
Site Address: 34H Aston Road, Waterloooville, PO7 7XQ
Proposal: Change of use from B8 to D2 to allow operation of a gymnasium;
incorporating demolition of covered store to rear.
Application No: APP/14/00131 Expiry Date: 03/06/2014
Applicant: Mrs Lee Team: Team 2
Agent: Mr Power Case Officer: Daphney Haywood
Cyan Power Limited
Ward: Waterloo

Recommendation: **GRANT PERMISSION**

1 Site Description

34H Aston Road lies within an established industrial area and comprises a ground floor unit of approx 326 sq m constructed in the 1960's. It is sited behind other industrial buildings and adjacent a communal car parking facility. A service track runs to the rear and beyond this are residential properties in Milton Road.

2 Planning History

94/59315/00 Continuation of use of premises for B8 (storage and distribution of products for general industry). permit 20/12/1994

3 Proposal

Change of use from B8 to D2 to allow operation of a gymnasium; incorporating demolition of covered store to rear. The premises would be used as a Crossfit facility. The applicant advises that CrossFit seeks to "promote a healthy lifestyle through the use of constantly varied functional movements such as basic gymnastics (pull-ups, push-ups) weight lifting and mono-structural conditioning (running, skipping etc). The opening hours would be 0700 - 2000 Mon to Sat but the classes would not be held for the duration of this period. Saturday classes would be limited to 0900- 1200 and weekday classes would be 0700-0800, 1200- 1400 and 1700- 20000 . Music would be played during class but the classes are instructor led and the music would be at a level to allow the instructor to be heard without shouting. Rubber matting would be laid on the floor primarily for safety reasons as on occasions weights are dropped. The matting would also serve to dampen noise should a weight be dropped.

4 Policy Considerations

National Policies

National Planning Policy Framework

Core Strategies 2011 forming part of the HBLDF

CS16 (High Quality Design)
CS2 (Employment)
DM10 (Pollution)
DM14 (Car and Cycle Parking on Development (excluding residential))
DM3 (Protection of Existing Employment and Tourism Sites)

Listed Building Grade: Not applicable.
Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Crime Prevention -Minor Apps No comments received

Regeneration & Development- support - the property has been vacant for some time.

Environmental Health Manager, Community Group

On this particular application and information provided, all should be acceptable.
If any other equipment not currently planned are to be installed, (particularly AC unit)
the applicant must inform us. I am not sure if this can be conditioned though?

Development Engineer No adverse comment to this application subject to the
provision of 9 car parking spaces and the provision of cycle storage.

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: 15

Number of site notices: one

Statutory advertisement: Not applicable.

Number of representations received: 4 1 in support, 3 objecting

Summary of objections:

- Hours of 07.00 – 20.00 Monday to Saturday, offering thirteen hours daily potential for nuisance.
- Car parking to the rear is proposed for an additional six cars. Again, there is potential for disturbance where none before from fumes, doors slamming, engine noise and general comings and goings.
- Without adequate soundproofing of the building or control of noise generated and its level the location of a gymnasium in such close proximity to residential properties is totally inappropriate.
- Disturbance during anti-social hours.

7 Planning Considerations

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 property is currently vacant having previously been occupied for B8 uses, prior to which it was in B1 use. According to the Employment Land Review 2014, the Aston Road employment area (B45) is currently thriving, with a mixture of employment uses. However, the application site is showing long term vacancy and poor condition. Evidence in the form of marketing, substantially in accordance with policy DM3 indicates that this particular premises is apparently no longer fit for purpose. The present proposal would bring it back into use, and according to policy CS2, and para 3.25 of the Local Plan Core Strategy, the proposal provides jobs full and part time (5 in total), and will retain the building in a form which could convert back to a B Class use if demand were to change in future.

(ii) Impact on neighbouring properties

The site backs onto residential properties in Milton Road and the main impact relates to possible nuisance from the use of the premises, such as loud music and noise associated with classes, and noise associated with traffic using the premises.

The proposed use would be for Crossfit facility which involves small scale classes supervised by an instructor, and whilst music will be played this would be at a low level to allow for instruction. Such a use would not have the same level of impact as a gymnasium or dance studio, which could result in nuisance from the use of loud music and large classes. Conditions including making any permission for Crossfit only, restricting the maximum class size and hours of use, details of the equipment to be used for music and requiring the windows in the rear elevation to be locked shut during classes are recommended. This would control the impact of the use and prevent the premises being used for any other D2 use without a further planning application to consider such a proposal. Regarding hours of use, these would extend beyond the normal working day, but the level of use is relatively low and the impact could be controlled to an acceptable level by conditions as outlined.

In respect to the car parking this would be provided to the rear following demolition of the rear extension. A track runs to the rear of properties in Milton Road and hence there is currently some noise from vehicles using this. The introduction of parking in this area will introduce further traffic movement, however, this relationship already exists in respect to the rear of 28 and 30 Aston Road, and refusal on this ground could not be substantiated. Additionally it is anticipated that some members will walk or cycle and the applicant has indicated that cycle storage will be provided and this could be covered by condition.

(iii) Highways and Parking

The plans have been amended to provide on site parking and turning for the 9 car parking spaces, in addition the storage area within the building would be made available for cycle parking.

8 Conclusion

Subject to conditions as recommended in respect to the restriction to Crossfit, hours of operation, provision of audio and ventilation equipment and fixing of windows in the rear elevation, it is considered that the proposal can be satisfactorily accommodated

on the site.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to
GRANT PERMISSION for application APP/14/00131

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 shall be used only as a 'Crossfit' gymnasium facility only and for no other purpose whatsoever including any other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.
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.
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- 3 The premises shall only be open and classes shall only be held between 0700 hours and 2000 hours on Monday to Fridays and 0900 to 1300 hours on Saturdays and not at all on Sunday 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.
- 4 Crossfit class sizes shall not exceed 16 persons.
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.
- 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 rear (north west) elevation of the building shall be kept closed for the duration of any classes and the use shall only take place within 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 shall not be brought into use until space for the parking, loading and unloading of vehicles and parking of cycles has been provided within the site in accordance with details to be submitted and approved in writing by the Local Planning Authority. Such areas shall thereafter be retained and used solely for those purposes.

Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

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

Design and access statement as amended by response to objection statement.

Amended location Plan dated 07/04/2014

Amended Site layout plan dated 07/04/2014

Proposed building layout plan

Reason: - To ensure provision of a satisfactory development.