Bap 14/1

Development Control – Delegated Officer Report

Application Number: ADC/0701/07 **Recommendation – Refuse Application**

Site: **West Suite Town Hall Chambers 45 - 49 High Street Shoreham-by-Sea West Sussex**

Proposal: **Change of use of firstfloor (West Suite) offices to leisure (health and fitness training club) with air-conditioning unit and cycle racks on west side**

The Application

The site is located within Shoreham town centre within the Conservation Area. The Town Hall building is Grade II listed building two storeys in height with a shallow pitched roof. The main entrance is in the centre of the building at ground floor level, this entrance serves the restaurant use at ground floor level which is currently occupied by Prezzos. At first floor level there are offices which are divided by partition walls, there is a shared side entrance and shared toilet facilities.

Permission is sought to change the use of the first floor offices to the western side of the building to a leisure, health and fitness club. It is proposed that a central partition wall will be removed to provide an open plan space to be uses as an 'individual training service which is provided in a group environment.' The key differences of this to a standard gym are that there will be booked appointments, group sessions, person trainers present, no joining fees. Further information is provided in the applicant's 'Supporting Notes' submitted with the planning application. The opening hours proposed are 6:30am to 9:00pm.

There are external changes to the building which are proposed which include a air conditioning unit to the outside of the building on the western elevation of the building facing onto Town Quay and also proposed are bicycle storage. There are no external changes proposed to the front of the building which faces onto the High Street.

Consultations and Representations

Country Transport Planning Services: **-** Advice is given and modifications recommended – The site is in a sustainable location and access to it by a choice of modes is available. The proposed cycle parking is shown on land forming part of the public highway and an alternative site should be found. A Travel Plan should also be submitted to and agreed by the LPA. The bin stores appear to be on the public highway this is being investigated separately.

Director of Services: - Environmental Health have no objection to the proposed air conditioning unit.

Third Parties: - 2 letters of objection have been received, 1 from the occupier of the office suite adjacent to the office unit which is the subject of this application and the other from a local resident at Town Quay to the rear of the site. The objections relate to the following: -

- Existing parking problems.
- Unable to get into own garage.
- Bicycle rack will obstruct the highway.
- A gym must have a car park.
- Noise after 10:30pm is not acceptable.
- Loss of privacy.
- Noise of machines.
- Impact on business in adjacent suite.
- The building is inappropriate for this use.
- Insufficient facilities for showering and toilets, health hazard.
- Rain leaking through ceiling.
- Slippery floors/stairway, dangerous.

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plan 2001-16 (WSCC 2005): LOC1, NE12, DEV1, DEV4-5
Adopted Adur District Local Plan 1993-2006 (ADC 1996): AG1, AR7, AB2, AB6
PPS1 'Delivering Sustainable Development' (ODPM 2005)
PPG13 'Transport' (DTLR 2001)
PPG17 'Planning for Open Space, Sport and Recreation' (DTLR 2002)

Planning Assessment

Policies

Structure Plan policy DEV1 requires amongst other things that development should integrate with adjoining land uses and minimise potential conflicts between land uses and activities. Policy DEV4-5 seeks to ensure that the transport needs of development is met with a choice of means of transport and that sufficient car parking is provided, but not so much as to encourage the use of the private car in preference to other modes of transport.

Policy NE12 of the West Sussex Structure Plan states that new of improved leisure facilities should be permitted provided they are located in the built up area and subject to other criteria, such as the scale and nature of the development meets the needs of local people, the development does not adversely affect the vitality and viability of any nearby centre, the new development should not result in the loss of an important cultural resource.

Policy AR7 of the Adur District Local Plan states that new recreational facilities will normally be permitted within the built up area subject to, amongst other things the scale and character being appropriate to the locality, local environmental considerations, including the effects on the residential amenity of nearby dwellings.

PPG17 states that all community, leisure and cultural facilities will be protected and where possible enhanced, subject to design, accessibility and location.

Residential Amenity

It is not considered that there will be any direct, adverse impact on the residential amenities of the occupiers of adjacent residential properties. As this is a town centre site business and leisure activity is located within close proximity to residential land use both above and adjacent to existing units. The increased intensification of use of the site and its affect on residential amenity is not warranted as a sole reason for refusal in this case. Although it is noted that an objection has been received from the occupier of the building to the rear of the site and concern is expressed over, amongst other things, the access being obstructed by the bicycle store. This is a separate matter which has also been raised by the Highways Authority as the proposed store is on highway land as is the existing bin store, this is being investigated by the Highway Authority.

Transport Issues

The site is located within the town centre and its therefore sustainable and accessible by public transport. There are no parking spaces provided in relation to the proposed use however due to the location of this site there is no objection to the lack of car parking in this case. There is bicycle parking proposed however as stated above this is proposed on highway land and an alternative location should be sought within the site for this storage provision without obstruction to highway users.

Impact on Character and Appearance of Conservation Area and Listed Building

The external changes to the building are limited to the western side of the building which will front onto Town Quay. The proposed air conditioning unit and, bicycle and bin storage will be visible from the High Street and the Conservation Area when approaching the site from the west however there will be no change to the front elevation of the building and it is not considered that these minor changes will have any adverse impact on the character and appearance of the conservation area or grade II listed building.

Principle of Proposal- Compatibility With Existing Uses

It is considered that the principle of the proposed change of use within the existing town hall building is a use which is not suitable in such close

proximity to the adjacent existing office suite. The proposed leisure facility is located at first floor level and is proposed to be accessed via a shared door, stair case and to utilise shared toilet facilities. The hours of opening will be 6:30am until 9:00pm, the use of the premises out of normal office hours is not considered to be an issue in this case, as up until and after 9:00pm there are other commercial premises open within close proximity of the site within the town centre. However during office hours, when the adjacent office is occupied it is considered that the proposed use would result in an intensification of use of the existing office suite which would negatively impact on the business being carried out in the adjacent office suite. This is as a result of the increased noise which will be created by the proposed use both as a result of the increase number of people, activity, music, noise from machines, movement of people both around the building and shared areas and within the premises. In addition there are existing partition, dividing walls between the units. These walls do not provide the sound insulation which would be required for this use as opposed to an office use which entails a limited amount of activity, trips to and from the premises and noise levels within the building.

The proposed use is not appropriate in this case due to its location within an existing mixed use building in close proximity to the adjacent office use, contrary to DEV1.

Recommendation

REFUSE on ground that :-

Having regard to the size and type of premises involved and their juxtaposition to the adjacent office use, the proposal would give rise to an over-intensive use of the site with increased noise and activity. This would conflict with the existing office use within the building and therefore be contrary to the policies of the West Sussex Structure Plan (DEV1, NE12) and Adur District Local Plan (AR7)

Case Officer..Barker.....Date..7/1/08..