



Appeal Decision

Site visit made on 11 November 2025

by F Harrison BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st December 2025

Appeal Ref: APP/U5360/W/25/3372331

282 -290 Richmond Road, Hackney, London E8 3QW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Matthew Wythers of The Gym Group against the decision of the Council of the London Borough of Hackney.
 - The application Ref is 2025/1218.
 - The development proposed is the change of use from Class F1(a) Educational to Class E(d) indoor, sport, recreation and fitness for use as a gym, along with the installation of new entrance doors.
-

Decision

1. The appeal is allowed and planning permission is granted for the change of use from Class F1(a) Educational to Class E(d) indoor, sport, recreation and fitness for use as a gym, along with the installation of new entrance doors at 282-290 Richmond Road, Hackney, London E8 3QW in accordance with the terms of the application, Ref 2025/1218, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, Plan-Proposed PL002 Revision A and Elevations-Existing and Proposed PL003 Revision A.
 - 3) The development hereby permitted shall be implemented in accordance with the Acoustic Performance Overview Technical Advice Note, dated 23 May 2025, by Clark Saunders Acoustics, and retained as such thereafter.
 - 4) The development hereby permitted shall be operated in accordance with the measures outlined in The Gym Group Operations Statement.

Preliminary Matters

2. The address above is taken from the decision notice as this accurately describes the appeal site. The description of development is also taken from the decision notice as it has changed from that stated on the application form..

Main Issue

3. The main issue is the effect of the proposal on the provision of social and community infrastructure floorspace.

Reasons

4. Under Policy S1 of the London Plan (2021) (LP) proposals that provide high quality, inclusive social infrastructure that addresses a local or strategic need and supports service delivery strategies should be supported. Social infrastructure covers a wide range of facilities, including recreation and sports facilities. Similarly, the Hackney Local Plan (2020) (HLP) explains that for the purposes of Policy LP8 social infrastructure covers a broad range of facilities including sports and leisure facilities, which contribute to the quality of life and well-being of the population. On this basis, and irrespective of the changes to the use class order, the use of the appeal site as a gym reasonably falls within the definition of social infrastructure.
5. The LP explains that social infrastructure can be delivered by public and private providers. While the Council contend that HLP Policy LP8 relates to the supply of space for the voluntary and community sector my attention has not been drawn to any policy wording or explanation in the supporting text to this effect, or that to be considered social infrastructure a use must be publicly accessible. Therefore, the fact that the proposed gym is a private enterprise is not determinative.
6. As set out in the appellant's submissions, the proposal would deliver a broad offer of activities for a wide range of abilities. I therefore have no clear reason to find that it would not fall within the scope of a sport and leisure facility or that it would not provide community wide benefits, particularly given that there is support from some local residents for the proposal. Furthermore, there is no substantive evidence that there is a shortfall in the existing educational/training use at the appeal site, and so there is no clear indication that its replacement with another type of social infrastructure would result in any material harm. In coming to this view, I have taken into account that the proposal would help to meet the objective of HLP Policy LP8 to create an environment that promotes health and well-being.
7. Consequently, the proposal falls to be considered as social infrastructure for the purposes of LP Policy S1 and HLP Policy LP8. Therefore, no loss of social and community infrastructure would occur and as a proposal for social and community infrastructure parts B and C of HLP Policy LP8 are relevant. The appeal scheme is said to meet an identified need for sports and leisure facilities in the Council's Infrastructure Delivery Plan. The proposed amendments to the external doors would allow for a level threshold entrance ensuring inclusive design and access for all and ensures that the building is adaptable. The proposal would maximise the use of the building in evenings and at the weekend and the facilities would be located such that they would be accessible by walking, cycling or public transport. Overall, the appeal scheme would make a positive contribution to the range of facilities to meet the needs of Hackney's community.
8. To conclude, the proposal would not have a harmful effect on the provision of social and community infrastructure floorspace and would accord with LP Policy S1 and HLP Policy LP8.

Other Matters

Conservation area

9. The appeal site falls within the Mare Street Conservation Area (MSCA). Its significance, insofar as is relevant to this case, is primarily derived from its historic street pattern and the varied scale and function of buildings. As part of the diverse

urban fabric in the area, the appeal site makes a positive contribution to the MRCA. Given the modest external changes proposed the contribution the appeal site makes to the character and appearance of the MSCA as a whole would be preserved and its significance as a designated heritage asset would not be harmed. Consequently, the proposal would meet the statutory presumptions set out in section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the provisions of the National Planning Policy Framework to conserve and enhance the historic environment. I note the Council raised no concerns in this respect either.

Interested parties

10. The provisions of the Acoustic Performance Overview (APO) would control noise from the gym, and the nature of the operation of the facilities would limit the requirement for music to be played within the premises. Nevertheless, concerns have been raised by interested parties regarding noise. To ensure the living conditions of neighbouring residents are not diminished I have imposed a condition requiring the development is implemented in accordance with the APO and that the premises are operated in accordance with the operations statement. On this basis, noise from typical gym operations would remain within acceptable levels, audio equipment would be separated around the premises to avoid 'hotspots' of noise generation and members could not interfere with either the content or volume of the audio-visual equipment which would be controlled within staff only areas.
11. Several other concerns, including highway safety, security, light pollution and waste facilities are largely identified and considered within the Council's officer report. Other than the main issue set out above, the Council did not conclude that they would amount to reasons to justify withholding planning permission. I have been provided with no substantiated evidence that would prompt me to disagree with the Council's conclusions in these respects.

Conditions

12. It is necessary to impose a condition identifying the approved plans for certainty. In the interest of protecting the living conditions of existing residents it is reasonable to impose a condition in relation to the implementation of the development in accordance with the provisions of the APO and the operation of the premises.

Conclusion

13. For the reasons given above, the proposal would accord with the development plan, read as a whole. There are no material considerations that indicate a decision should be made other than in accordance with it. Therefore, I conclude that the appeal should be allowed.

F Harrison

INSPECTOR