
Site Address:	Unit 20C, Wren Centre, Westbourne Road, Emsworth, PO10 7SU		
Proposal:	Change of use from Current B1/B8 to D1/D2 Fitness and rehabilitation facility (D2) and Chiropractic and health care clinic (D1).		
Application No:	APP/15/00240	Expiry Date:	08/05/2015
Applicant:	Mr G Turner 360 Health and Fitness Ltd	Team:	Team 2
Agent:		Case Officer:	Tina Pickup
Ward:	Emsworth		

Recommendation: **REFUSE PERMISSION**

1 Site Description

The Wren Centre comprises a group of former farm buildings that are in use as a business park, located on the north side of Westbourne Road, immediately to the west of the Borough's boundary with Chichester D.C. The buildings, all single storey, have been subdivided to create many units for small businesses. Access is via a central point that serves all units together with 2 residential dwellings that are located immediately to the west of the access. Parking at the centre is somewhat ad hoc, the whole area is hardsurfaced but spaces are not generally marked out. A culverted River Ems flows to the east of the site and this has been known to flood in the past. Beyond the river to the east are residential dwellings, and opposite the entrance to the site is more residential dwellings in the form of Rivermead Court. To the north and west of the site is open fields. Immediately outside the site is a bus stop for route 28/28A.

The application site itself comprises part of the former poultry house which is the large building located in the north west corner of the Wren Centre. This building has in turn been subdivided and unit 20C has recently been created due to the users of unit 20 (Louis Marquees) retracting and using less floorspace than previously. It is timber clad with low eaves and shallow pitch with few openings.

The site as a whole operates in accordance with the opening hours conditioned in 1991/96 ie 8am to 6pm Mon - Fri; 8am to 1pm Sat and closed Sat afternoons, Sundays and Bank Holidays.

2 Planning History

91/56054 - Continuation of and proposed mixed uses of existing buildings for general industrial, light industrial, storage, retail and office purposes and alteration to vehicular access Permitted 10/10/1991 with conditions - most notably: no heavy goods shall enter/leave site or plant or machinery be operated between 0800 and 1800 Mon - fri and 0800 - 1300 Saturdays and none on Sundays or bank holidays; existing trees and hedges marked on plan shall be retained & eastern boundary reinforced; parking layout - *NB/This permission relates to the front half of the site ie units 1- 19*

96/56054/1 - Change of use of broiler house to two units for B1/B8 (storage and distribution) uses and associated parking Permitted July 1996 with conditions - unit 1 (larger western unit) B8 with ancillary B1(c); unit 2 B1(c) with ancillary B8; hours as

above; parking plan *NB/This permission relates to the rear large building ie units 20/21*

3 Proposal

The proposal relates to 238 sqm of floorspace within former unit 20, at the south western side of the building. It is proposed to use the site as a gym and fitness and rehabilitation facility with 2 supporting treatment rooms and an office. The size and layout of the unit would involve gym equipment being sited round the edge of the unit with some mats in the centre to enable small groups to undertake fitness classes eg groups of 6- 8 people with foam rollers/fitness balls etc. The site could accommodate up to a maximum of 20-30 people, and the peak time is expected to be 4-6pm.

The requested opening hours are 0600 - 2100 Mon- Fri; 0800 - 1600 Saturdays and 0800 - 1200 Sundays.

4 Policy Considerations

National Planning Policy Framework

Havant Borough Local Plan (Core Strategy) March 2011

CS1	(Health and Wellbeing)
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS2	(Employment)
DM10	(Pollution)
DM11	(Planning for More Sustainable Travel)
DM12	(Mitigating the Impacts of Travel)
DM14	(Car and Cycle Parking on Development (excluding residential))
DM3	(Protection of Existing Employment and Tourism Sites)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Chichester District Council - not received

Economic Development - Commercial and Housing - none received

Environmental Health Manager, Community Group - Initial comments - object to possible noise emission especially at early openings - more info needed; After a site meeting No Objection - background music only but plaster boarding of ceiling and south wall necessary aswell as rubber matting to absorb noise; doors and windows to be kept closed when music playing

Crime Prevention -Minor Apps - none received

Traffic Management Team

Environment Agency - no bespoke comments - Flood Risk Standing Advice must be followed

Development Engineer - Highways - I require a layout for the whole site that shows the parking allocated for each of the existing separate units on the site as well as the proposal.

Planning Policy - object - proposal conflicts with several policies - hours & noise with CS16 (1), DM11 & DM12; loss of employment with CS2 & DM3; town centre use under NPPF where sequential test recommended - this site out of centre on edge of urban area; parking issues/conflicts - DM11

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: 19

Number of site notices: At least one site notice exists - 2

Statutory advertisement: Not applicable.

Number of representations received: **5 Objections and 11 Support**

Summary: Objections relate to: nearly 40 units on site using toilet block served by cess pit emptied fortnightly; new 'Wellness Centre' nearby providing some of the proposed services; extended opening hours & increased traffic movements would cause disruption to nearby residents & set precedent; disabled access at site hazardous as no designated pedestrian walkways; parking spaces shown are mainly already used by other businesses and users may find it difficult to park with risk of private access being blocked; noise from music, car doors, voices on Saturday afternoons and Sundays unacceptable to peaceful enjoyment of residential house; previous flooding in units adj River Ems; change to D1/D2 dramatically changes nature of site and sets precedent; can hear radios and amplified music with open doors would be intrusive; previous chicken house fans could be heard; boundary screening been removed

Support - Emsworth lacking in gym facilities & Wren Centre will provide right support; Mr Turner inspirational and passionate; intended treatment options include chiropractic, sports therapy and nutrition; will be unique facility as health and fitness centre under one roof; obesity and back pain is a burden on individuals and the economy and access to local facilities to combat this is important; will be a positive asset for the local community;

Comment: Owner of site and applicant have both provided counter information/comments:

Applicant's comment: Cess pit emptied monthly not fortnightly & has adequate capacity inc disabled toilet facilities; range of treatments are vastly different at 'Wellness Centre' and objection based on business competition is irrelevant; extended opening hours will benefit users - adjacent church causes more disturbance on a Sunday; expected visitors will be local residents and employees of the site; traffic to centre is spasmodic with a variety of business hours so no 'exodus' in evenings; residents aware that houses adjacent a working business centre; continually improving parking areas & have recently felled line of conifers to provide additional parking;

intend to provide bike parking area; no noise intrusion; contend additional vehicle movements; flooding - caused by run-off water from Open Space and recent meetings indicate that HBC/Bellway Homes will be making further improvements to drains on the adjacent Open Space; site in local plan for employment and opportunity - proposal will create both and health & leisure opportunities.

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) Policy considerations
- (iii) Flood Risk
- (iv) Impact upon residential amenity
- (v) Highways considerations and parking
- (vi) Hours of use and precedent

(i) Principle of development

7.2 The application site lies beyond the defined urban area of Emsworth and as such falls within the Rural Area where further development is limited to that appropriate to the countryside and meets the exception policies of the NPPF. However the Wren Centre as a whole is recognised as an existing built up 'business park' within the rural area, where, within the confines of the site, further minor development and changes of use can be acceptable, subject to policy and detailed considerations.

(ii) Policy considerations

7.3 Whilst the proposal would provide a gym and health care facility which is supported in principle by Policy CS1 (6), there are however more specific relevant policies. As a previous B8 use (it is understood that the unit was previously used for the storage and hanging of marquees) then the loss of this employment site is protected by both Policy CS2 (5) and DM3 and can only be changed where it is adequately demonstrated through marketing over a 12 month period, that the site is no longer suitable or financially viable for B class purposes. No such marketing has been undertaken as the unit has not been vacant - it has recently been created through the previous tenant retracting floorspace. It is understood that the owner has other businesses interested in the site and it cannot be said that the site is no longer suitable for class B users - it clearly is. Therefore the proposal would result in a loss of employment floorspace within the Borough and is contrary to Policies CS2 (5) and DM3.

(iii) Flood Risk

7.4 Unit 20C lies just outside Flood Zone 2 but the entrance to the site and parking areas to the east falls within Flood Zone 2. Therefore a flood risk assessment has been requested and whilst an escape route has been submitted, the appropriate Environment Agency Form or further supporting information re flood resilience etc has not been forthcoming. Therefore it is not adequately proven that the site meets the Environment Agency's Flood Risk Standing Advice.

(iv) Impact upon residential amenity

7.5 The Environmental Health Officer is satisfied that with appropriate internal works then the proposed use of amplified music would be adequately contained within the unit and would not cause a nuisance to surrounding businesses or residents. However the noise associated with the comings and goings to the site in general ie additional vehicle movements, car doors slamming, voices approaching the unit, would all add to the activity and noise levels of the site. During the approved operating hours of the site, then this additional activity may be marginal, but outside these hours, when the ambient noise levels are reduced and the area is generally quiet, then the impact of this activity would be more significant. It is considered that the request to extend the opening hours beyond 8am - 6pm Mon - Fri and just 8am - 1pm on Saturdays to 0600 - 2100 Mon- Fri; 0800 - 1600 Saturdays and 0800 - 1200 Sundays would result in noise and disturbance to residents on the site (Stable Cottage & Bourne Bridge House) aswell as those in Rivermead Court opposite and Old Rectory Close to the east, particularly early in the morning and at weekends. This would be detrimental to their residential amenity, contrary to Policy CS16 (e) and DM10.

(v) Highways considerations and parking .

7.6 The site is located in the rural area ie out of a centre on the edge of an urban area where accessibility is more limited - there is a bus stop outside but served by just one infrequent route. Whilst the applicant states that he will encourage walking and cycling and provide some cycle racks, due to the more remote location with single footpath on a narrow lane, then it is likely that only very local users would actually walk/cycle - the likelihood is that most trips to the site would be by car and these car journeys/trips would not benefit from linked trips to other town centre uses. Policy DM11 seeks to integrate sustainable travel modes and the remote location of this site would make that less likely. The NPPF indicates that health and fitness centres are main town centre uses and a sequential test approach should be taken to their location - ie town centre sites should be considered first and it should be demonstrated why none are available or suitable before considering out of centre/rural sites. Therefore it is considered that the location of this site would not realistically result in sustainable travel.

7.7 With respect to parking, when the farm buildings were converted by virtue of permissions 91/56054 and 96/56054/1 parking layout plans were approved with sufficient spaces for each unit, based on B1/B8 use. Since then several units have been subdivided creating additional businesses who all need parking on site. An up-to-date parking plan was requested, showing the various units on site with their allocated parking - however an adequate scaled plan that clearly shows the parking allocation on site has not been forthcoming.

7.8 Based on the information supplied, in this instance the proposed gym use with rehabilitation treatment rooms would require 1 space per treatment room/office and 1 space per 10 sq m of gym floorspace - this equates to 23 spaces - this is assuming staff are using 'green transport' methods. However it has not been adequately shown that 23 additional spaces can be provided on site without displacing those allocated to existing businesses. The proposed use could result in indiscriminate parking of vehicles elsewhere within the Wren Centre causing congestion on the site to the inconvenience of other users of the site, which would be detrimental to their amenity.

(vi) Hours of use and precedent

7.9 As noted above it is the request to extend the opening hours beyond the established 'office' hours of the Wren Centre that is considered to contribute to unacceptable levels of noise and activity harming adjacent residential amenity. However it is also considered that the request to extend the opening hours would set an undesirable precedent for other businesses on the site. Currently the hours condition is complied with and the Council is not in receipt of any complaints about anti-social hours working. Should these proposed hours be accepted it would become very difficult to resist future planning applications to extend the hours of other businesses on the site, which cumulatively would harm the quiet residential amenity of the area.

8 **Conclusion**

8.1 The proposed use, in a former B8 unit would result in a loss of employment floorspace for which no over-riding justification has been provided. The proposal does not include a satisfactory flood risk assessment or scaled parking plan. Due to the sites proximity to residential properties it is considered that the additional comings and goings to the site beyond the existing opening hours of the Wren Centre, would harm the amenity of adjacent residents which would also set an undesirable precedent. Accordingly the proposal is recommended for refusal as contrary to policies CS2 (5), CS15, CS16, DM3, DM10 and DM14.

9 **RECOMMENDATION:**

That the Executive Head of Planning and Built Environment be authorised to **REFUSE PERMISSION** for application APP/15/00240 for the following reasons:

- 1 The change of use would result in a loss of employment floorspace and it has not been adequately demonstrated that the unit is no longer required for B use class purposes. No marketing information has been submitted and as such the proposal is contrary to policies Policies CS2 (5) and DM3 of the Havant Borough Local Plan Core Strategy 2011.
- 2 On the basis of the limited information available to the Local Planning Authority it is not considered that the Flood Risk has been adequately resolved or the Environment Agency's Standing Advice followed. The proposal is therefore contrary to policy CS15 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 3 The proposed use of the site is likely to generate the need for travel to this relatively remote location, away from the town centre and other town uses, which is not considered to meet the national requirements for sustainable development. It has not been adequately demonstrated that sufficient car parking in accordance with the Local Planning Authority's adopted standards can be provided on site without causing displacement of parking for adjacent businesses. The proposed use could result in indiscriminate parking of vehicles elsewhere within the Wren Centre causing congestion on the site to the inconvenience of other users of the site, detrimental to their amenity. The proposal is therefore contrary to policies CS16 and DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and AL1 of the Havant Borough Local Plan (Allocations) 2014, and the National Planning Policy Framework

2012.

- 4 The proposed opening hours, by virtue of the early morning and weekend use, would result in increased activity and comings and goings to the site, that would result in noise and disturbance to the detriment of the quiet enjoyment of the adjacent residential area at these times. This would have an adverse effect on the amenities of occupiers of adjoining properties. Furthermore the extension of the opening hours would create an undesirable precedent which would make it difficult to refuse similar applications in the future. The proposal is therefore contrary to policy CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.