

APPLICATION NO.	P15/S2920/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	28.8.2015
PARISH	HENLEY-ON-THAMES
WARD MEMBERS	Joan Bland Lorraine Hillier Stefan Gawrysiak
APPLICANT	Mr Malcolm Jiggins
SITE	Unit 6 Centenary Business Park, Henley-On-Thames, RG9 1DS
PROPOSAL	To change the use of units into a Health and Fitness centre offering classes, gymnasium and refreshments.(as amended by documents received 2 October 2015 changing the application to unit 6 only)
AMENDMENTS	One
GRID REFERENCE	476570/182029
OFFICER	Davina Sarac

1.0 **INTRODUCTION**

1.1 This application is referred to the Planning Committee as the Officers' recommendation conflicts with the views of the Town Council.

1.2 The application site (which is shown on the OS extract **attached** as Appendix A) comprises of unit 6, a two-storey unit within a block of five units located in the Centenary Business Park which is accessed off Station Road and within close proximity to Henley town centre. The unit has a net internal floor area of approximately 330 sq.m. The units were granted planning permission in March 2001. The building has a utilitarian design and form and is constructed in brick on the ground floor with curved profile metal sheet cladding over the first floor and roof. The site lies within Flood Zone 2.

2.0 **PROPOSAL**

2.1 The application proposes the change of use of the building from Class B1(c)/B8 (light industrial/storage unit) to Class D2 (assembly and leisure). The proposed use is as a gym. The application proposes some external changes to the building to the front (northwest) and rear (south-east) elevations to facilitate the new use. These changes to the front of the building would involve the removal of the existing roller shutter door and its replacement with a double-glazed fixed screen with a powder-coated aluminium frame which would incorporate an additional pedestrian door. The only alterations proposed to the rear would be the addition of some air conditioning units. The unit is currently occupied by 'Place Settings' an events catering company who will not be renewing their lease.

2.2 A copy of the plans accompanying the application is **attached** as Appendix B. Other documentation associated with the application can be viewed on the council's website, www.southoxon.gov.uk.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 **Henley-on-Thames Town Council** – Object due to concern over noise and parking.

The Henley Society - No comments.

Leisure & Economic Development – Support. A new gym would increase the number of fitness stations provided within the town and increase access to facilities for local residents and commuters.

Health & Housing - Food Safety – Comments regarding food, and health and safety standards.

Highways Liaison Officer (Oxfordshire County Council) – Object on the grounds that the proposal does not provide the required car parking provision to accord with standards, which would be within the control of the applicant.

Health & Housing - Env. Protection Team – No observations.

Neighbours – 11 Letters received in total. 6 in support and 5 objections. Comments summarised belows:

In support:

- The units are ideal for this type of business as they are well constructed and would easily provide enough noise protection for its neighbours.
- It would be a useful facility for the town and, as such, would add to the vitality of Henley.
- This use would not be incompatible with activities being undertaken in adjoining commercial units and is located close to a significant residential/business catchment area such that it would be reasonable to anticipate that a large proportion of prospective gym users would be able to access by foot or cycle.
- no concerns operating next to a gym subject to the successful acoustic upgrading of the dividing walls between units
- it will be hugely beneficial to the local residents, commuting public and a number of our employees. It is also something that we think Henley is crying out for after the closure of LA Fitness.
- The location of this application means that a larger amount of parking will be available to users than previously at LA Fitness with the currently under utilised bottom half of the train station car park.
- As a resident of Quebec Road, that leads on to the industrial estate, for the past six years I have no concerns that a gym would have a negative difference to myself living four doors away from the building, or anyone else that lives further away. With the site being at the bottom of the train station carpark and its peak times being when other businesses have closed, I do not see how traffic would be an issue, great addition to the area.

Objections

- Concerns over noise from loud music and fitness machines.
- The unit is unsuitable as it is not sound proofed and has poor insulation.
- Concerns that the insulation referred to in the plans is thermal insulation and there is no reference to additional or new insulation being used.
- Not enough parking spaces will cause parking problems.
- A wider consultation needs to take place (250 metre radius).
- The application contains statements that contradict each other on the issue of music played in the gym.
- The market research is generalised with unsupported data.

- No parking would be available on the road outside the units because there are double yellow lines on either side of the road.
- LA fitness gym had 70 car parking spaces, people will not pay for parking and seek free parking on the residential roads.

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P02/S0985](#) - Approved (02/07/2003)

Variation of condition 5 of planning permission P00/S0235 to vary working hours.

[P01/S1057](#) - Approved (06/03/2002)

Use for the preparation and sale of sports and racing cars.

[P00/S0235](#) - Approved (15/03/2001)

Erection of units 5-9 for light industry (B1c) or storage and distribution (B8) use with associated parking(as amended by drawing no 1522/03A accompanying Agent's letter dated 1 August 2000 and Agent's letter dated 14 September 2000).

5.0 **POLICY & GUIDANCE**

5.1 Government Guidance

National Planning Policy Framework (NPPF)

National Planning Policy Framework Planning Practice Guidance (NPPG)

5.2 Policies of the South Oxfordshire Core Strategy 2027 (SOCS)

CS1 - Presumption in favour of sustainable development

CSEM4 - Supporting economic development

CSS1 - The Overall Strategy

CSHEN1 - The Strategy for Henley-on-Thames

5.3 Policies of the Adopted South Oxfordshire Local Plan 2011 (SOLP)

E5 - Business, industrial, warehousing and storage proposals

EP2 - Adverse effect by noise or vibration

T2 - Unloading, turning and parking for all highway users

G2 – Protect district from adverse development

R3 – Indoor sport facilities in settlements

D1 – Principles of good design

CF2 – Provision of additional community facilities

The Joint Henley and Harpsden Neighbourhood Plan (JHHNP)

5.4 Supplementary Planning Guidance

South Oxfordshire Design Guide 2008 (SODG): Sections 3 and 5

6.0 **PLANNING CONSIDERATIONS**

6.1 The main planning considerations in relation to this application are:

1. Principle
2. Impact on neighbours
3. Parking

6.2 Principle

Policy E6 of the SOLP seeks to protect employment generating sites and the loss of these uses are not generally supported unless it can be demonstrated that the use is no longer economically viable and that the site is redundant and been marketed for at least a year without success. This site would not be assessed against policy E6 as the site was occupied by Place Settings at the time of the application and therefore is not

redundant. In any case the size of the building is under the threshold for consideration against Policy E6. The supporting information accompanying the application states that up to 3 members of staff would be employed at the site. The recent closure of the LA Fitness gym in Henley has resulted in a need for a private gym. There are a small number of bespoke training facilities which offer classes and/or single, joint or group personal training sessions within Henley (which are shown on the map **attached** as Appendix C). However, these do not offer individual gym membership use and cater more towards personal training and small group classes. As such, I consider that the proposed change in use of the unit would provide an additional community facility which may also draw in visitors from outside Henley. As such, I consider that the principle of the development is acceptable.

6.3 Impact on neighbours

Having regard to the types of businesses that could occupy the unit under the current B1(c) or B8 use which could potentially produce higher noise levels than a small gym I do not consider that a legitimate objection could be raised to the proposed change of use on the basis of potential noise disturbance to adjoining commercial occupiers and nearby residential properties in Grange Road located some 60 metres away. The Environmental Health Officer has raised no concerns with the proposal on the basis of noise or other disturbance to adjoining occupiers. Should any noise related issues arise as a result of the change of use, these could be investigated by the Council's Environmental Health Team and can be controlled under separate legislation.

6.4 Parking

The unit currently benefits from 6 car parking spaces. The application plans show that the gym would retain 5 car parking spaces with one of the spaces being converted to create 8 cycle spaces. This would not accord with the SOLP parking standards where 16 car parking spaces are required (1 space per 22sqm). However, the location of the gym near the town centre of Henley means that it is in sustainable location and easily accessible by foot, bicycle and public transport. There is also a pay and display car park within walking distance at Henley Station that could be used by gym members. The car park nearest the business park which is furthest away from the train station platform often has plenty of spaces available throughout the day. Having regard to the level of on-site parking provision and to the level of provision at the station car park, I do not consider that the proposed use would have a detrimental impact on highway safety. Furthermore, under its current use, the building could be occupied by a significant number of employees at any one time, each with their own vehicle.

7.0 **CONCLUSION**

7.1 The application proposal is in accordance with the relevant development plan policies and national planning policy as, subject to conditions, the development would be acceptable in terms of its impact on highway safety and in terms of its relationship with neighbouring units.

8.0 **RECOMMENDATION**

8.1 **That planning permission be granted subject to the following conditions:**

1. **Commencement of development within three years of the date of the planning permission.**
2. **Development to be carried out in accordance with the approved plans.**
3. **Operating hours to be 6am to 10pm weekdays, 7am to 9pm on Saturdays, Sundays and Bank Holidays.**
4. **Vehicle and bicycle parking to be provided prior to first occupation and thereafter retained.**

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