
Site Address:	37 Park Parade, Havant, PO9 5AA		
Proposal:	Change of use of part ground floor from storage area to gymnasium (use class D2).		
Application No:	APP/14/01105	Expiry Date:	26/12/2014
Applicant:	Mr Linton	Team:	Team 2
Agent:		Case Officer:	Tina Pickup
Ward:	Battins		

Recommendation: **GRANT PERMISSION**

1 Site Description

The application site relates to part of the single storey, flat roofed rear 'store' at 37 Park Parade, which is at the western end of the main shopping centre serving the Leigh Park estate. The frontage of the building is two stories and comprises retail shops at ground floor with flats above; and at first floor on the western edge, is a snooker hall. There is a service corridor behind the shops between the northern wall of the application site. The site is directly opposite the Tidworth Road public car park and vehicular access is via this one way service road. Directly to the west is the three storey Greywell Heights - which comprises ground floor car parking with residential flats on the two floors above. Whilst a 'town centre' location the site is not within the primary or secondary shopping frontage.

2 Planning History

Most relevant: APP/12/01178 - conversion of former supermarket into 5No separate retail units with storage area to rear; provision of new shop fronts to park Parade and new windows and doors to Tidworth Road.

Permission 21/12/12 - conditions include: restrict opening hours to 08:00 to 18:00 Mon to Sat and 10:00 to 16:00 on Sundays; Noise not to exceed 5dB(A) below background; deliveries restricted to 07:00 - 20:00 Mon to Fri and 07:00 - 19:00 Saturdays and none on Sundays; no external lighting;

3 Proposal

The proposal is currently being implemented and at the time of the site visit nearly complete (27/11/14).

The proposal involves changing the use of the western half of the ground floor store to a gym. Pedestrian access is via a door in the south elevation in Tidworth Road, and there is an second emergency exit door on the chamfered corner. Two non-opening windows have been installed in the south elevation. Internally the space is one large area, fitted out with rubber matting and gym equipment, with toilets and changing rooms in the north-western corner.

The proposal seeks opening hours of 6am - 10pm Monday to Friday; 9am to 6pm on Saturdays; and 9am to 4pm on Sundays; It is intended to employ 4 staff, with additional 1 or 2 part timers; the gym would be membership only with estimated membership in first year up to 200 people; predicted use being up to 50 members a day during peak hours of 4pm to 10pm.

4 **Policy Considerations**

National Planning Policy Framework

Havant Borough Local Plan (Core Strategy) March 2011

CS1	(Health and Wellbeing)
CS14	(Efficient Use of Resources)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS4	()
CS6	(Regeneration of the Borough)
DM10	(Pollution)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
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Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 **Statutory and Non Statutory Consultations**

Economic Development - Retail and Town Centres - not received

Planning Policy - Support - The application site is located within Leigh Park District Centre. Core Strategy Policy CS4 (Town, District and Local Centres) (2) and (4) are supportive of proposals that enhance the evening economy of district centres and support small and independent businesses. A new gymnasium would provide an active daytime and evening use for the parade. Policy CS17 (Concentration and Distribution of Development within the Urban Areas) aims to concentrate new leisure and other types of development in Leigh Park as one of the borough's five urban areas. The proposal would utilise previously developed land and buildings (CS17 criteria 2) and provide local employment (CS17 criteria 3).

The new facility would also attract people to the area and is likely to increase local footfall and consumer spending at the site and potentially elsewhere in Park Parade and/or the rest of the district centre. The site's redevelopment could also attract further businesses to occupy the other vacant units in the parade, thereby assisting the area's regeneration.

The proposal would be in accordance with policy CS6 (Regeneration of the Borough), which indicates that development with a focus on Leigh Park will be favourably considered, particularly if it a) provides a sustainable mix of uses, supports c) healthy lifestyles and d) community safety and f) provides training and employment opportunities. A new gymnasium in the district centre of Leigh Park would positively address all of these desirable criteria.

Core Strategy policy CS1 (Health and Wellbeing) provides further support for the proposal. Criteria (10) of CS1 states that planning permission will be granted for development which *"protects and contributes to the availability of community facilities...which can be justified by needs which are evident in the local district."*

Development Engineer - Highways - The Highway Authority has no adverse comment to this application for a gymnasium but the application ask for a D2 use which is very broad. In this location close to a public car parking it does not matter from a parking point of view but you may wish to condition its specific use for amenity reasons.

Crime Prevention -Minor Apps - not received

Environmental Health Manager, Community Group - No objection - the equipment present and mitigation measures are acceptable; Should some residents contact us in relation to noise, we will deal with it under the EPA1990

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 47

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 2 letters of support

Summary: unused property suitable for employment; potential health benefits; should welcome & encourage new businesses;

Comment:

7 Planning Considerations

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Impact on neighbouring properties
- (iii) Highways and Parking

(i) Principle of development

The application site was part of the Netto supermarket that closed and the whole site converted as part of APP/12/01178 - and this part of the building was meant to be a 'store' - but has remained empty since conversion. To find an alternative use for the site that provides both employment and a community facility in this town centre location is welcomed and encouraged by Policies CS1, CS4, CS6 and CS17. The proposal would result in 4 full time jobs with an additional 1 or 2 part time.

(ii) Impact upon neighbouring properties

The nearest residential dwellings are the flats to the west at Greywell Heights and those at first floor above the retail units fronting Park Parade. None of these abut the internal walls of the proposed gym, which is buffered by a service corridor internally. The entrance door to the gym is in Tidworth Road, so any noise from activity of customers coming and going is removed from the flats and opposite the public car park.

Top Spot Snooker's signage indicates that it is open 7 days a week from midday to midnight. The proposed opening hours of the gym is not so late in the evening (10pm Mon - Fri and 6pm Saturdays and 4pm Sundays) and with modest usage/trips is

considered acceptable.

The gym is to be fitted out with equipment for use with background music playing through a music system; it is not intended to have group classes to loud music like aerobics. The windows in the south elevation are non-opening and so noise should not emit from the premises, even in the summer months. Environmental Health are satisfied that there won't be a noise nuisance and in the event of future complaints these can be adequately dealt with under Environmental Health legislation. However, these comments are made on the basis of how the current applicant intends to fit out and operate the gym, and to prevent the site from being used by any other D2 use that may have a greater impact, it is considered appropriate to make any consent personal to the current applicant.

(iii) Highways and Parking

The site itself does not have any on site car parking, but is sited immediately opposite a public car park and within the centre of Leigh Park where bus routes provide public transport to the centre. It is anticipated that customers will make joint trips to both the site and the local centre for which there is no highway objection.

8 Conclusion

The bringing into use of a currently vacant space within the Leigh Park Centre is to be encouraged as a matter of principle; the detailed proposal is not considered to have any detrimental effect on nearby residents and subject to imposing a personal condition to ensure the gym operates as intended, then the proposed change of use is considered acceptable and recommended for permission.

9 **RECOMMENDATION:**

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/14/01105

(A)

(B) subject to the following conditions

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission was granted.
Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The premises the subject of this permission shall be used as a gymnasium only and not for any other purpose within Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987.
Reason: To safeguard the amenities of the occupiers of nearby property and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 3 This permission shall enure only for the benefit of Mr Craig Linton and shall not enure for the benefit of the premises. The use hereby permitted shall be discontinued on the date when Mr Craig Linton ceases to occupy or use the premises.

Reason: To safeguard the amenities of the occupiers of nearby property and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 4 The premises shall only be open between 0600 hours and 2200 hours on Monday to Fridays and 0900 to 1800 hours on Saturdays and 0900 to 1600 on Sundays or any recognised Public Holiday.

Reason: To protect the amenities of nearby residential properties and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 5 No externally visible or audible equipment, plant, machinery or structures required for ventilation and audio purposes shall be used or installed at the premises until and unless details of the external appearance and acoustic performance of the same have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of neighbouring property and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 6 The windows in the front (south) elevation of the building shall be kept closed at all times whilst music is playing inside the building.

Furthermore, amplified sound shall not be played or produced in the building unless details of the arising sound levels and any related noise mitigation measures have first been submitted to and approved in writing by the Local Planning Authority and implemented and such mitigation shall be adhered to for the duration of the use hereby approved.

Reason: To protect the amenity of the neighbouring properties and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 7 The development hereby permitted shall be carried out in accordance with the following approved plans:

1:1250 Location plan
Site layout plan

Reason: - To ensure provision of a satisfactory development.