DELEGATED OFFICER REPORT

PROPOSAL	**Change of use from Class E to Class F to swim school. (Retrospective)**
LOCATION:	Unit 2, 24 Palmers Road, Emsworth, PO10 7DL
REFERENCE NO:	APP/25/01029
APPLICANT:	Ms K Kemp
APPLICATION TYPE:	Change of use
CONSULTATION EXPIRY DATE:	16/06/2026
APPLICATION EXPIRY DATE:	15/07/2026
WARD:	Emsworth

SUMMARY RECOMMENDATION: Approve with Conditions

1. Site Description

1.1 The application site relates to the more southerly of two units within an industrial building to the east of Palmers Road. The property is one and a half storey, with a full height ground floor and a first floor within the roof void. Externally it has a metal roof, metal clad walls to approximately a metre off the ground, off white render at the base, and a triangular white uPVC window to the upper floor. There is a dark blue roller shutter to the front and pedestrian access is via a door on the side of the building leading to an entrance lobby. The site lies just outside Emsworth Town Centre and to the north of Palmers Road Industrial Estate and is in an area at risk of surface water flooding.

1.2 The area surrounding the application site is mixed, with a terraced row of houses to the west on the opposite side of Palmers Road, the Industrial Estate to the south and another industrial unit with associated parking to the east, and a Southern Gas Network compound to the north.

2. Planning History

12633. The erection of a garage for repair and storage of vehicles. Permitted 26 August 1960 for a limited period only terminating on 31 August 1965.

12633/1. The use as boat building and repair workshop of workshop adjoining Southdown Bus Depot. Permitted 06 June 1968.

06/66796/001
Replacement industrial unit. Permitted 25 August 2006.

APP/10/01024
Demolition of annex, replacement of existing metal profiled roof covering and sub-division to form 2 No. smaller industrial units. Permitted 29 March 2011. Premises to be used only for B1(c) (now replaced by Class E(g)).

APP/11/01508
Installation of new windows to front elevation. Permitted 16 December 2011.

APP/12/00398
Application for non-material changes to Planning Permission APP/10/01024 relating to cladding, roller doors and roof lights. Permitted 15 May 2012.

APP/13/00786
Change of use of Unit 2 to mixed use; retention of ground floor use class B1(c) and change first floor use to Tattoo Parlour (sui generis); amendment to Planning Permission APP/10/01024 to allow Tattoo Parlour to open on Sundays between 10am to 4pm.

Officer Comment

The uses approved under APP/13/00786 were enured for the benefit of the occupants at the time under conditions 2 and 3 and have since reverted to class B1(c). However, the precedent for alternative employment uses at this site is noted. The application form and a covering letter provided for this application indicate that each business had a single employee.

Adjacent Unit 1 Industrial Estate

APP/14/00669. Retrospective application for a change of use from B1 to B2 for motorcycle repairs. Temporary Permission granted by the Development Management Committee for 12 months ending on the 3 October 2015.

APP/15/01025. Variation of Condition No. 1 of Planning Permission APP/14/00669 to enable continued change of use of premises from Class B1 to Class B2 use for motorcycle repairs. Permitted 27 November 2015.

APP/25/00113. Application for change of use from B2 to E retail for use as a store selling pet food and products. Associated works including the installation of double glazed window and door to front elevation. Refused 18/08/2025 on the grounds that the Class E Unit would be outside the District Centre, would result in the loss of an industrial employment site, and would result in increased public presence and would be out of keeping with the context and visual appearance of the area. Appeal dismissed 22/1/26

3. Proposal

Change of use from Class E to Class F to swim school. (Retrospective)

4. Policy Considerations

In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the Planning Considerations section of the report.

Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016
Employment Land Review September 2024

Havant Borough Local Plan (Core Strategy) March 2011

CS1 (Health and Wellbeing)
CS2 (Employment)
CS7 (Community Support and Inclusion)
CS15 (Flood and Coastal Erosion)
CS16 (High Quality Design)
CS17 (Concentration and Distribution of Development within the Urban Areas)
DM3 (Protection of Existing Employment and Tourism Sites)
DM10 (Pollution)
DM14 (Car and Cycle Parking on Development (excluding residential))

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)
DM18 (Protecting New Development from Pollution)

Emsworth Neighbourhood Plan Post Examination Version 2020

ENP_D1 (General Design Policy)
ENP_W3 (Employment Premises & Design Quality)

Draft Building a Better Future Plan

The following draft policies are of relevance to this application, however at this time only limited weight can be given to these, in line with government policy at paragraph 49 of the NPPF 2025.

Policy 1: Spatial Strategy
Policy 2: Defined Settlement Boundary
Policy 7: Amount of Employment
Policy 10: Supporting a Strong and Prosperous Economy
Policy 13: High Quality Design
Policy 44: Protecting Employment Uses
Policy 45: Town, District and Local Centres
Policy 49: Amenity and Pollution
Policy 53: Accessibility, Transport and Parking

Listed Building Grade: N/A
Conservation Area: N/A

5. Statutory and Non Statutory Consultations

Southern Water Full response letter and map extract available to view online. Southern Water has determined that the flow rate for the above site will remain consistent, so capacity is not an issue, and no Southern Water assets will be affected. Therefore, Southern Water has no objections to this proposal.
Environment Agency We have no comments to make in respect of the proposed development.
Arboriculturalist/Tree Officer I make no representation for this application

Southern Gas - HP Pipeline
Full response letter and map extract available to view online.

Although SGN has a high pressure gas pipeline in the vicinity, the safety and integrity of our assets will not be affected by the proposal. However, should your proposal change please contact us immediately and we will re-assess.

Emsworth Residents Forum
Policy W3 a) of the Emsworth Neighbourhood Plan is designed to maintain, if at all possible, industrial employment in Emsworth by resisting any change of use from industrial to any other use, except in exceptional circumstances. In this case, no exceptional circumstances have been cited and there is no evidence that the market has been tested to establish the demand, or otherwise, for industrial premises.

Had an application been submitted previously for a commercial gym or other commercial facility such as the present proposal, in our view it would have had to have passed that "exceptional circumstances" test in order for it to be supported.

Officer Comment

A commercial gym would fall under Class E(d) use. The application relates to a Class F2 use and must be determined on its own merits.

Planning Policy
These comments are provided on the basis that the unit was previously occupied by a mixed Class E(g) (formerly use class B1(c) and sui generis use comprising a mechanics garage and tattoo studio.

Development Plan
The Local Plan (Core Strategy) and the Local Plan (Allocations), together with the Hampshire Minerals and Waste Plan, provide the development plan for the Borough. The Emsworth Neighbourhood Plan also forms part of the development plan in this area.

Emerging Development Plan and updated Evidence Base
The Publication (Reg19) Local Plan is currently subject to public consultation until 5pm on 9 September 2026. This is supported by a number of evidence base studies which have updated the position on development requirements, land supply and constraints including the Employment Land Review Update.

Principle of Development
The site lies within the built-up area as defined by Policies CS17 and AL2 of the Adopted Local Plan. The educational use is generally supported:

- Policy CS1, criterion 14 supports development which 'supports improving the educational and life chances for young adults'
- Policy CS7, criterion 2, supports development which 'provides educational and training improvements'

The reuse of previously developed land is particularly encouraged. As such, there is a presumption in favour of sustainable development, subject to other material considerations.

Loss of Employment

The ground floor use of the unit was last in use as a mechanics garage falling within Class E(g) of the Use Classes Order (formerly B1(c)), whilst the upper floor was last in use as a tattoo studio (sui generis).

Core Strategy Policy DM3 (Protection of Existing Employment and Tourism Site) sets out that the change of use of a premises currently or last used for B use class employment services to non-B class use employment will only be permitted where it has been demonstrated that the premises is not fit for purpose and financially unviable for B use class purposes. It needs to be clearly demonstrated that the site is no longer suitable for B use class. This is generally demonstrated by means of an active and realistic marketing exercise, but no information has been provided in this respect.

Policy W3 (Emsworth Neighbourhood Plan) states that any application to change the use of land from industrial to other uses will only be granted in exceptional circumstances and where it can be demonstrated that continuing provision cannot be made for industrial or other employment uses on a proportion of the site without harm to residential amenity. Currently no information has been submitted to demonstrate that the policy requirements have been met.

As such, a policy conflict would arise in the context of Policy DM3 of the Core Strategy and Policy W3 of the Emsworth Neighbourhood Plan. The occupation of the unit as a swim school has however, only resulted in the loss of the ground floor from an employment use. In addition, it is noted that the swim school has retained the site in economic use which should be prioritised before other use. As such, any harm resulting from the loss of the ground floor in employment use must be weighed carefully against the benefits of the proposal.

Parking

DM14 (Car and Cycle Parking on Development (excluding residential)) states that development will only be permitted where it provides parking for cars, motorcycles and cycles in accordance with the relevant standards. Such parking must be appropriately located in relation to the development and be practical for its intended use. The applicant will need to demonstrate that the application is in line with Policy DM14 and the parking standards within the Council's Parking SPD.

Conclusion

In conclusion, the proposal seeks retrospective permission to retain the use of the site as a swim school (Class F). The retention of the use would result in the loss of the ground floor from employment use, and no information has been provided to demonstrate that it is no longer suitable for that use. As such, a policy objection would arise in the context Policy DM3 of the Core Strategy and Policy W3 of the Emsworth Neighbourhood Plan. However, the swim school would retain the site in economic use. As such, any harm resulting from the loss of the ground floor in employment use must be weighed carefully against the benefits of the proposal.

Officer Comment

The mechanics garage was a B2 use, the previous B1(c) use referred to was a computer repair shop. The use history of the site in relation to planning policy is discussed in further detail under section 7 (i).

Environmental Health
Environmental Health (pollution) has no objection to the above proposals. The following condition is recommended to restrict opening times in accordance with the application and to protect the amenity of nearby residents.

The use hereby permitted shall only be carried out within the site between 09:00 and 19:00 Mondays to Fridays and 08:30 and 12:00 on Saturdays and at no time on Sundays.

Reason: To ensure that the amenities of the area are not detrimentally affected by the use of the site outside reasonable working times.

Highway Authority
Summary – full response available to view online.

These proposals have been considered and in review are not anticipated to result in a significant impact to the safety or operation of the local highway network. Therefore, the Highway Authority has no objection to the proposals subject to the following condition:

Prior to approval, the applicant shall confirm that a suitable stagger is to be provided between lessons.

Reason – to prevent errant parking.

Officer Comment

The applicant has since provided a written statement confirming that there is a 10 minute interval between each session to prevent an overlap between customers and to allow preparation time for the instructors.

Councillor Charles Robert
No comments received

Councillor Grainne Rason
No comments received

Councillor Reuben Mychaleckyi
No comments received

6. Publicity and Community Involvement

This application was publicised in accordance with the Council's Local Code of Corporate Governance and the Statement of Community Involvement.

Number of neighbour notification letters sent: 10

Number of site notices: 1

Publicity Type	Publicity Details	Start Date	End Date	Reasons
Site Notice	1st notice	27/05/2026	19/06/2026	Is advertised in the public interest

Statutory advertisement: N/A

Number of representations received: 9 total. 5 comments in support and 4 neutral.

Comments	Officer Comment
I fully support this application. Swim Maison have been providing a fantastic local amenity for many years. If ever applied for, I would support their opening hours being extended as they go about their business quietly and with next to no impact of the surrounding businesses or residential properties.	Comment is in support of the application.
Summarised, full redacted comment available online No objection is raised to the principle of the change of use. Concerns are raised regarding the proposed opening hours, noting that the hours advertised on the applicant's website appear longer than those stated in the application and longer than those of nearby businesses. Concerns are also raised regarding access and pedestrian safety, particularly as the entrance is shared with the adjoining unit and there is no dedicated pedestrian route separating users, including children, from vehicle movements. The retrospective nature of the application is noted access, parking, traffic movements and operating hours must be carefully assessed.	A condition restricting opening hours is recommended in line with the consultation response from Environmental Health. Access to the unit would remain as approved under APP/11/01508 and, since no changes are proposed, is not a material planning consideration. Parking matters are discussed in more detail below.

Should permission be granted, conditions are requested relating to opening hours and pedestrian safety to ensure the use remains compatible with the surrounding area and does not give rise to highway safety concerns.	
Comment received 22 June 2026. Repeats the full wording of the comment above.	
Comment received 22 June 2026. Repeats the full wording of the comment above and is from the same email address.	
Comment received 22 June 2026. Repeats the full wording of the comment above.	
I have been notified of this change of use as the Landlord of the industrial unit. I support the application as it provides additional employment compared to the previous use and is well suited to the current configuration of the building. I note the comments expressing concern for children safely accessing the Unit- a footpath exists opposite the building and parking is available at the premises providing safe access. As a responsible Landlord I am mindful of any impact a tenant's business may have on the surrounding area. In this case I consider that a small swimming pool is far less intrusive than other light industrial businesses that would otherwise have been permitted under class B2 (E).	Comment is in support of the application.
Summarised, full redacted comment available online. Supports the application, noting that Swim Maison provides a valuable local community facility offering swimming lessons for children and adults.	Comment is in support of the application.

The respondent considers that the business promotes health, wellbeing, confidence and water safety, supports local jobs, and should be allowed to continue operating due to its clear community benefit.	
It is important to support local businesses. I have friends whose children learned to swim at Swim Maison and I intend to enrol my own child in the future. We are lucky to have this facility in Emsworth.	Comment is in support of the application.
As a small business owner, I fully support Swim Maison planning application. They provide employment for 3 local people. They have a lovely facility that is used by the local community.	Comment is in support of the application.

Material planning considerations are addressed in Section 7.

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 and compliance with Policy
(ii) Impact upon the character and appearance of the area
(iii) Impact upon residential amenity
(iv) Parking and highway safety
(v) Flood risk
(vi) Biodiversity Net Gain

(i) Principle of development and compliance with Policy

7.2 The application site is situated within an urban area where further development is considered acceptable subject to the usual development management criteria.

7.3 Policy DM3 of the Havant Borough Local Plan (Core Strategy) 2011 states that:

The change of use or development of land or premises currently or last used for B use class employment purposes to non-B use class employment will only be permitted where it has been demonstrated that the land or premises are not fit for purpose and financially unviable for B use class purposes. Where it is clearly demonstrated that the site is no longer suitable for B use class employment, other types of economic development should be considered in the first instance. These uses will be expected to provide employment opportunities of similar quality and quantity as those which previously existed. Only if another type of economic development cannot be found which provides similar quality and quantity of employment opportunity, will other uses then be considered.

It should be noted that the current use class structure did not exist when this policy was adopted. The site was formerly Class B1(c), which was superseded in September 2020 by Class E(g)(iii). Policy W3 of the Emsworth Neighbourhood Plan states:

Any application to change the use of land from industrial to other uses will only be granted in exceptional circumstances and where it can be demonstrated that continuing provision cannot be made for industrial or other employment uses on a proportion of the site without harm to residential amenity."

The policy background information within the Emsworth Neighbourhood Plan provides further context, clarifying that the policy seeks to retain employment prospects within Emsworth and avoid the need for working age residents to move elsewhere for jobs or commute daily. Whilst the proposal would not fall within an industrial use class, it would provide "other employment" at a skilled level. It is noted that there is no specific guidance on the most suitable location for a small Class F2 facility of this type. As such the proposal would be in accordance with Policy CS2 which, amongst other matters, seeks to "Safeguard existing employment sites and allocations that are fit for purpose from development proposals for non-employment uses." It would also make local provision through refurbishment for an indoor sports facility and improving the educational and life chances of young adults in accordance with Policy CS1.

7.4 This is further reiterated in Paragraph 4.422 of the Draft Building a Better Future Plan, in relation to emerging Policy 44:

Whilst new employment floorspace will be provided through a number of allocations in this Plan, there is a need to ensure that businesses within the Borough's existing employment areas can continue to grow and flourish. In practice, this means that there should be sufficient flexibility for intensification and redevelopment for businesses within these areas.

Policy 44 requires that existing employment areas be protected for existing and new office, industrial, storage and distribution employment uses, but goes on to say that proposals for the replacement or redevelopment of existing buildings and/or intensification of land for employment uses within existing employment areas will be supported.

7.5 In this instance, prior to the swim school use the unit was briefly tenanted by Slipstream Automotive, now located at a larger unit within Palmers Road Industrial Estate to the south. Slipstream Automotive is a commercial garage dealing with servicing and repairs and as such falls under Class B2 and, had planning permission been sought, would likely not have been considered appropriate in a Class E unit facing residential dwellings. It is noted that the unit is comparatively small when compared to those within the Industrial Estate and lacks the same level of associated parking. Planning history indicates that before Slipstream Automotive the site was tenanted by two companies comprising a computer repair shop at ground floor and a tattoo studio at first floor. This mixed use was granted in October 2013, indicating that the unit has not been fully utilised for its original light industrial use for some time. It is noted that since the introduction of Class E, and the inclusion of light industrial use within it, the types of businesses that might previously have tenanted the unit now potentially have access to a wider range of locations.

7.6 The policy team have commented that, whilst there is some conflict with Policies DM3 and W3, the use of the site as a swim school would retain it in economic use and would provide educational benefits in line with Policies CS1 and CS7. Any harm from the proposal should therefore be weighed carefully against the benefits.

7.7 Taking all of the above into account, it is considered that the proposed use does not undermine the function and operation of the existing employment area and would allow an Emsworth resident to continue to operate their own small business from a local site. Therefore, although it could be argued that there is a partial conflict with Policies DM3 and W3, in this case, it is considered that approval of the application would assist in supporting a small business that provides educational and health benefits to the local community and might otherwise fail or need to relocate. It is considered that in these particular circumstances, provided the proposed use is personal to Swim Maison Ltd, the long-term Policy position would not be compromised through approval of the application.

(ii) Impact upon the character and appearance of the area

7.8 No external alterations are included in this proposal. Impact upon the character of the area would therefore arise solely from the type of use.

7.9 The first floor of the property has limited head height and is used as an office and staff space connected with the swimming school.

7.10 The ground floor contains a 2.8m by 4.7m Endless Pool that sits above ground level, as well as changing areas. Entrance to the unit is via an existing side door from the hardstanding in front of the adjacent Unit 1, Palmers Road Industrial Estate.

7.11 Use of the pool consists of appointment-only private lessons, with a maximum of three swimmers due to the size limitations of the Endless Pool. The swim school's website indicates that it employs a total of five coaches, however as each coach has a different specialisation this is on a part-time basis with up to two coaches on site at any one time.

7.12 The unit would retain its industrial appearance and general layout and as such could easily be converted back to Class E(g) use. The level of activity generated by the use is also broadly comparable to that associated with the mixed use previously approved under APP/13/00786. A condition to enure the Class F2 use for Swim Maison Ltd only is recommended to prevent unsuitable F2 uses occupying the unit in the future.

7.13 On balance, the proposed use is considered to be appropriate within its context, meeting Policies CS16 and DM10 of the Havant Borough Core Strategy (2011).

(iii) Impact upon residential amenity

7.14 Whilst there are no residential properties immediately adjacent to the site, Nos.10-16 Palmers Road lie opposite the site to the west at a distance of approximately 11m.

7.15 No external works are proposed that might negatively impact residential amenity. Environmental Health were consulted and have recommended a condition relating to hours of opening but have raised no objections relating to noise or other pollutants. The swim school use involves limited traffic and equipment and as such would have less impact than the various automotive businesses that make up the majority of tenants in Palmers Road Industrial Estate.

7.16 Consequently, it is considered that the proposal will not appear overbearing or lead to a loss of light, outlook or privacy and, subject to appropriate conditions, would have a limited and acceptable impact on the properties immediately adjacent to the application site and the properties opposite or to the rear, meeting the requirements of Policies CS16 and DM10 of the Havant Borough Core Strategy (2011).

(iv) Parking and highway safety

7.17 Access to and parking at the site would remain as existing. The unit has two allocated spaces to the immediate north of the building and the kerb in front of the roller shutter has been entirely dropped so that there is space for an additional vehicle to park. Short and long stay parking for visitors is available at the Palmer Road public car park approximately 2 minutes' walk to the south of the site and Emsworth railway station is approximately 4 minutes' walk to the north-west.

7.18 The Highway Authority were consulted and have raised no significant objections. The potential for errant parking on Palmers Road due to lessons overlapping was raised and the applicant has since confirmed that there is a minimum 10 minute interval between sessions to allow students to change and leave the site, and to provide adequate preparation time for the teachers. This would minimise potential parking conflicts and the proposal is therefore considered to be in accordance with Policy DM14

(v) Flood risk

7.19 The site is in an area at risk of surface water flooding. A Flood Risk Assessment has been provided and notes that the site is located within an established urban area with existing drainage infrastructure and that, since no physical development work is included, the proposal does not increase surface water runoff. As such the proposal is considered satisfactory in meeting the requirements of Policy CS15.

(vi) Biodiversity Net Gain

7.20 It is noted that this application meets the de minimis exemption requirements relating to Biodiversity Net Gain.

8 Conclusions

8.1 The use of the premises as a Class F2 swim school would overall not compromise Local Plan policy aimed at protecting employment land. Whilst there is some conflict with Policies DM3 and W3, this is outweighed by the economic, educational and community benefits and would not result in an unacceptable degree of impact on the amenities of occupiers of neighbouring properties or on the surrounding highway. Subject to appropriate conditions, the use is therefore considered to be acceptable.

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9 RECOMMENDATION:

That the Interim Head of Planning be authorised to **GRANT PERMISSION** for application APP/25/01029

Conditions:

1 The development hereby permitted shall be carried out in accordance with the following approved plans and documents**:**

Amended Location Plan received 01 July 2026
Floor Plan
Supporting Statement received 17 December 2025
Parking Statement received 17 December 2025
Access Road Statement received 18 May 2026
Flood Risk Assessment received 18 May 2026
Email from applicant received 09 July 2026

Reason: To ensure provision of a satisfactory development.

2 The hours of operation for the use hereby approved shall be restricted to between 09:00 and 19:00 Mondays to Fridays and 08:30 to 12:00 on Saturdays. Outside of these hours the premises shall be vacated and closed to the public.

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.

3 This permission shall enure for the benefit of Swim Maison Ltd only and shall not enure for the benefit of the land and the use hereby permitted shall be discontinued on the date when Swim Maison Ltd cease to occupy the land.

Reason: The planning permission has taken particular account of the operation of this business when having regard to Policy DM3 of the Havant Borough Local Plan (Core Strategy) 2011, Policy W3 of the Emsworth Neighbourhood Plan, and the National Planning Policy Framework.

Informatives:

1 In accordance with paragraphs 38-50 of the NPPF Havant Borough Council (HBC) takes a positive and proactive approach and works with applicants/agents on development proposals in a manner focused on solutions by:

- Offering a pre-application advice service, and
- Updating you of any issues that may arise in the processing of your application and where possible suggesting solutions, and,

In this instance:

- You sought and were provided with pre-application advice.
- You were undated about issues after the initial site visit.