly the applicant should contact English Nature.

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1. THE SITE

- 1.1 This corner site, which adjoins the London Lighthouse, has a frontage of approximately 80 metres on to Lancaster Road and a 40 metre frontage on to St Marks Road. The premises are not located within a Conservation Area.
- 1.2 The premises are currently the North Kensington annexe of Westminster college, and as such has an authorised educational use which falls within Class D1 (non-residential institutions) of the Town and Country Planning Use Classes Order 1987.
- 1.3 The building comprises basement and four upper floors, and is surrounded by a concreted area once used as a playground and now used to park cars. The entire site area measures 3,200 sq. metres, 0.32 of a hectare.

2.0 THE PROPOSAL

- 2.1 The proposal seeks to change the use of the premises from its authorised educational use (Class D1) to a health and fitness centre falling within Class D2. Internal alterations include the provision of a swimming pool at fourth floor level, a gym at first floor level and a creche, sports clinic and treatment suite at ground floor level. The existing boundary wall around the site fronting on to the pavement would be altered.
- 2.2 The proposal also includes the provision of a bicycle park in part of the basement for use by paying customers, many of whom may be unconnected with the proposed health club, as part of a sustainable transport initiative.

3. PLANNING HISTORY

- 3.1 The Planning records are very limited on the premises, with a single entry in 1985 granting Planning permission for the construction of a pavement crossover. The property was originally constructed as a school, and prior to its use as part of Westminster College it was known as Ladbroke Lower School.

4.0 PLANNING CONSIDERATIONS

- 4.1 The main considerations that have to be addressed when determining this proposal concern the proposed change of use from an educational Class D1 use to a health and leisure centre falling within Class D2, and the Council's policies relating to such a change of use, and the associated parking and traffic implications.
- 4.2 The existing educational use is considered to be a Social and Community use, and the Council in the Unitary Development Plan addresses the subject in its Social and Community Chapter with Strategy 32 outlining the Council's general policy:

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"To protect and encourage Social and Community facilities which are easily accessible to meet the needs of those who live, work and study in the Royal Borough."

This is supported by Policy SC2 stating:

~~"To resist the loss of accommodation for Social and Community use."~~

The text accompanying Policy SC2 identifies Social and Community facilities as including meeting halls, community centres, schools, health centres, doctors' surgeries, social services establishments, libraries and churches. All of these uses fall within Class D1 of the Use Classes Order.

- 4.3 Westminster College is run by an authority outside this Borough's control, and as a consequence caters for predominately non-local demand. If Planning Permission was sought today such a use would be contrary to Policy SC1:

"Normally to resist proposals for the provision of Social and Community facilities which would cater predominately for non-local demand, except where there is a particular need for the use to be located in the Borough."

- 4.4 The building is no longer required by Westminster College, and is in the process of being vacated. Paragraph 4.2 of the Social and Community chapter notes that where such properties are vacant, other uses may be considered. In policy terms as the occupant no longer requires the site and the Social and Community use was not predominantly for the local needs of the area, there are no objections to the loss of the current use.

- 4.5 The Council has no particular policies that deal specifically with health clubs. However, the Council's Leisure and Recreation chapter of the Unitary Development Plan seeks to encourage the provision of additional sports and recreational facilities with Policy LR2 stating:

"To encourage the provision of additional sports and recreational facilities."

- 4.6 The proposal seeks to maintain the existing elevations and repair the external fabric. The proposal does seek to create a new front entrance into the building on the Lancaster Road frontage and reduce the height of the existing boundary wall. Both alterations are considered to maintain the appearance of the premises and are consistent with the Council's policies seeking to maintain and enhance the character and appearance of the Borough.

- 4.7 The existing site contains a crossover on to St Marks Road in addition to the one in Lancaster Road, and the rear of the site is used for the parking of cars.

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- 4.8 The original submission sought to provide 82 car parking spaces within the boundary of the site. In assessing this proposal the Council's Transportation Officer considers that the amount of car parking space is an issue to be balanced between:
 - a) A need to accommodate demand for parking so as to protect on street spaces from excess demand, and
 - b) A wish to limit reliance on the private car and encourage use of other modes of transport.
- 4.9 In this context it was considered that 82 car parking spaces was excessive. Based upon information from other health clubs it is calculated that the maximum number of cars generated is likely to be 47, at its peak period at 6.45 pm. The maximum number of car parking spaces suggested was 50, with a proportion made available for disabled users and no more than 3 made available for members of staff.
- 4.10 The Transportation Officer is very keen to promote travel to the work place by means other than the car, particularly by bicycle, but there are a lack of places where bicycles can be safely left without fear of theft. A new initiative has been developed where people cycling to work can deposit their bike, have a shower and change into their work clothes and pick the bike up on the return journey. This is known as a bike park. This idea is very much in accord with local Agenda 21, and national sustainability issues, most clearly set out in PPG6 and 13.
- 4.11 The concept of bike parks was explained to the applicant who has agreed to provide such a facility in the basement of the building. The Transportation Officer considers the provision of a bike park to be important and would encourage more people to travel to work by bicycle. It is considered that to ensure the applicant provides the bike park, Planning Permission if forthcoming be subject to the applicant entering into a Planning Obligation under Section 106 of the Town and Country Planning Act 1990, ensuring the bike park is operational on or before the health club opens for business. This agreement will also establish the operator and management of the bike park.

5.0 PUBLIC CONSULTATION

- 5.1 The Council notified 134 addresses of the proposal and have to date received 7 letters and one petition signed by 47 people objecting to the proposal, and 1 letter of support.
- 5.2 The St Marks Road frontage of the site is located opposite Thomas Darby Court (133 Lancaster Road), a sheltered housing development for the elderly, which has two frontages, one on to St Marks Road and the other on to Lancaster Road. The Council has received a petition from the residents of this block signed by 47 people.
- 5.3 The petition lists four points of concern relating to the proposal:

"We view with considerable anxiety and concern the planning application from Holmes Place plc to convert such a huge building in our immediate vicinity into a sports centre. We are alarmed by the possibility that:

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- a) this may attract undesirable elements;
- b) ~~that increased anti-social behaviour may be rife;~~
- c) that noise levels (including the possibility of loud "music") will become intolerable particularly at night, thus depriving us of our sleep;
- d) the creation of a car park for 82 cars (as stated in Holmes Place plc's application to you) will create increased pollution levels. The additional increase in traffic would also add to the hazards of our elderly residents when attempting to cross St Marks Road and Lancaster Road in what was hitherto a residential district."

- 5.4 Holmes Place operate numerous health and fitness centres in London with the Planning Services Committee considering one in Kensington High Street at the last Committee meeting on 4th November.
- 5.5 The membership and annual subscriptions for the clubs are expensive, and whilst money is not a prerequisite for good behaviour, it is unlikely to attract the type of customer the petition fears.
- 5.6 The noise levels of any music will be condition to ensure it is not audible from the outside of the building.
- 5.7 The car parking spaces have been reduced from the originally proposed 82 to a maximum of 50, which as previously stated in this report is considered an acceptable number by the Council's Transportation Officer. It is an important point to make that the educational use has a car park which has no restrictions upon the number of cars that can use it. This existing/former use has the potential to generate a high degree of traffic movement, and the use could change to any of those uses described in para 4.2 above without the need for Planning permission. Some of these uses could generate significant numbers of cars and general activity.
- 5.8 Concern has been expressed in respect of parking and general activity associated with such use by other residents in Lancaster Road, and by Kensington and Chelsea with Westminster Friends of the Earth, North Kensington Environmental Forum, and London Lighthouse.
- 5.9 The Kensington Society wrote in support of the proposal. A local resident has advised the Council that a pair of Kestrels nest in the roof of the building, and that the Wildlife and Countryside Act considers it an offence to injure or kill wild birds, or to remove or damage an active nest of wild birds. The nesting season is from March to June each year, and the applicant will be advised by informative of their responsibility under the Wildlife and Countryside Act.

TP/97/1749 : 7

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- 6.0 Grant Planning permission.

M.J. FRENCH
EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION

Background Papers

The contents of the file number TP/97/1749 referred to at the head of this report save for exempt or confidential information as defined by the Local Government (Access to Information) Act, 1985.

Officer Contact

The above documents can be inspected by prior appointment with Tracey Rust in the Planning Information Office, Room 325, The Town Hall, Telephone 0171-361-2080.

REPORT PREPARED BY: AP
REPORT APPROVED BY: RT/MJF
DATE REPORT APPROVED: 29/10/97

PSC9711/AP.REP

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ROYAL BOROUGH OF KENSINGTON AND CHELSEA
PLANNING SERVICES COMMITTEE 16TH DECEMBER 1997

ADDENDUM REPORT BY THE EXECUTIVE DIRECTOR,
PLANNING AND CONSERVATION

119-131 LANCASTER ROAD, KENSINGTON, W.11
APPLICATION NUMBER TP/97/1749 - AGENDA ITEM: 393

File

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- 2.11 If the car parking on site is retained at 50, the proposal would not have any significant detrimental effect upon the operation or safety of the local road network. It should, however, be emphasised that some on-street parking would undoubtedly take place on some occasions.

The existing educational use has a car park with no restriction upon the number of cars that can be parked. The College allows the market traders of Portobello Road to use the car park at the weekend and currently 25 cars are parked on Saturdays and Sundays.

- 2.12 The College and the car park are most active between the hours of 9am and 5.30pm, but it does provide evening classes for approximately 85 students and 8 staff and this continues until 9.00pm. The existing use is constant and considerable during the weekdays until 9.00pm with the weekends being restricted to the car park only. Furthermore, other uses of the building which fall within the same use class, and thus not requiring planning permission, could generate significant amounts of traffic over and above that as currently experienced. Such uses could include Meeting Halls, Community Centre, other educational establishments, Social Services establishments, and premises for religious purposes.

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3.0 CONCLUSION

3.1 The proposed health club will result in more activity being generated in terms of car arrivals and departures, but when compared with the existing and former use which also generates a considerable amount of activity, the Council's Transportation Officer is of the opinion that the proposal will not have a detrimental effect upon the amenity of the local area or the road network.

3.2 For the Council to ensure the proposal will not have a detrimental effect upon the local area, it is considered the following matters shall be subject to a Planning Obligation:

- (a) The membership is limited to a maximum of 6000, with no more than 400 on site at any one time.
- (b) The car park shall not exceed 50 spaces with no provision for members of staff with access/egress one way.
- (c) The membership role shall be made available for inspection by the Executive Director of Planning and Conservation when required.

The applicant has advised the Council of his willingness to add these matters to the existing proposed Planning Obligation to provide a bicycle park.

3.3 Further conditions are suggested, ensuring the windows are not openable and providing an electronic entrance/exit register for members so the attendance figures can be easily checked.

4.0 RECOMMENDATION

4.1 Subject to conditions and a Planning Obligation under Section 106 of the Town and Country Planning Act 1990 to:

- (a) ensure that a bicycle park is located in the basement as indicated on the submitted drawings, and permanently retained, for use by the general public and managed in accordance with an agreed management plan;
- (b) ensure that the membership does not exceed 6000 with no more than 400 members or their guests on site at any one time;
- (c) ensure that the car park shall not exceed 50 spaces with no provision for members of staff and feature a one way entrance/egress system; and
- (d) allow the Executive Director of Planning and Conservation to inspect the membership register at his request.

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5.0 RECOMMENDATION

5.1 Grant Planning Permission for the conversion of the premises into a health and fitness centre.

M. J. French
Executive Director, Planning and Conservation

Background Papers

The contents of file TP/97/1749 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.

Report Prepared By: AP
Report Approved By: RT/MJF
Date Report Approved 03/12/97

PSC9712/AP. REP

CONDITIONS

- 1. C.1 2. C.48 3. C.49
- 4. C.45 "06.30am until 22.00"
- 5. C.11(f) 6. C.71
- 7. Drawings shall be submitted to and approved in writing by the local planning authority at a scale of 1:50 showing all external alterations, including the proposed boundary wall before the development hereby permitted commences. Such alterations, when implemented, shall accord with the approved drawings.
- 8. Details of any re-surfacing and/or soft landscaping of the car park area or hard surface around the main building, shall be submitted in writing to and agreed in writing, by the local planning authority. Any such works shall be carried out in accordance with the approved details.
- 9. C.68
- 10. An electronic entrance/exit register for members and their guests shall be installed and operated at all times during club opening hours.
- 11. The windows to the health club shall be fixed shut at all times other than when required to be opened for maintenance purposes.
- 12. Prior to occupation of the development hereby approved, a detailed car parking scheme shall be submitted to, and agreed in writing by the local planning authority. Such a car park shall not exceed 50 spaces, and shall include a proportion of spaces for disabled drivers, to be agreed by the Council's Access Officer. The agreed parking scheme shall be implemented prior to occupation of the development and be retained thereafter for use only in connection with the development hereby approved.
- 13. The car park shall be used by members of the Club only whilst they are using the Club facilities.

REASONS FOR THE IMPOSITION OF CONDITIONS

- 1. R.1 2. R.48 3. R.48 4. R.42 5. R.11
- 6. R.71 7. R.11 8. R.16 9. R.68
- 10. To enable monitoring of the requirements of the Planning Obligation, and to safeguard the amenity of the area.
- 11. R.48 12. R.30
- 13. To prevent the car parking being used by members for other purposes when not using the Club facilities.

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INFORMATIVES

- | | | | | | |
|----|------|---------|---------|---------|----------|
| 1. | I.5 | 2. I.8 | 3. I.9 | 4. I.10 | 5. I.14 |
| 6. | I.21 | 7. I.22 | 8. I.29 | 9. I.30 | 10. I.31 |
11. The applicant is advised that a pair of Kestrels nest in the roof of the premises and steps should be taken to ensure the Wildlife and Countryside Act is not breached and, accordingly, the applicant should contact English Nature.

202/L

A2

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ROYAL BOROUGH OF KENSINGTON AND CHELSEA
PLANNING SERVICES COMMITTEE 16TH DECEMBER 1997

ADDENDUM REPORT BY THE EXECUTIVE DIRECTOR,
PLANNING AND CONSERVATION

119-131 LANCASTER ROAD, KENSINGTON, W.11

APPLICATION NUMBER TP/97/1749 - AGENDA ITEM: 392

1.0 BACKGROUND

- 1.1 On 19th November 1997, the Planning Services Committee considered an application seeking Planning Permission for the change of use from educational (Class D1) to a health and fitness centre falling within Class D2 at 119-131 Lancaster Road.
- 1.2 The recommendation to the Committee was that Planning Permission should be granted subject to a number of conditions and subject to the applicant entering into a Planning Obligation to ensure a bicycle park is located and permanently retained for the use by the general public and managed in accordance with an agreed management plan.
- 1.3 The Committee deferred a decision so that a number of matters could be addressed or confirmed. These matters relate primarily to the impact of the proposal on surrounding residents and the implications of the loss of the existing educational use. This included traffic generation issues, car parking facilities and conditions to be attached to a Planning Permission in order to achieve satisfactory safeguards to the levels of amenity locally.
- 1.4 A meeting was subsequently held with the applicants, and agreement was reached on the following points. Each request or concern voiced by the Committee is printed in bold with the relevant response set out beneath:

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1.5 WHAT IS THE ESTIMATED CATCHMENT AREA FOR THE PROPOSED USE

Based on other Holmes Places developments, the applicant has estimated that the catchment area for membership will be drawn from a three-quarter mile radius around the proposed club. A radius of three-quarters of a mile would result in the catchment area being bounded at the South by Notting Hill Gate/Holland Park Avenue, to the North by Harrow Road, to the East by Westbourne Park Road's junction with the Great Western Road and to the West by the West Cross Route.

1.6 WHAT IS THE SPLIT BETWEEN STUDENTS USING THE COLLEGE WHO LIVE WITHIN THE BOROUGH AND OUTSIDE THE BOROUGH

The college role for its last academic year was 855 with 80 members of staff, 17% of the students were resident in the Borough, 38% of the students were resident in Westminster and 45% of the students came from other Boroughs.

1.7 WHAT IS THE MAXIMUM NUMBER OF MEMBERSHIP REQUIRED AND THE MAXIMUM NUMBER OF MEMBERS ON SITE AT ANY ONE TIME

The maximum number of members is limited to 6000, with the maximum allowed on site at any one time being 400.

1.8 WHAT ARE THE MEANS OF VENTILATION AND WHAT STEPS ARE PROPOSED TO PREVENT THE TRANSFERENCE OF NOISE TO THE SURROUNDING AREA

The proposed health club is to be air conditioned with the plant enclosed within the roof of the building. Because the building is air conditioned, all the windows have to be sealed for the system to function. All the windows will have secondary glazing internally to prevent sound and air movement.

2.0 CONSIDERATIONS

2.1 The concerns of the Planning Services Committee, as stated in Paragraph 1.3 of this report, relate in part to the level of membership, the number of members on site at any one time, and the effect the proposal would have upon traffic generation and car parking in the local area.

2.2 Detailed figures are available to the Council for several similar fitness clubs operated by Holmes Place (the current applicant) in this, and neighbouring Boroughs, including floor area, locker numbers, membership levels, etc. Further detailed analysis and survey work has been carried out for the Fulham Road, Chelsea, proposal. These figures and surveys enable the Council's Transportation Officer to calculate the impact of the current proposal in terms of use and traffic generation.

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2.3 The original intention of the applicant was to accommodate a membership of 8000, with a maximum number of members on site at any one time of 600. Following meetings with the applicant, the proposal has now been revised to a maximum membership of 6000, with a maximum number of members on site at any one time of 400.

2.4 The Council's Transportation Officer has calculated the impact of the proposal for a maximum membership of 6000. Empirical evidence suggests that 20% of all visits are made by car. It is found that the peak time for use is at 6.45pm. This can be set out as follows:

Daily visits to the Club:	1008
Daily visits by car:	201
Visits at hour beginning 6.00pm:	150
Visits at hour beginning 6.00pm by car:	30
Maximum people on site at 6.45pm:	288 (average)
Maximum visits by car at 6.45pm:	57 (average)
Total maximum on site:	400 (maximum)
Total maximum car visits:	80 (maximum)

2.5 The Council's Transportation Officer has undertaken an assessment of parking occupancy in the local area, in particular Lancaster Road, St. Mark's Road and Cornwall Crescent. It was found that the parking stress in this area is not as high as in other areas in the Borough but, nonetheless, considerable. The survey indicates that in the evening, of the legal spaces available:

- Lancaster Road - 80% were occupied with 10 legal spaces available.
- St. Mark's Road - 88% were occupied with 1 legal space available.
- Cornwall Crescent - 78% were occupied with 11 legal spaces available.

2.6 The proposal seeks to provide 50 car parking spaces on site and whilst the Committee sought to see this number reduced to 25, the Council's Transportation Officer is of the opinion that the additional traffic movements generated by the use would not cause any operational difficulties on the road network as long as the access/egress was a one way arrangement and the 50 car parking spaces were retained.

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- 2.7 The majority of membership of the proposed Club would be drawn from a three-quarter mile radius and, as a consequence, these members who would drive to the site would be residents of the Borough and have in their possession, a resident car parking permit.
- 2.8 The proposed use therefore serves the local community, and although the Council are committed to a policy of sustainable development which seeks to reduce reliance on the private car, PPG13 suggests that the local scale of a health club serving the local community is appropriate in this location.
- 2.9 The maximum number of people allowed on site at any one time is restricted to 400, which would generate 80 car visits. The upper limit of 400 is to accommodate special events and circumstances when members remain on the premises after using the health and fitness facilities. The special circumstances have proven to be events such as the Wimbledon Tennis Final and Rugby and Football Internationals.
- 2.10 The normally expected maximum number of members expected on the site at any one time is, as stated in Paragraph 2.4 of this report, at 6.45pm. The accumulative number of members is calculated at 288 people, generating 57 cars.
- 2.11 If the car parking on site is retained at 50, the proposal would not have any significant detrimental effect upon the operation or safety of the local road network. It should, however, be emphasised that some on-street parking would undoubtedly take place on some occasions.

The existing educational use has a car park with no restriction upon the number of cars that can be parked. The College allows the market traders of Portobello Road to use the car park at the weekend and currently 25 cars are parked on Saturdays and Sundays.

- 2.12 The College and the car park are most active between the hours of 9am and 5.30pm, but it does provide evening classes for approximately 85 students and 8 staff and this continues until 9.00pm. The existing use is constant and considerable during the weekdays until 9.00pm with the weekends being restricted to the car park only. Furthermore, other uses of the building which fall within the same use class, and thus not requiring planning permission, could generate significant amounts of traffic over and above that as currently experienced. Such uses could include Meeting Halls, Community Centre, other educational establishments, Social Services establishments, and premises for religious purposes.

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3.0 CONCLUSION

3.1 The proposed health club will result in more activity being generated in terms of car arrivals and departures, but when compared with the existing and former use which also generates a considerable amount of activity, the Council's Transportation Officer is of the opinion that the proposal will not have a detrimental effect upon the amenity of the local area or the road network.

3.2 For the Council to ensure the proposal will not have a detrimental effect upon the local area, it is considered the following matters shall be subject to a Planning Obligation:

- (a) The membership is limited to a maximum of 6000, with no more than 400 on site at any one time.
- (b) The car park shall not exceed 50 spaces with no provision for members of staff with access/egress one way.
- (c) The membership role shall be made available for inspection by the Executive Director of Planning and Conservation when required.

The applicant has advised the Council of his willingness to add these matters to the existing proposed Planning Obligation to provide a bicycle park.

3.3 Further conditions are suggested, ensuring the windows are not openable and providing an electronic entrance/exit register for members so the attendance figures can be easily checked.

4.0 RECOMMENDATION

4.1 Subject to conditions and a Planning Obligation under Section 106 of the Town and Country Planning Act 1990 to:

- (a) ensure that a bicycle park is located in the basement as indicated on the submitted drawings, and permanently retained, for use by the general public and managed in accordance with an agreed management plan;
- (b) ensure that the membership does not exceed 6000 with no more than 400 members or their guests on site at any one time;
- (c) ensure that the car park shall not exceed 50 spaces with no provision for members of staff and feature a one way entrance/egress system; and
- (d) allow the Executive Director of Planning and Conservation to inspect the membership register at his request.

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5.0 RECOMMENDATION

- 5.1 Grant Planning Permission for the conversion of the premises into a health and fitness centre.

M. J. French
Executive Director, Planning and Conservation

Background Papers

The contents of file TP/97/1749 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.

Report Prepared By: AP
Report Approved By: RT/MJF
Date Report Approved 03/12/97

PSC9712/AP. REP

180

CONDITIONS

1. C.1 2. C.48 3. C.49
4. C.45 "06.30am until 22.00"
5. C.11(f) 6. C.71
7. Drawings shall be submitted to and approved in writing by the local planning authority at a scale of 1:50 showing all external alterations, including the proposed boundary wall before the development hereby permitted commences. Such alterations, when implemented, shall accord with the approved drawings.
8. Details of any re-surfacing and/or soft landscaping of the car park area or hard surface around the main building, shall be submitted in writing to and agreed in writing, by the local planning authority. Any such works shall be carried out in accordance with the approved details.
9. C.68
10. An electronic entrance/exit register for members and their guests shall be installed and operated at all times during club opening hours.
11. The windows to the health club shall be fixed shut at all times other than when required to be opened for maintenance purposes.
12. Prior to occupation of the development hereby approved, a detailed car parking scheme shall be submitted to, and agreed in writing by the local planning authority. Such a car park shall not exceed 50 spaces, and shall include a proportion of spaces for disabled drivers, to be agreed by the Council's Access Officer. The agreed parking scheme shall be implemented prior to occupation of the development and be retained thereafter for use only in connection with the development hereby approved.
13. The car park shall be used by members of the Club only whilst they are using the Club facilities.

REASONS FOR THE IMPOSITION OF CONDITIONS'

1. R.1 2. R.48 3. R.48 4. R.42 5. R.11
6. R.71 7. R.11 8. R.16 9. R.68
10. To enable monitoring of the requirements of the Planning Obligation, and to safeguard the amenity of the area.
11. R.48 12. R.30
13. To prevent the car parking being used by members for other purposes when not using the Club facilities.

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INFORMATIVES

1. I.5
2. I.8
3. I.9
4. I.10
5. I.14
6. I.21
7. I.22
8. I.29
9. I.30
10. I.31
11. The applicant is advised that a pair of Kestrels nest in the roof of the premises and steps should be taken to ensure the Wildlife and Countryside Act is not breached and, accordingly, the applicant should contact English Nature.

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA

PLANNING SERVICES COMMITTEE

19/11/97

APPLICATION NO.
TP/97/1749/L/43AGENDA ITEM
363REPORT BY THE EXECUTIVE DIRECTOR OF PLANNING AND CONSERVATION

APPLICANTS NAME/ADDRESS

The Colman Partnership,
7/8 Midford Place,
London W1P 9HJ

Application dated 25/07/97

Revised 18/09/97 and
23/10/97

Completed 01/08/97

Polling Ward D13

ON BEHALF OF : Holmes Place PLC
INTEREST : Not knownDistrict Plan Proposals Map:

Cons.Area	CAPS	Article 4 Direction	Listed Building	HBMC Direction	A/O Consulted	Objectors (to date)
NO	NO	N/A	N/A	N/A	134	7 + petition of 47

RECOMMENDED DECISION :-

- (1) SUBJECT to a Planning Obligation under Section 106 of the Town and Country Planning Act 1990 to ensure that a bicycle park is located, and permanently retained, for use by the general public and managed in accordance with an agreed management plan.
- (2) GRANT planning permission for the conversion of the premises into a health and fitness centre.

At: 119-131 LANCASTER ROAD, KENSINGTON, W.11

As shown on submitted drawing(s) No(s): TP/97/1749, TP/97/1749/A and
TP/97/1749/BApplicant's drawing(s) No(s) : 9757/5/A, 6, 7, 8, 10, 13, 14, 11, 12, 15,
16A, 17A, 18, SK100.CONDITIONS

1. Details of any re-surfacing and/or soft landscaping of the car park area or hard surface around the main building shall be submitted in writing to, and agreed in writing by, the local Planning authority prior to occupation of the development hereby approved. Any such works shall be carried out in accordance with the approved details.

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2. Prior to occupation of the development hereby approved, a detailed car parking scheme shall be submitted to, and agreed in writing by the local Planning authority. Such car park shall not exceed 50 spaces, no more than 3 of which shall be allocated to and used by members of staff, and shall include a proportion of spaces for disabled drivers, to be agreed by the Council's Access Officer. The agreed parking scheme shall be implemented prior to occupation of the development and be retained thereafter for use only in connection with the development hereby approved.
3. C.45 "0.6.30am" until "22.00" 4. C.48 5. C.49 6. C.1
7. C. 8 8. C.71 9. C.11(f)
10. Drawings shall be submitted to and approved in writing by the local Planning authority at a scale of 1:50 showing all external alterations, including the proposed boundary wall before the development hereby permitted commences. Such alterations when implemented shall accord with the approved drawings.

REASONS FOR THE IMPOSITION OF CONDITIONS

1. R.16 2. R.30 3. R.42 4. R.48 5. R.48 6. R.1
7. R.68 8. R.71 9. R.11 10. R.11

INFORMATIVES

1. I.5 2. I.8 3. I.9 4. I.10 5. I.14 6. I.21
7. I.22 8. I.29 9. I.30 10. I.31
11. The applicant is advised that a pair of Kestrels nest in the roof of the premises, and steps should be taken to ensure the Wildlife and Countryside Act is not breached and accordingly the applicant should contact English Nature.

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1. THE SITE

- 1.1 This corner site, which adjoins the London Lighthouse, has a frontage of approximately 80 metres on to Lancaster Road and a 40 metre frontage on to St Marks Road. The premises are not located within a Conservation Area.
- 1.2 The premises are currently the North Kensington annexe of Westminster college, and as such has an authorised educational use which falls within Class D1 (non-residential institutions) of the Town and Country Planning Use Classes Order 1987.
- 1.3 The building comprises basement and four upper floors, and is surrounded by a concreted area once used as a playground and now used to park cars. The entire site area measures 3,200 sq. metres, 0.32 of a hectare.

2.0 THE PROPOSAL

- 2.1 The proposal seeks to change the use of the premises from its authorised educational use (Class D1) to a health and fitness centre falling within Class D2. Internal alterations include the provision of a swimming pool at fourth floor level, a gym at first floor level and a creche, sports clinic and treatment suite at ground floor level. The existing boundary wall around the site fronting on to the pavement would be altered.
- 2.2 The proposal also includes the provision of a bicycle park in part of the basement for use by paying customers, many of whom may be unconnected with the proposed health club, as part of a sustainable transport initiative.

3. PLANNING HISTORY

- 3.1 The Planning records are very limited on the premises, with a single entry in 1985 granting Planning permission for the construction of a pavement crossover. The property was originally constructed as a school, and prior to its use as part of Westminster College it was known as Ladbroke Lower School.

4.0 PLANNING CONSIDERATIONS

- 4.1 The main considerations that have to be addressed when determining this proposal concern the proposed change of use from an educational Class D1 use to a health and leisure centre falling within Class D2, and the Council's policies relating to such a change of use, and the associated parking and traffic implications.
- 4.2 The existing educational use is considered to be a Social and Community use, and the Council in the Unitary Development Plan addresses the subject in its Social and Community Chapter with Strategy 32 outlining the Council's general policy:

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"To protect and encourage Social and Community facilities which are easily accessible to meet the needs of those who live, work and study in the Royal Borough."

This is supported by Policy SC2 stating:

"To resist the loss of accommodation for Social and Community use."

The text accompanying Policy SC2 identifies Social and Community facilities as including meeting halls, community centres, schools, health centres, doctors' surgeries, social services establishments, libraries and churches. All of these uses fall within Class D1 of the Use Classes Order.

- 4.3 Westminster College is run by an authority outside this Borough's control, and as a consequence caters for predominately non-local demand. If Planning Permission was sought today such a use would be contrary to Policy SC1:

"Normally to resist proposals for the provision of Social and Community facilities which would cater predominately for non-local demand, except where there is a particular need for the use to be located in the Borough."

- 4.4 The building is no longer required by Westminster College, and is in the process of being vacated. Paragraph 4.2 of the Social and Community chapter notes that where such properties are vacant, other uses may be considered. In policy terms as the occupant no longer requires the site and the Social and Community use was not predominantly for the local needs of the area, there are no objections to the loss of the current use.

- 4.5 The Council has no particular policies that deal specifically with health clubs. However, the Council's Leisure and Recreation chapter of the Unitary Development Plan seeks to encourage the provision of additional sports and recreational facilities with Policy LR2 stating:

"To encourage the provision of additional sports and recreational facilities."

- 4.6 The proposal seeks to maintain the existing elevations and repair the external fabric. The proposal does seek to create a new front entrance into the building on the Lancaster Road frontage and reduce the height of the existing boundary wall. Both alterations are considered to maintain the appearance of the premises and are consistent with the Council's policies seeking to maintain and enhance the character and appearance of the Borough.

- 4.7 The existing site contains a crossover on to St Marks Road in addition to the one in Lancaster Road, and the rear of the site is used for the parking of cars.

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- 4.8 The original submission sought to provide 82 car parking spaces within the boundary of the site. In assessing this proposal the Council's Transportation Officer considers that the amount of car parking space is an issue to be balanced between:
- a) A need to accommodate demand for parking so as to protect on street spaces from excess demand, and
 - b) A wish to limit reliance on the private car and encourage use of other modes of transport.
- 4.9 In this context it was considered that 82 car parking spaces was excessive. Based upon information from other health clubs it is calculated that the maximum number of cars generated is likely to be 47, at its peak period at 6.45 pm. The maximum number of car parking spaces suggested was 50, with a proportion made available for disabled users and no more than 3 made available for members of staff.
- 4.10 The Transportation Officer is very keen to promote travel to the work place by means other than the car, particularly by bicycle, but there are a lack of places where bicycles can be safely left without fear of theft. A new initiative has been developed where people cycling to work can deposit their bike, have a shower and change into their work clothes and pick the bike up on the return journey. This is known as a bike park. This idea is very much in accord with local Agenda 21, and national sustainability issues, most clearly set out in PPG6 and 13.
- 4.11 The concept of bike parks was explained to the applicant who has agreed to provide such a facility in the basement of the building. The Transportation Officer considers the provision of a bike park to be important and would encourage more people to travel to work by bicycle. It is considered that to ensure the applicant provides the bike park, Planning Permission if forthcoming be subject to the applicant entering into a Planning Obligation under Section 106 of the Town and Country Planning Act 1990, ensuring the bike park is operational on or before the health club opens for business. This agreement will also establish the operator and management of the bike park.

5.0 PUBLIC CONSULTATION

- 5.1 The Council notified 134 addresses of the proposal and have to date received 7 letters and one petition signed by 47 people objecting to the proposal, and 1 letter of support.
- 5.2 The St Marks Road frontage of the site is located opposite Thomas Darby Court (133 Lancaster Road), a sheltered housing development for the elderly, which has two frontages, one on to St Marks Road and the other on to Lancaster Road. The Council has received a petition from the residents of this block signed by 47 people.
- 5.3 The petition lists four points of concern relating to the proposal:

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"We view with considerable anxiety and concern the planning application from Holmes Place plc to convert such a huge building in our immediate vicinity into a sports centre. We are alarmed by the possibility that:

- a) this may attract undesirable elements;
- b) that increased anti-social behaviour may be rife;
- c) that noise levels (including the possibility of loud "music") will become intolerable particularly at night, thus depriving us of our sleep;
- d) the creation of a car park for 82 cars (as stated in Holmes Place plc's application to you) will create increased pollution levels. The additional increase in traffic would also add to the hazards of our elderly residents when attempting to cross St Marks Road and Lancaster Road in what was hitherto a residential district."

- 5.4 Holmes Place operate numerous health and fitness centres in London with the Planning Services Committee considering one in Kensington High Street at the last Committee meeting on 4th November.
- 5.5 The membership and annual subscriptions for the clubs are expensive, and whilst money is not a prerequisite for good behaviour, it is unlikely to attract the type of customer the petition fears.
- 5.6 The noise levels of any music will be condition to ensure it is not audible from the outside of the building.
- 5.7 The car parking spaces have been reduced from the originally proposed 82 to a maximum of 50, which as previously stated in this report is considered an acceptable number by the Council's Transportation Officer. It is an important point to make that the educational use has a car park which has no restrictions upon the number of cars that can use it. This existing/former use has the potential to generate a high degree of traffic movement, and the use could change to any of those uses described in para 4.2 above without the need for Planning permission. Some of these uses could generate significant numbers of cars and general activity.
- 5.8 Concern has been expressed in respect of parking and general activity associated with such use by other residents in Lancaster Road, and by Kensington and Chelsea with Westminster Friends of the Earth, North Kensington Environmental Forum, and London Lighthouse.
- 5.9 The Kensington Society wrote in support of the proposal. A local resident has advised the Council that a pair of Kestrels nest in the roof of the building, and that the Wildlife and Countryside Act considers it an offence to injure or kill wild birds, or to remove or damage an active nest of wild birds. The nesting season is from March to June each year, and the applicant will be advised by informative of their responsibility under the Wildlife and Countryside Act.

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6.0 Grant Planning permission.

M.J. FRENCH
EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION

Background Papers

The contents of the file number TP/97/1749 referred to at the head of this report save for exempt or confidential information as defined by the Local Government (Access to Information) Act, 1985.

Officer Contact

The above documents can be inspected by prior appointment with Tracey Rust in the Planning Information Office, Room 325, The Town Hall, Telephone 0171-361-2080.

REPORT PREPARED BY: AP
REPORT APPROVED BY: RT/MJF
DATE REPORT APPROVED: 29/10/97

PSC9711/AP.REP

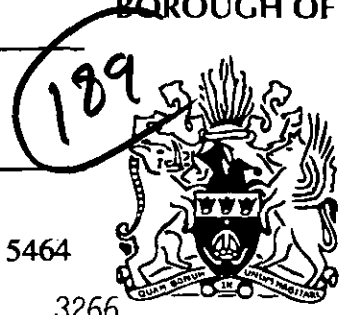
202/L

PLANNING AND CONSERVATION

THE ROYAL
BOROUGH OF

THE TOWN HALL • HORNTON STREET • LONDON W8 7NX

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS
Director of Planning Services



The Colman Partnership,
7/8 Midford Place,
London W1P 9HJ

Switchboard: 0171-937 5464
Direct Line: 0171-361 3266
Facsimile: 0171-361 3463

**KENSINGTON
AND CHELSEA**

16 JAN 1998

My reference:	Your reference:	Please ask for:
	9757	North Area Team
	DPS/PA/TP/97/1749/L/43/363/392	

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT, 1990
TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER, 1988

Permission for development (Conditional) (TP6a)

The Borough Council hereby permit the development referred to in the under-mentioned Schedule, subject to the conditions set out therein and in accordance with the plans submitted, save insofar as may otherwise be required by the said conditions. Your attention is also drawn to the enclosed Information Sheet.

SCHEDULE

DEVELOPMENT

Conversion into a health and fitness centre, at 119-131 LANCASTER ROAD, KENSINGTON, W.11, as shown on submitted drawing(s) No(s). TP/97/1749, TP/97/1749/A and TP/97/1749/B, Applicant's drawing(s) No(s). 9757/5A, /6, /7, /8, /10, /13, /14, /11, /12, /15, /16A, /17A, /18 and sk100, in accordance with your application dated 25/07/97, completed 01/08/97, revised 18/09/97 and 23/10/97.

/ CONDITIONS ...

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CONDITIONS

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission. (C.1)
2. No music shall be played within the premises the subject of this permission so as to be audible outside the premises. (C.48)
3. No loudspeaker or relay equipment or musical instruments shall be used on the premises in such a manner as to cause noise nuisance to nearby occupiers. (C.49)
4. The use hereby permitted shall only be carried out between the hours of 06.30am until 22.00 on any day. (C.45)
5. Full particulars of the following shall be submitted to and approved in writing by the local planning authority before the development hereby permitted commences and the development shall not be carried out otherwise than in accordance with the details so approved:
 - (a) the provision of access for people with disabilities. (C.11)
6. All work and work of making good shall be finished to match the existing original work in respect of material, colour, texture, and profile and, in the case of brickwork, facebond and pointing. (C.71)
7. Drawings shall be submitted to and approved in writing by the local planning authority at a scale of 1:50 showing all external alterations, including the proposed boundary wall before the development hereby permitted commences. Such alterations, when implemented, shall accord with the approved drawings.
8. Details of any re-surfacing and/or soft landscaping of the car park area or hard surface around the main building, shall be submitted to and agreed in writing by, the local planning authority. Any such works shall be carried out in accordance with the approved details.
9. The development hereby permitted shall be carried out exactly and only in accordance with the drawings and other particulars forming part of the permission and there shall be no variation therefrom without the prior written approval of the local planning authority. (C.68)
10. An electronic entrance/exit register for members and their guests shall be installed and operated at all times during club opening hours.
11. The windows to the health club shall be fixed shut at all times other than when required to be opened for maintenance purposes.

/12. The car park...

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12. The car park shall not exceed 50 spaces.
13. The car park shall include a one way entrance/egress system.

REASONS FOR THE IMPOSITION OF CONDITIONS

1. As required by Section 91 of the Town and Country Planning Act 1990 to avoid the accumulation of unexercised planning permissions. (R.1)
2. To safeguard the amenities of neighbouring properties. (R.48)
3. To safeguard the amenities of neighbouring properties. (R.48)
4. To safeguard the amenities of neighbouring properties. (R.42)
5. The particulars reserved are considered to be material to the acceptability of the development and the local planning authority wishes to ensure that the details of the development are satisfactory. (R.11)
6. To ensure a satisfactory standard of external appearance. (R.71)
7. The particulars reserved are considered to be material to the acceptability of the development and the local planning authority wishes to ensure that the details of the development are satisfactory. (R.11)
8. To ensure the appearance of the development is satisfactory and safeguard the amenities of the area. (R.16)
9. The details are considered to be material to the acceptability of the proposals and to safeguarding the amenities of the area. (R.68)
10. To enable monitoring of the requirements of the Planning Obligation, and to safeguard the amenity of the area.
11. To safeguard the amenities of neighbouring properties. (R.48)
12. To ensure that the use does not add to traffic congestion in the immediate area contrary to the local planning authority's policies of traffic restraint. (R.30)
13. To prevent the car parking being used by members for other purposes when not using the Club facilities.

INFORMATIVES

1. Any advertisements to be erected at the premises may require consent under the Control of Advertisement Regulations 1992. You are advised to consult the Directorate of Planning Services. (I.5)
- /2. In granting...

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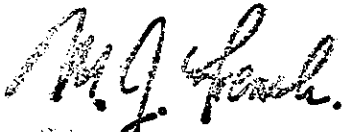
2. In granting this permission the Council has had regard to Planning Obligation(s) under Section 106 of the Town and Country Planning Act 1990 as amended. (I.8)
3. Approval under the Planning Acts is hereby granted for the development as shown on the approved drawings and subject to the conditions. Any alteration to the approved scheme, resulting from the requirements of the Building Regulations or for any other reason, may require further approval. You are advised to consult the Directorate of Planning Services before commencing work. (I.9)
4. Your attention is drawn to the conditions of this approval and to the Council's powers of enforcement, including the power to serve a Breach of Condition Notice under the Town and Country Planning Act, 1990, as amended. (I.10)
5. Your attention is drawn to the Chronically Sick and Disabled Persons Act, 1970 and the Disabled Persons Act 1981 which place on developers and their representatives an obligation to provide easy access for the disabled. In the case of development for office, shop or factory purposes or for buildings or premises to which the public are admitted you should refer to the Code of Practice for Access for the Disabled to Buildings BS 5810:1979. In the case of university, college or school buildings you should refer to Design Note 18 "Access for the Physically Disabled to Educational Buildings". (I.14)
6. Separate consent for the works hereby given approval under the Planning Acts may be required by the Building Act 1984 and the Building Regulations 1991, and this approval does not imply that such consent will be given. The Director of Building Control, Council Offices, 102-108 Warwick Road, London, W14 8PT should be consulted before works commence. (I.21)
7. Any proposals for external fire escapes, roof walkways or safety railings arising from the requirements of the Building Regulations may require further approval under the Planning Acts, and consent under those Regulations does not imply that approval under the Planning Acts will be given. The Directorate of Planning Services will be pleased to advise on the implication of any changes. (I.22)
8. You are advised to consult the Director of Waste Management and Leisure, Council Offices, 102-108 Warwick Road, W14 8PT on the provision of facilities for the storage and disposal of refuse. There is a code of practice available and advice can also be given on certain aspects of industrial and commercial waste as well as household waste. The Council operates a trade refuse service on a rechargeable basis. (I.29)
9. Demolition and building works are subject to the Environmental Protection Act, and appropriate controls over methods, noise and hours or work may be imposed by the Council. You are advised to consult the Director of Environmental Health, Council Offices, 102-108 Warwick Road, W14 8PT at an early stage. (I.30)

/10. Your attention....

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10. Your attention is drawn to the British Standards Code of Practice for Demolition (CP 94 : 1971) the observance of which should considerably reduce the risks inherent in demolition work (particularly in relation to fire hazards arising from the practice of burning materials on site) both to operatives on the site and to the general public. (I.31)
11. The applicant is advised that a pair of Kestrels nest in the roof of the premises and steps should be taken to ensure the Wildlife and Countryside Act is not breached and, accordingly, the applicant should contact English Nature.

Yours faithfully,



Executive Director, Planning & Conservation

ADDENDUM REPORT BY THE EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

②
FILE
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PLANNING & CONSERVATION COMMITTEE 16 DECEMBER 1997

The Planning Services Committee is asked to note and agree the following amendments to the Agenda Part A reports.

AGENDA ITEM 2A

TP/97/1749

119-131 LANCASTER ROAD

Amend recommendation relating to Section 106 Planning Obligation contained within paragraph 4.1 to read:

- / (a) as report
- / (b) as report
- (c) not to make any further application to increase the capacity of the car park
- / (d) as report
- / (e) submit a detailed car parking scheme to be agreed in writing by the local planning authority prior to the occupation of the development to include the following: (i) spaces for disabled drivers to be agreed by the Council's Access Officer; (ii) a prohibition of staff use of the car park; (iii) restricting use to those persons engaged in the use of the club facilities.

Replace conditions 12 and 13 with the following:

- 12. The car park shall not exceed 50 spaces
- 13. The car park shall include a one way entrance/egress system.

AGENDA ITEM 3A

27 and 28 Royal Crescent Mews

Withdraw from agenda to next Committee (7 January 1998).

Awaiting further information.