

DELEGATED OFFICER REPORT:**Application Ref:** F/24/98375**Site Address:** LONGACRE HOUSE, WINCHESTER ROAD, BOTLEY,
SOUTHAMPTON, SO32 2DH**Case Officer:** Clare Martin**Description:** Change of use from light industrial/ storage (Classes B2 & B8) to a dance and fitness studio (Class E)

Particular Site Constraints?	Yes ☒	No ☐
Within Urban Edge		

Planning History?	Yes ☒	No ☐
14221/005 – Erection of shop and store with ancillary offices – Permitted (Feb 1996). 14221/006 – Relief from condition 5 to allow other structures to be retained on the site – Permitted (August 1998), with condition that building shall be for storage and a saddlery only. <u>Application Building</u> - F/08/62962 - Construction of 2no. steel framed buildings to be used as a saddlery & associated storage & warehousing following demolition of existing – Permitted (Nov 2008). Condition 13 stipulates that the uses permitted uses shall not open to customers outside 08.00 to 18.00 Monday to Saturday and not at all on Sunday or bank holidays, in order to protect residential amenity.		

Representations and Responses			
Publicity:	Letters ☒	Site Notice ☒	Newspaper ☐
Representations:	<u>3 letters of objection</u> (Braxells House, 1 Gainsborough Cottages & Unit 1 Longacre House – Love it Lawns) <u>Neighbouring Business Usage (Love it Lawns)</u> The site is an active warehouse and yard, regularly used by articulated lorries, delivery vans, builder's merchant lorries, and forklifts. Additional traffic from a tree surgery business and the landlord's vehicles already makes the area unsuitable for increased pedestrian access. The high volume of vehicle movements poses risks to public safety, especially for children and parents accessing the proposed facility. <u>Access Issues</u> The facility may accommodate multiple cheerleading teams, with up to 64 athletes being dropped off and picked up at peak times. The access road is a single-track lane (52 meters long) with no pavements or passing places, creating potential congestion and safety risks. Vehicles will have to queue to enter and exit, leading to traffic backing up onto the main road, increasing congestion and accident risks.		

	Pedestrians, including young children, will have to share the road with vehicles, heightening the danger. <u>Parking Shortages</u> The application states only 4 parking spaces for a 122 sqm facility, which is insufficient for the number of parents dropping off and collecting children. Parents may resort to parking in nearby residential areas, causing disruption, particularly near 1 Gainsborough Cottages. The facility also has an adult "Masters Team" (up to 38 individuals aged 25+) who will require parking, further exacerbating the problem. <u>Noise Concerns</u> Cheerleading involves loud cheering, shouting, and amplified music, which may disrupt nearby residents. Training sessions might extend beyond the proposed 9:30 PM closing time during competition season, leading to late-night noise disturbances. The building's construction does not allow for proper soundproofing, making noise reduction difficult. In summer, doors may be left open for ventilation, amplifying noise pollution. <u>Security and Safety Risks</u> The yard is a working area with forklifts and heavy vehicles, making it hazardous for children and pedestrians. The yard currently operates as a secure site, locked at night to prevent unauthorised access. Extending operating hours for evening classes may lead to public access to the yard, raising security risks for businesses storing equipment and materials. <u>Other Issues</u> • There are existing dance and fitness studios nearby (one within 200m at a hotel and another 500m away on Winchester Road). The proposed additional facility is unnecessary. • The site is located near an SSSI (Site of Special Scientific Interest), with concerns that excessive noise and vibration could disturb roosting bats, owls, and other wildlife. • Questions raised about sewerage disposal and whether the facility has adequate waste management plans. • Concerns raised about inadequate time for objections.
Applicant's response	<u>Neighbouring Business, Access & Parking</u> • The private entrance driveway has historically handled higher volumes of traffic. • The business operates later in the day compared to the existing business (Love it Lawns), minimizing overlap in traffic. Core hours are in the evening (4:30 PM - 9:30 PM), with reduced activity during the summer. • Most athletes carpool, reducing the number of vehicles. • A layby opposite the access road could be used for drop-offs/pick-ups. <u>Noise</u> • The unit has no windows or roof lights that open, reducing noise concerns. • Drop-offs/pick-ups are scheduled, limiting noise disruptions. Training sessions will follow strict scheduling to avoid overtime noise or disruptions.

	• The area is already developed, with a pub and hotel nearby contributing to ambient noise. • Noise level monitoring and compliance with regulations will be followed. <u>Safety & Security</u> • The business aims to communicate openly with the landlord and other tenants. Adjustments to class schedules can be made to avoid conflicts with other businesses. • The proposed unit has designated parking separate from the existing business. • The entrance is far from areas where operational vehicles move, reducing safety concerns. • A potential pathway for foot traffic could be implemented. • The site has a locked, secure gate, which will be managed to prevent unauthorized access. • The applicant will coordinate with the landlord and other tenants for safety and security compliance. <u>Other</u> • The facility will provide a stable environment for children, including those with additional learning needs. • Encouraging youth participation in sports can have positive community benefits, such as lower crime rates and improved teamwork skills. • The WC will be built to accommodate disabled access. • Existing security lighting is already in place. • Risk assessments will be conducted regularly. • Pop-up dividers will be used for privacy during sports massage sessions. • The facility will help reduce the carbon footprint by offering local activities, reducing travel.
Consultations	
Economic Development:	<u>Comments</u> • Based on my knowledge of the local area, I believe there is a not currently a reasonable demand for light industrial and storage uses (Classes B2 and B8). These uses often cater to the needs of local businesses that require affordable and flexible spaces, and such facilities are vital for supporting small and medium enterprises in the region. A lot of these units can be empty for a long time. • The cheerleading performs like gymnasts and so needs a high ceiling when they cheerleading. With parking and easy access it would make a great addition to the local area and for the business to have a bespoke base. A retail unit would not be suitable. • You could use Blue Butterfly as a great example which is a dance studio outside the Swan Centre. It was empty for many years and previously a restaurant. It is used as a great community facility which open just before Covid. It provides activities for all ages.
Environmental Health (Noise):	<u>Objection (13/12/24 & 30/1/25)</u> I have reviewed the additional noise letter by Venta Acoustics, dated 6th December 2024. The specification of noise insulation works [reproduced below] originally appeared on the acoustic assessment 25th November 2014; the revised report of 6th December 2024 with

	further projections at the NSR confirms these works will give a reduction value R_w of 48 dB, which is satisfactory for noise levels at the NSR and their amenity spaces. However, although the Acoustic Report demonstrates the additional noise insulation to the existing building contains the noise within, it does not allow for new doors and windows to be left open for protracted periods ie summertime. The present dominant noise is that of road traffic, however the likely increase in noise from additional vehicle movements after 18:00 to 21:30 hours may impact the Noise Sensitive Receptor [NSR] as the access road is adjacent to their dwelling. A Noise Management Plan [NMP] may address the issue of noise from patrons in the car park, but it will not help with the additional vehicle movements These factors increase the level of uncertainty of noise impact at the NSR and therefore I cannot support the application. <u>Comments (3/12/24)</u> The submitted noise impact assessment report refers to hours of operation as Monday to Friday until 21:30 hours but the application states also Weekends 09:30 to 16:00 hours; this is further mentioned in the report. Thus, the reliance on Entertainment Value noise is not valid as the proposed use is every day, it being a new noise source a BS 4142 calculation is appropriate. The existing Noise Sensitive Receptors [NSR] are the residential houses bounding the site, they will be primarily affected to their private amenity spaces [gardens], the noise levels generated by the test were not given but assumed to be similar to the presumptive levels elsewhere [over 80 dB] with a 22 dB drop off, would leave the garden spaces well above BS 8233 guidelines. The BS 4142 calculation will show the mitigation required in addition noise reduction construction, supporting control of music noise by AVC unit to demonstrate levels at the NSR lower than the 37dB current background. Therefore, I suggest the applicant provides the additional information to protect existing occupiers from excessive noise.
Environmental Health (Pollution):	<u>Contaminated Land – No objection</u> The proposed change of use involves a small extension to allocate new toilet facilities, which will involve minor excavations. The site is not located within an identified contaminative land use area. <u>Air Quality</u> The site is not located near an air quality management area. The proposed change of use involves the provision of 4 car park spaces. Based on the submitted Highways Technical Note (produced by Nick Culhane, October 2024), the proposed change of use is unlikely to result in a significant increase in traffic due to the nature of the sessions and people attending sharing transportation. However, no information has been provided in relation ventilation, heating/ cooling system for the proposed fitness studio. Whilst I do not object to the principle of the development, I recommend that additional information is submitted to confirm the

	adequacy of ventilation systems as well as heating/ cooling system details to provide a safe indoor environment for users.
Transport Officer:	<u>No objection</u> ACCESS As outlined in the submitted Highways Technical Note (HTC), access in and out of the site is unchanged by the proposals, and this is acceptable given the existing dual width (initially) drop kerb and access drive. Onwards, the site is linked to sustainable options immediately adjacent to footways, with cycle routes and bus stops within close proximity for those wishing to travel to the site sustainably. PARKING In terms of parking, whilst the quantum of this has not been assessed as this is a function for EBC, whereby their Parking Standards SPD should be adhered to, it is noted that 4 vehicle parking spaces are provided in an acceptable layout which allows for easy use. With regard to the quantum of parking, is understood to be the main user group (Cheerleading), has a good existing take-up of elements such as car share outlined in the HTN. Along with the overall private site area within which the proposed studio sits, it is likely that additional parking will be available outside of other units that may well be closed at the anticipated times of use for the specific end user / applicant (evening use). As such, it is not anticipated that any overspill parking will occur on the surrounding highway network, certainly not to an extent likely to cause a highway safety issue. For the 'Parent & Baby' groups however, there may be potential for a larger element of car use on site, and the Case Officer may wish to consider this. Whilst some parents will walk to the site as outlined, some will choose to drive particularly in wet / cold weather. Again though, the likelihood of off site parking would be debatable given the lack of convenience, which would likely result in the first instance with obstructive parking on site, or a choice not to utilise the group setting given other options in the locality. If it is found however that an under-provision of parking does exist for the proposals (EBC Parking Standards), then consideration of a financial contribution towards TRO's would be welcomed to ensure any overspill parking does not occur obstructively at adjacent junctions such as Winchester Road / Maddoxford Lane. This would essentially replicate the comparison site highlighted within the HTN, whereby 'as the surrounding highway network is controlled by double yellow lines, it would not be possible to park within the carriageway close to the site'. It is however noted that no cycle parking provision is proposed, and the Case Officer may wish to consider requesting some in order to fully promote the sustainable transport option.
Ecology Officer:	There are records of bats in the area. The vegetation behind the building could support foraging and roosting bats and nesting birds. The buildings have a single skin corrugated roof with what looks like clear panels and metal walls. They would not have thermal stability and do not have any visible gaps that could be used by bats, so would have negligible bat roost potential. However, bats sometimes use the

	shelter of overhanging roof areas such as the porch and eaves shown on these photos for feeding perches. There is already some external lighting visible in the photos: a security light mounted on the gable end of the smaller building above the large doors and several security lights on the larger building in the courtyard (in the area of the Welcome to our Showroom sign). If the application is approved, external lighting can be conditioned. The guidelines in the Bats and Artificial Lighting at Night guidance note GN08/23 from the Bat Conservation Trust and Institute of Lighting Professionals must be followed for any exterior lighting. Lighting in areas that would be used by bats must be limited to 1 lux and light must not shine directly on the vegetation. The access road could be lit by low level bollards with shielding. The noise report by Venta Acoustics only considered the residential houses as noise receptors but effects of noise at night on the vegetation behind the building must also be considered with respect to bats and nesting birds. It was not clear from the report whether additional sound insulation is proposed for this building.
Parish Council:	<u>Objection</u> 1. Access to site is not lit and very dark and therefore could pose a risk to pedestrians and cyclists accessing and egressing the site, as well as other pedestrian and road users if the volume of traffic using this access is increased. 2. There is no external lighting to building and if there is to be, to help visitors during evenings and during darker months, would an environmental impact assessment need to be undertaken, as this is a rural location and may affect wildlife such as bats and birds, as well as a neighbour impact assessment, for light impact to neighbouring properties. Given the location of the building, should a bat survey be undertaken? 3. Noise assessment- during summer months- a condition should be imposed that no windows, doors or rooflights to be opened or left open during operating hours, which will increase the noise impact on nearby dwellings and garden spaces. 4. Has noise assessment been undertaken on visiting cars to the site and their impact on the amenity of nearby dwellings and garden space, i.e car doors banging, cars starting and manoeuvring on site especially during the evenings and at 21.30hrs. 5. Request that an AVC, Automatic Volume Control is required to protect residential amenity and from noise on site from within the building exceeding permitted noise levels. 6. Is one WC proposed, enough toilet provision for the number of staff and users of the facility enough for the proposal and if only one required, should this be constructed to disabled standard? 7. Has a Hampshire County Council highway impact/safety assessment been undertaken, given the increase in vehicles and pedestrians, cyclists, proposed to use this site and its close proximity to the junction with Oatlands Road.

	8. Concerns regarding parking provision on site, although the proposal meets the Eastleigh Parking standards, given the rurality of this location and proposed Mother and Toddlers groups to be offered at this site, where they will remain with their children, where will they park? 9. Concerns about single track access point and conflict with overlapping of cars during collection and drop off times. 10. Consideration of double yellow lines outside site on Winchester Road, to protect highway safety and protect sightlines and pavement access by deterring parking on the highway to drop off and pick up and protect residential amenity and access to private properties. 11. Does this application and proposed hours of business set a precedent and potential for other site businesses to apply for further intensification of the site if this application with proposed business operational hours is passed? 12. Also are there any restrictions on other businesses at this site, such as restricted hours and days of use, due to its rural location and close proximity to residential properties, which should also be applied to this application should it be approved? 13. Would also like clarification on proposed operating hours, as there are references in the reports which conflict on the hours and days being proposed. 14. Should there be a condition applied to number of people allowed to be onsite at any time for health and safety reasons and does the building have the requisite number of fire exits. 15. The proposal states that sport massages will be offered on site, but the plans do not show any consultation room to be constructed within the building, apart from the office on the mezzanine floor, where will these be undertaken? 16. The committee welcome the introduction of the noise Management Strategy which will help the applicant to adhere to noise limits during business hours, as well as enforcement if a breach occurs.
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Planning Officer Response (to issues raised in representations & by the Parish Council)

Access, traffic movements, parking, noise & ecology

The concerns raised, suggestions made and Applicant's responses are noted and the issues will be considered within the assessment section.

Other Issues Raised

- The Local Planning Authority can not examine the need for the facility. Instead, the location and impact of the development will be assessed against the planning policies.
- While the proposed use may have safety and security impacts, these are dealt with by other legislations and are not material planning considerations. As such these issues cannot be considered as part of the assessment.
- The new toilet will be connected to the mains sewer and is not of a scale lightly to impact upon the sewerage network. Separate permission will need to be given by Southern Water to connect to their network.

- The internal arrangements for the sports massage, and specifications for the toilet are outside of the remit of the planning authority.
- The proposal will not set a precedent for extending the hours of business for other units as each application has to be considered on its own merits.
- Separate sections of the report cover the planning history, conditions and proposal.
- Adjoining neighbours were written to advising of the planning application and three weeks were given for comments. The publicity was carried out in accordance with the Local Planning Authorities procedures.

Site Visit:	Yes ☒	No ☐
Details: Carried out 4/12/24		

Pre-commencement Conditions:	Yes ☐	No ☒
Details:		

Legislation:
Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:- <i>"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."</i>

Policy:
National Planning Policy Framework Planning Practice Guidance Development Plan: The <u>Eastleigh Borough Local Plan 2016-2036</u> The most relevant policies are Strategic policies S1 (sustainable development), S2 (approach to development), S10 (community facilities); Development Management Policies DM1 (general development), DM8 (pollution), DM11 (nature conservation), DM13 (access), DM15 (safeguarding employment sites), DM36 (Community, leisure and cultural facilities) & DM40 (funding infrastructure). Supplementary Planning Documents: • Parking Standards (Draft SPD)

Proposal and Site Characteristics:
The proposal is to change the use of the existing building from light industrial/ and storage (Classes B2 & B8) to dance and fitness studio (Class E). The main use would be for a cheerleading group (children and adults), comprising ten competition teams each training twice a week between 4.30pm until 9.30pm Monday to Friday and occasionally at weekends between 9.30am and 4pm. During the day the building would be used for mother & baby groups, one to one personal training sessions and sports massages. The warehouse building has a floor area of 123m2 and the conversion works involve installing sound insulation, sealing up the existing roller shutter doors and replacing with entrance doors on the north eastern side of the building. A small extension is proposed to accommodate a toilet. At the front of the site are four parking spaces, which are accessed via a shared yard serving a small collection of existing warehouse/ industrial buildings. The site is located off a single lane driveway accessed from Winchester Road. The building is also adjoined by residential gardens on two sides.

Assessment:

Introduction

The proposed dance and fitness studio would offer a range of activities for children and other members of the community. It has many benefits in terms of improving children's health, providing a wider choice of sporting and recreational activities and giving children additional interests outside of school. However, while the council is supportive of the dance and fitness studio, it is considered that the location of the facility is not suitable for this use and it would have a detrimental impact upon the locality.

Principle – Leisure Use

The site is within the urban edge where the principle of development is usually acceptable, subject to the detailed matters according with the relevant planning policies.

However, the proposed dance and fitness studio is classified as a leisure use. Policy DM36 aims to locate community, leisure and cultural facilities within community hubs such as town, district or local centres and that they be readily accessible to the communities they are intended to serve by a variety of modes of transport. The Policy also requires that such uses do not have an adverse impact on existing and proposed centres.

In terms of impact, due to the nature and small scale of the dance and fitness studio it is unlikely to have an adverse impact upon the vitality or viability of the small shopping parades/ local centres within Boorley Green or the larger Botley Village Centre. However, a unit within or adjacent to a town, district or local centre could provide footfall for existing retail/ commercial businesses.

Such a location would also be preferable in relation to accessibility. While there are bus stops close to the site entrance the bus services are not as frequent as larger towns or district centres and the choice of transport modes are more limited.

No information has been provided to demonstrate whether a suitable, viable and available site within an existing centre or edge of centre location could be found for the dance and fitness studio. While there maybe be constraining factors as to why such buildings are not suitable, there is no evidence that alternative sites have been explored by the Applicant and no reasons have been given as to why such sites have been discounted. As such the proposal does not meet the requirements of Policy DM36.

Principle – Loss of Employment Use

A second constraint is the existing use of the unit, which is in a mixed B2 & B8 employment use and therefore protected by Policy DM15. Policy DM15 (criteria 3) states that the change of use of employment sites currently in class B2, B8 or E(g)(ii)/(iii) uses to non-employment uses will be permitted provided it can be demonstrated that the site is no longer in demand for employment use.

The Economic Development Officer notes that there may not be a reasonable demand for light industrial and storage uses in the locality and such units can be empty for a long time. While this could be the case, there is no evidence that the unit has actually been put on the market and it is possible that an alternative light industrial and storage use could still be found for the site. These types of small warehouse units cater to the needs of local businesses that require affordable and flexible spaces, and such facilities are vital for supporting small and medium enterprises in the region. The proposed dance and fitness studio is unlikely to offer the same employment benefits as the B2, B8 or E(g)(ii)/(iii) uses protected through Policy DM15.

Policy DM15 (criteria 2a) requires that any change to a non-employment use does not have a significant impact upon the continued primary B2, B8 E(g)(ii)/(iii) uses of the site. In

this case, the unit is one of only three industrial/ storage buildings at the site and as such the change of use to a fitness and dance studio will have a much greater impact upon the B2, B8 E(g)(ii)/(iii) employment provision at the site compared to a similar unit within a much larger industrial estate.

The final part of policy DM15 (criteria 2b) requires demonstration that the existing employment use causes significant harm to either highway safety, the amenity of the area or to local residents and so the change of use would be beneficial in these aspects. From the representations received it does not appear that there have been significant issues with the previous employment use at the building and indeed the representation highlight concerns that the dance and fitness studio would cause new highway safety and residential amenity issues.

In conclusion, insufficient information has been provided to demonstrate whether an alternative B2, B8 E(g)(ii)/(iii) could be found for the building, which is within a small industrial site. Furthermore, the proposed change of use to dance studio/ gym is considered to significantly affect the continued primary B2, B8 E(g)(ii)/(iii) uses of the site and fails to provide the highway safety, residential or visual amenity benefits required. As such the proposal is contrary to Policy DM15.

Highways and Car Parking

Policy DM13 requires that all new development has a safe and convenient access to the highway network, with Policy DM14 requiring an appropriate level of car parking be provided in accordance with the Council's standards. The Council's draft parking standards does not have specific parking standards for dance and fitness centres. However, for sports halls it requires one car parking space to be provided per 30m² of public space, this rises to 1 space per 20m² for gyms (rounded up to the nearest figure).

Depending on the classification, the proposed dance and fitness studio would be expected to provide between five and seven on site car parking spaces for the 123m² building. However, the site is only able to accommodate four dedicated car parking spaces in front of the building, one of which is likely to be for the instructor leaving three spaces for customer use. As such there is an under provision of one to three on site car parking spaces.

The Draft Parking Standards SPD goes onto state that each development will be considered on an individual basis, taking account of local circumstances. While the proposal had previously been in a B2/ B8 use, no information has been provided relating to the parking demand or trip rates associated within the previous use.

However, it would be expected that the proposed dance and fitness studio would generate more vehicular trips than the previous use. While some of the activities such as personal training and sports massage are aimed at individuals, the occasional mother and baby sessions during the day and evening cheerleading sessions would be for larger groups of people. Of the proposed uses the cheerleading sessions will be the most regular, comprising 10 competition teams each training twice a week (Monday to Friday).

If we look at the worst-case scenario, there would be 3 or 4 cheerleading sessions each weekday evening accommodation between 10 and 15 children. This would result in a maximum of 120 vehicular trips per evening based on children being dropped off and picked up (4 sessions x 15 children x 2 trips). While there would be a 15min break between sessions, this could not be enforced and parents could arrive early or later than expected. As a result, there could be up to 30 cars all trying to compete for the three on site customer car parking spaces.

A highways technical note has been provided suggesting that there would be a high degree of multiple occupancy vehicular trips with many siblings in attendance or lifts for a group of friends. It also suggests that some local children would walk or cycle to the venue, although this would be less likely in winter or during inclement weather. While it is

accepted that these measures would reduce the number of vehicular trips, the technical note does not suggest alternative trip rates for the proposed use and no transport survey of existing customers has been carried out.

Realistically the number of vehicle trips will fluctuate between classes and over time. However, even if a generous view is taken the demand for on site car parking is likely to significantly exceed the three customer car parking spaces provided. While there is some on road parking capacity along Maddoxford Road and a couple of spaces in the informal layby opposite the site, these spaces may not be available when needed and parents in a rush will want to park as close to the building as possible. As such the proposed dance and fitness studio is likely to result in overflow car parking within the shared service yard in front of the building and at the site entrance with Winchester Road.

The service yard is shared with the neighbouring business love it lawns, which uses articulated lorries and longer wheelbase vehicles. Overflow car parking within the compact service yard would restrict the turning space for vehicles, particularly longer vehicles connected with the neighbouring business. While the evening cheerleading sessions would likely operate when the neighbouring business is quieter, there will inevitably be a cross over period between the two businesses causing friction. There is also the possibility of the neighbouring unit being occupied by a different B2/ B8 business in the future with alternative working patterns.

A second issue is access to the service yard, which is via a 50m single lane driveway from Winchester Road, with limited space at either end. The proposal would result in additional vehicles using this access, increasing instances of vehicles meeting each other and having to back up the track, causing further congestion at both ends.

During busy periods overspill car parking could also affect Winchester Road (B classified Road), with parked cars clustered around the site entrance especially when the one or two spaces within the informal layby opposite are taken. While the highway authority does not consider the impact on highway safety severe enough to raise an objection, the proposal is likely to lead to obstructive parking around the site entrance. This in turn would restrict the free flow of vehicles along Winchester Road and cause a nuisance to nearby residents. On this basis, the proposal is considered contrary to Policies DM13 & DM14.

In reaching this conclusion, the highway authority's suggestion of double yellow lines has been considered. However, the implementation of the traffic regulation order would involve additional funding, time and ongoing monitoring, which may not be possible. Furthermore, the nature and scale of the parking demand means that double yellow lines are unlikely to sufficiently resolve the issue.

Noise and Residential Amenity

Policy DM1 stipulates that all new development should not have an unacceptable impact upon the amenities of existing residents. Whereas Policy DM8 looks to refuse development if it is likely to cause a loss of amenity, such as on the grounds of noise.

The site adjoins the residential properties at Braxells House and 1 & 2 Gainborough Cottages with the building located 2m from the adjoining garden boundaries and 17m to 30m from the back of these houses. The submitted noise assessment notes a high degree of background noise from traffic along Winchester Road. Nevertheless the level of noise associated with the cheerleading and other associated fitness uses/ classes, along with the playing of music within the building, has the potential to impact upon the amenities of the neighbouring residents.

A noise impact assessment has been provided, which includes a noise survey and noise breakout tests. These tests showed that the current building has a poor degree of sound insulation (particularly from gaps around the roller shutter doors) with a drop of only 22dB from inside the building to the site boundary. To combat this the works include installing new sound insulation to the building and sealing up the roller shutter doors on the south-

eastern façade. The doors being replaced by a new entrance on north-eastern side further away from the neighbouring gardens. As a result of the sound installation works, the noise levels should drop by 48db from inside the building to the site boundary.

The noise information has been reviewed by the Environmental Health Officer, who concludes that with the proposed measures in place, breakout noise from the dance and fitness studio within the building will not have an unacceptable impact upon neighbouring residents either within their houses or outdoor amenity spaces. Although the scheme relies on the external doors and roof lights at the premises being kept closed during the classes and so a dedicated cooling system may need to be installed to deal with heat in the summertime.

However, sound proofing the building would not address external noise generated as parents and children arrive and leave the site (such as talking or car doors shutting) with the parking spaces being located directly behind a residential garden. Even more obtrusive would-be vehicular noise generated from additional cars using the long access drive, which runs directly between two houses and along the length of their gardens.

While some traffic and external noise from the existing industrial units would be expected during the day, a planning condition was ensuring operations finished by 6pm so as to prevent disturbance to the adjoining residential properties.

In comparison the proposed cheerleading sessions, would generate a larger number of vehicular movements than the existing use creating more external noise. These vehicular movements and noise outside the building would be at regular intervals through the afternoon and night, finishing at 9.30 some three and a half hours later than the previous use. The evening in particular is a more sensitive time as background noise levels tend to be lower and residents often wish to rest.

The Applicant is aware of the noise concerns and intends to operate in a manner that would minimise noise disruption to neighbouring residents/ properties. However, while a noise management plan condition could be imposed it is unlikely any suggested measures would be sufficient to mitigate for the scale and nature of external noise and traffic movements generated from the proposed use.

It is also noted that there are other evening venues operating in the locality (such as a public house). However, the proposal would introduce a new and potentially obtrusive noise source close to existing dwellings, which has the potential to cause an unacceptable loss of their residential amenity. As such the proposal is contrary to Policies DM1 & DM8.

Other Considerations

Character and Appearance

Policy DM1 requires development to take full and proper account of the context of the site including the character and appearance of the locality, and be well integrated with these (in terms of mass, scale, materials, layout, density, design and siting), both in itself and in relation to adjoining buildings, spaces and views.

Only modest external alterations are required to convert the building to a dance studio, primary involving the creation of the w.c. and the addition of entrance doors on the north east elevation. The building will retain its warehouse appearance, which matches that of the adjoining unit. The small industrial area is tucked away at the end of a long driveway, where it is not visible from the public realm and the proposed external alterations will not impact on the character and appearance of the locality.

Ecology

Policy DM11 states that development will not be permitted if it is likely to have a direct or indirect adverse effect on priority habitats, protected or priority species, or on the local

ecological network. It also promotes the net gain of biodiversity on all sites through the protection, enhancement and connection of existing provisions and new habitats and features compatible with the native biodiversity characteristics of the Borough.

There are records of bats in the area, although the vegetation behind the building could support foraging and roosting bats and nesting birds.

In terms of lighting, there is already existing security lighting on the driveway entrance service yard and on the building. However, in the unlikely event that additional lighting was required this could be dealt with via a condition

The building itself does not have thermal stability or any visible gaps that could be used by bats, so would have negligible bat roost potential. Although the bats sometimes use the shelter of overhanging roof areas for feeding perches, and so these would need to be checked before any work began on the building.

However, the proposed change of use would generate additional noise and disturbance outside of the building, which has the potential to impact upon bats. As such further information would be required to establish the level of impact and consider mitigation measures and enhancements.

Equalities Act:

Section 149 of the Equalities Act 2010 created the public sector equality duty.

Section 149 (1) states:

A public authority must, in the exercise of its functions, have due regard to the need to:

(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups.

It is considered that this application does not raise any equality implications.

Climate Change:

In July 2019, the Council declared a Climate Change and Environmental Emergency. In doing so it agreed, among other things, to: (a) put in place measures to ensure the Council's own operations and functions achieve carbon neutrality by 2025; (b) work with partners to aim for all projects and services delivered in the Borough to achieve carbon neutrality by 2030; (c) ensure that the Council's procurement policy recognises carbon neutrality as one of its primary considerations; and (d) recognise the urgency of action to mitigate and adapt to climate change in every decision taken by the Council. This is underpinned by the Climate and Environment Emergency Strategy 2020–2030 and the supporting Climate and Environment Emergency Action Plan – Update June 2020.

The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. The NPPF, development plan and plan policy do not set this as a specific target, but it is a material consideration to be considered alongside all other material considerations. In any case addressing climate change is a core part of the NPPF and plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the Local Plan, as is an assessment of climate impacts.

The NPPF aims for the need for housing to be met, and Policy S2 of the Adopted Local Plan sets a target for 14,580 dwellings to be provided by 2036. The NPPF, Policies S1, DM2 and DM3 of the Adopted Local Plan and energy and water elements of the adopted

Environmentally Sustainable Development SPD require development to be sustainable in terms of resource use, climate change and energy use. When considering the impact of climate change, the proposed development is expected to be resilient to the potential effects of climate change and is expected to reduce/limit impacts on climate emissions as a result of the development or its use.

Conclusion:

Recommendation:

PERMIT ☐

REFUSE ☒

Comments ...