

**ITEM: 08**

**Application Number:** 08/01497/FUL

**Applicant:** Mr David Rodwell

**Description of Application:** Change of use from bulky goods retail (restricted class A1) to Health and Fitness Club (Class D2) with associated alterations, and an extension to provide squash courts

**Type of Application:** Full Application

**Site Address:** UNIT A, COYPOOL ROAD PLYMOUTH

**Ward:** Plympton St Mary

**Valid Date of Application:** 01/08/2008

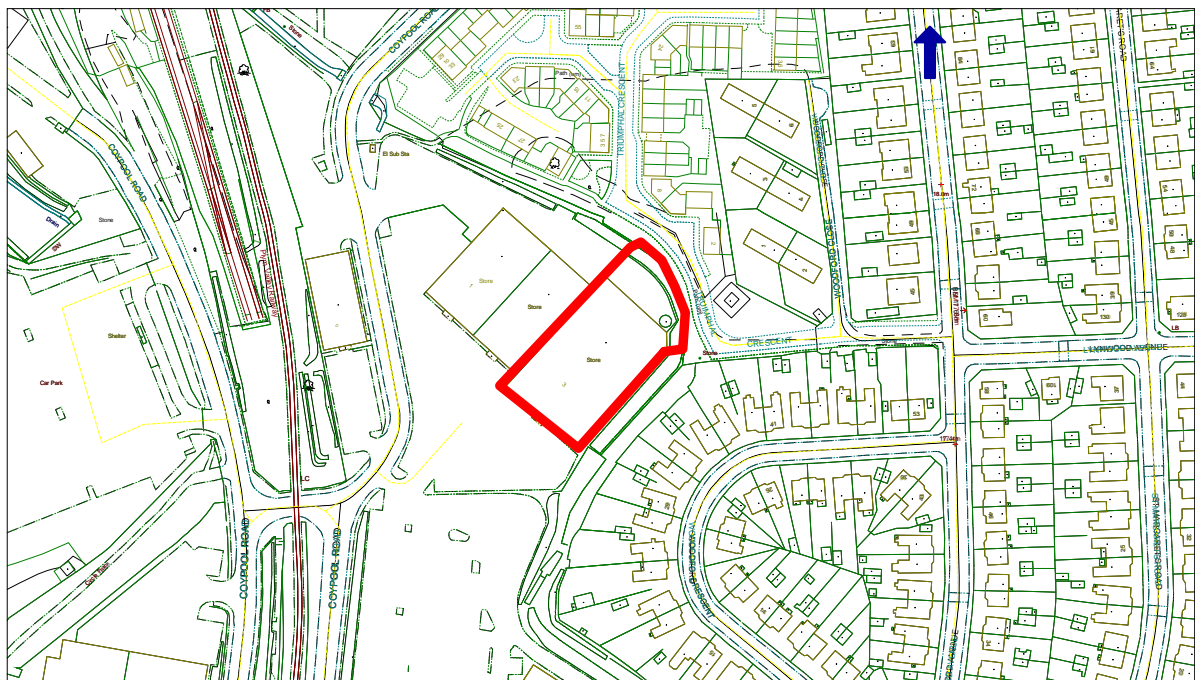
**8/13 Week Date:** **26/09/2008**

**Decision Category:** Major Application

**Case Officer :** Carly Francis

**Recommendation:** Grant Conditionally

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## OFFICERS REPORT

### Site Description

This is a large building located in Coypool, Plympton. The unit is located in a retail park and has a floor area of 37000 sq ft. This is a brick building with metal roofing which is currently occupied by the YMCA. It was previously occupied by Furnitureland who vacated the unit in August 2005. Two other bulky goods units adjoin this building, 'Harveys' Furniture Store is the adjoining unit at the front of the buildings is a carpark. Residential dwellings are located to the north and east of the unit.

### Proposal Description

Change of use from bulky goods retail (restricted class A1) to Health and Fitness Club (Class D2) with associated alterations, and an extension to provide squash courts.

### Relevant Planning History

07/01470 (ADV) Installation of aluminium composite advertisement panels- PERMITTED.

### Consultation Responses

**Highway Authority-** no objections but recommend that conditions regarding car parking provision, cycle provision and a staff travel plan be attached to any grant of planning permission.

**Public Protection Service-** no comments received.

**Access Officer-** initially raised concerns regarding access standards; amended plans have since been received to include accessible WC and changing facilities.

**Health and Safety Executive-** no objections.

**Crime Prevention Officer-** no objections.

**Planning Policy-** no objections.

**Community Leisure and Learning-** no comments received.

### Representations

4 letters of representation received.

No objections in principle but concerns regarding:

- Noise pollution.
- Parking problems.
- Loss of privacy

## **Analysis**

Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

The main planning considerations for this application are the impact on surrounding properties and to the function of this retail centre. The main policies relevant to this proposal are CS01, CS02, CS08, CS09, CS10, CS11, CS12, CS13, CS28 and CS34 of the adopted Core Strategy.

The proposal entails a leisure club, boxing gymnasium, changing rooms, spa, dance studio, café-bar, crèche, hair salon and sports injury clinic, plus an extension to form 3 squash courts. The extension would be 2500 sq feet.

## **Impact to the Amenity of the Area**

The principle of this change of use is deemed acceptable. The applicant has submitted a Leisure Assessment with the application. Within this Leisure Assessment the applicant has undertaken a sequential test to demonstrate that there are no other more suitable sites in the city. They have also demonstrated that there is a need for such a facility in this part of the city. The proposal therefore accords with PPS6. The Leisure Assessment demonstrates that there are no available sites in the City Centre for this use and that there would not be a detrimental impact on the City Centre or District and Local Centres as a result of this change of use.

Concerns raised in the letters of representation received relate to possible noise pollution, a loss of privacy and parking problems, these issues are addressed below.

## **Impact to Neighbouring Properties**

The Leisure Centre has been designed in a way to minimize noise pollution to surrounding residents. The dance studios have also been placed within the centre of the building so that they are as far from local housing as possible. The dance studios would be sound proofed in order to reduce noise to an acceptable level, and it is stated in the application that classes will be concluded by 2100. A condition shall be attached to ensure that this is adhered to. The applicant also states that the music played within the gym area will be background music, and that the volume will be monitored by duty instructors. Further to this it is stated in the Design and Access Statement that there will be no boxing 'events', as it is purely a training gym and that there will be no large screen TV's within the complex. The cafe bar will be for members only, and not open to the public. It is proposed that the centre will be closed at 2200 to negate noise disturbance at unsociable hours. Conditions shall be attached to ensure that the above time constraints are adhered to.

With regards to residents concerns of overlooking and a loss of privacy, there are no windows proposed at the rear of the building that could lead to overlooking of neighbouring properties.

### **Landscaping**

The proposals do not currently include additional landscaping to the rear of the building, although the applicant does anticipate improving the maintenance and appearance of existing landscaping to the front of the building. A condition shall be attached to obtain details of this and so that a landscaping strategy may be agreed for the site.

### **Highway Considerations**

The Transport Officer comments that he would not wish to raise any objections in principal to the proposal for a change of use, the proposal would extend the type and mix of uses in the local area. The application site forms part of a group of established retail outlets located close to Marsh Mills interchange at Plympton in the east of the City. The site is accessible by public transport with bus stops reasonably close by on Plymouth Road for travel in both directions. There is a pedestrian footpath that links the site to the adjacent Woodford residential estate. A Transport Assessment (TA) has been included as part of the application to consider accessibility and establish the impact of the proposal on the highway network, to determine that the proposal would be able to function within the parameters of the existing highway capacity and safety requirements, without causing conflict or congestion. The Transport Department has commissioned an independent technical audit of the TA, to test the robustness of the data and the conclusions. From a Transport perspective the most significant impact of the proposed change of use is considered to be the resultant change in the pattern of trip generation on the highway network, rather than the number of trips. Although the expectation is that shared trips would occur given that the application site is located within a group of retail outlets and close to the 'Coypool Park and Ride'. With a percentage of those attending at the development sharing the journey to or from, work, shopping, Park & Ride use, etc, which would to some extent further ameliorate the impact of the change of use, in particular during peak demand on the highway network. The TA and the technical audit concur in that on average throughout the week, including the weekend, the proposed use is likely to generate fewer trips than the extant permission, and it is considered that the likely transport impacts of the proposed development should not be significant. It may also be expected that the change of use may result in a small increase in walking and cycling trips associated with the development and leisure use. Apparently the proposed leisure development would be expected to employ in the order of between 35 and 50 staff, many of them working shift patterns to cover the proposed opening hours ranging from 6:30 am to 10:00 pm. The application considers that in the order of 15 employees would be in attendance on site at any one time. Car parking is shared with the adjacent retail outlet with an overall provision of 132 parking spaces, this shared use optimizes the use of the parking stock and the car park should continue to be used in this way, without restrictions or reservations, aside from the provision of 3 parking spaces for the disabled. High quality weather-proof and conveniently placed cycle

parking is to be provided to accommodate a minimum of 5 cycles and will be secured by condition. The Transport Officer states that a Leisure Centre Travel Plan should be implemented once the use becomes operational and that Plymouth City Council officers would assist in identifying soft measures and setting it up. The Transport Officer comments that the Travel Plan would address travel issues relating to, staff, customers, and events at the site, and would assist with promoting sustainable green travel initiatives.

The applicant states that adequate car parking will be provided within the designated area both for customers for Harveys and club members. Members will be issued with windscreen passes for ease of identification, and a parking management regime will be in operation.

### **Alterations to the Building**

Minimal changes to the appearance of the building are proposed. There would be additional windows to the front elevation of the building to allow natural light and ventilation to office accommodation, plus the rear extension to form new squash courts. It is stated in the Design and Access Statement that materials for the extension will reflect that of the existing building where possible, a condition shall be attached to ensure that this is adhered to.

### **Conclusions**

The proposed Health and Fitness Club would improve amenities in the area and would not be harmful to surrounding residents or have a detrimental impact to the highway. This application is therefore recommended for approval.

### **Recommendation**

In respect of the application dated **01/08/2008** and the submitted drawings, **08594 EX 01, 31039-SK-01 A, EX01, 667.01, 667.02, 667.03, 667.04, 667.05** and accompanying Design and Access Statement, it is recommended to:  
**Grant Conditionally**

### **Conditions**

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

(1) The development hereby permitted shall be begun before the expiration of three years beginning from the date of this permission.

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004.

### **CAR PARKING PROVISION**

(2) The building shall not be occupied until the car parking area shown on the approved plans has been drained and surfaced in accordance with the details submitted to and approved by the Local Planning Authority, and that area shall not thereafter be used for any purpose other than the parking of vehicles.

Reason:

To enable vehicles used by occupiers or visitors to be parked off the public highway so as to avoid damage to amenity and interference with the free flow of traffic on the highway in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### CYCLE PROVISION

(3) The development shall not be occupied until space has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority) for 5 bicycles to be parked.

Reason:

In order to promote cycling as an alternative to the use of private cars in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021)2007.

#### STAFF TRAVEL PLAN

(4) The use hereby permitted shall not commence until a Leisure Centre Travel Plan (LCTP) has been submitted to and approved in writing by the Local Planning Authority. The said LCTP shall seek to encourage persons attending at the premises to use modes of transport other than the private car to get to and from the premises. It shall also include arrangements for, staff, customers, and events and monitoring the use of provisions available through the operation of the LCTP; and the name, position and contact telephone number of the person responsible for it's implementation. From the date of (the commencement of the use)(occupation) the occupier shall operate the approved STP.

REASON:

In the opinion of the Local Planning Authority, such measures need to be taken in order to reduce reliance on the use of private cars (particularly single occupancy journeys) and to assist in the promotion of more sustainable travel choices.

#### OPENING HOURS

(5) The use hereby permitted shall not be open to customers outside the following times: 06.30- 22.00 hours Mondays to Saturdays inclusive and 08.00 - 21.00 hours on Sundays and Bank or Public Holidays.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects, including noise and disturbance likely to be caused by persons arriving at and leaving the premises, and avoid conflict with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### LANDSCAPE DESIGN PROPOSALS

(6) No development shall take place until full details of both hard and soft landscape works and a programme for their implementation have been

submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.

Reason:

To ensure that satisfactory landscape works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### EXTERNAL MATERIALS

(7)No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

To ensure that the materials used are in keeping with the character of the area in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### **Statement of Reasons for Approval and Relevant Policies**

Having regard to the main planning considerations, which in this case are considered to be: the impact on the amenity of the area, to the highway and on surrounding residential properties, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy, (b) non-superseded site allocations, annex relating to definition of shopping centre boundaries and frontages and annex relating to greenscape schedule of the City of Plymouth Local Plan First Deposit (1995-2011) 2001, and (c) relevant Planning Guidance (SPG) Notes, Government Policy Statements and Government Circulars, as follows:

PPS6 - Planning for Town Centres  
CS28 - Local Transport Consideration  
CS32 - Designing out Crime  
CS34 - Planning Application Consideration  
CS08 - Retail Development Considerations  
CS09 - Marsh Mills Retail Parks  
CS11 - Change of Use in District/Local Centres  
CS13 - Evening/Night-time Economy Uses  
CS12 - Cultural / Leisure Development Considerations