REF. NO. F/12/71635

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

site uses). Classes would contain a maximum of 20 participants and being a local facility many are likely to walk, cycle, use buses or car share.

The scheme does not include any alterations to the external appearance of the building and will not affect the character and appearance of the shopping area. The use will not generate significant waste and this could be collected as part of the council's refuse collection.

The proposal is considered to comply with relevant Development Plan policies.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and legislative background.

CONCLUSIONS

Recommend Permit

REF. NO. F/12/71635

POLICY COMMENTARY

The above policies combine to form the criteria against which this application will be assessed with particular regard to

COMMENT ON CONSULTATION RESPONSES

Comments are noted and appropriate conditions will be applied.

COMMENT ON REPRESENTATIONS RECEIVED

Noise and disturbance is discussed in the assessment section. Health and Safety arrangements are not a material planning consideration.

PLANNING OBLIGATION/CONSIDERATIONS

A contribution of £2,208 + indexation is required towards sustainable transport measures within the locality.

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

Policy 59.BE of the Local Plan requires development to take full and proper account of the context of the site including the character and appearance of the locality and be appropriate in mass, scale, materials, layout, design and siting. It also requires a high standard of landscape design, have a satisfactory means of access and layout for vehicles, cyclist and pedestrians, make provision for refuse and cycle storage and avoid unduly impacting on neighbouring uses through overlooking, loss of light, loss of outlook, noise and fumes.

Policy 141.TC promotes the use of first floors within shopping areas as leisure, office retail space. It states these will be permitted where

i) the amenity of upper floor use would not be adversely affected by the existing ground floor use; and

ii) it makes adequate provision for the disposal, storage and collection of waste.

ASSESSMENT

The principle of changing the upper floor to a self defence gym is acceptable and inline with Policy 141.TC. Noise and disturbance generated by the use as a self defense gym is likely to intermittent (depending on class sizes and times) and relatively low level in comparison to the background noise from the busy road and shopping area. The applicant has confirmed that most of the classes will take place outside office hours and no music will be played. The unit is located above a supermarket and adjacent to offices, which are considered to be less noise sensitive than residential units. The self defence gym is unlikely to be affected by the surrounding commercial/ office uses.

It is considered that there is sufficient parking capacity in the associated car park (private to the on-

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REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
	will be and we need to ensure the safety of our staff.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Transportation & Engineering	No objection Additional gym utilisation figures received from applicant's states that they expect to hold approximately 2-3 classes during the day, and 2-3 classes during the evening, each with a capacity of up to 20 participants. As such, in terms of parking, I would suggest that there would be capacity in the associated car park (private to the on-site uses), particularly given that of the 20 maximum participants, at least some element would walk / cycle / bus / car share and so the associated 20 vehicles would very much be a worst case scenario. And of course there is an existing parking requirement with the existing use that will be removed. In terms of transport related developer contributions, these are required in line with the HCC Transport Contributions Policy, and are calculated at £2,208 + indexation
Environmental Health	Although the current proposed D2 use is for a self defence gym, generally the proposed D2 class covers 'assembly and leisure' types of use. This D2 classification can include a number of 'uses' that have the potential to be noisy. There are an unknown number of residential properties in the immediate area Therefore I conclude that this Service does not object in principle to the proposed D2 use change. However, these comments are restricted to the specific D2 use proposed and I would recommend that the application be conditioned as such, so that it is restricted to this specific use within D2.
Parish Council	No objection

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Within Shopping Area

DEVELOPMENT PLAN POLICIES

Eastleigh Borough Local Plan Review (2001-2011): 59.BE & 141.TC
Pre submission Eastleigh Borough Local Plan (2011-2029): DM1 & DM21

NATIONAL PLANNING POLICY GUIDANCE

National Planning Policy Framework

REF. NO. F/12/71635

PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	-	Part change of use of 1st floor office space (A2) to self defence gym (D2) In Touch Support 47 High Street West End Southampton SO30 3DQ

SITE VISIT DATE – 14/11/12

ARE PLANS ACCURATE? - Yes

HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED? - Yes

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The area of the self defence gym is approx 175m2 and is located at the eastern end of the first floor. There will be up to six classes per day Monday to Friday (operating between 9am and 9pm). With an additional three classes on Saturday (between 9am and 4pm) and occasional use on Sunday (between 9am and 4pm). The classes have a capacity of 20 people, although it is unlikely that all these classes will be full.
SITE CHARACTERISTICS	Two storey commercial building with offices on the first floor and a supermarket below. The nearest residential properties are separated by a road.
CHARACTER OF LOCALITY	Predominantly commercial, with some residential properties close by.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
F/11/69103 (newest application)	Change of use of former social club (Class D2) to Class A1 (Retail) and amalgamation of existing food store to create single Class A1 unit (1151sqm of retail floor space) with alterations to existing car parking, landscaping and cycle storage.	Permit 2011
	Various older planning applications and advert consents	

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
1 letter of objection	Our staff based in the office will experience increased noise and disruption during our operating hours as a result of the change of use to a self defence gym. Currently the office area is only accessed by In Touch Support staff, however with the change of use to a self defence gym, we will have increased members of the public coming past our office and using the communal facilities and causing additional noise and disruption to our office environment. The current Health and Safety arrangements as advised by a recent Fire Risk Assessments mean that In Touch Support staff need to access the fire exit based within the proposed self defence gym area. With this change we are unsure as to what the fire exit arrangements