

DELEGATED FULL APPLICATION REPORT

Ward: Battle

App Ref: 201457/FUL

Address: 28 Portman Road

Proposals: Change of use from industrial to a gymnastics and free running/parkour use (Class E).

Case Officer: Mr James Overall

Date received (valid from): 27 October 2020

Target Decision Date: 22 December 2020

PROPOSAL AND SUPPORTING INFORMATION

Plan Type	Description	Drawing Number	Date Received
Location Plan		P20-1479_02 Rev A	16 Oct-20
Floor Plans	Proposed	N/A	17 Oct-20
Ground Floor Plan	Existing	BSPM 003	17 Oct-20
First Floor Plan	Existing	BSPM 004	17 Oct-20

PLANNING HISTORY

Reference No.	Description	Outcome
940031	Installation of spray booths associated with existing body repair business	Application Permitted on 26 Sep-94
030462	Change of use - Light Industrial (B1) to car showroom	Application Permitted on 2 Jun-03
060351	Non illuminated building signage.	Application Permitted 20 Oct-06
061110	Two freestanding totem signs	Application Permitted on 18 Dec-06
080321	Illumination of 2 existing fascia signs	Application Permitted on 2 Dec-08
080530	Illumination of existing pylon sign by uplighters mounted at ground level.	Application Permitted on 25 Jul-08
080858	Safety lighting for car park	Application Permitted on 4 Aug-08
140043	Renovation and change of use from derelict existing B1 to D2 - a specialised Martial Arts teaching and gym.	Application Returned

CONSULTATIONS

The following addresses were consulted by letter.

- 83 Loverock Road
- 85 Loverock Road
- Battle Farm Trading Estate, 30 Portman Road
- The Door Store, 26 Portman Road

41 letters of support were received, although it should be noted that a number of these were from the same households. Reasons for support are as follows:

- Valuable service
- Reduce traffic flow
- Location is easily accessible
- Large supermarket nearby so parents can shop whilst waiting
- Eliminates the need for Virtue to pack away their equipment after each session

14 letters of objection were received, with the reasons being:

- In a time of financial uncertainty a gym is a luxury. The council should be focussing on housing for the less well-off instead of a private gym club.
- Portman road is an industrial estate and not safe for pedestrian or cyclist use.
- Children can do extra circular activities at school.
- The building should be used for housing to support the growing migrant and homeless populations in Reading.
- Creating a gymnastics hub for a single company is unfair when other local sports ventures have had similar applications declined.
- Organisations like Virtue should operate out of existing gyms which they can rent the space from alongside a variety of other sports and clubs.
- This Portland road development would be better suited becoming a mixed age community social hub or housing which is something that Reading is in desperate need of.
- There are already enough gyms in Reading and enough traffic coming to and from Portman road.
- Not an appropriate location for a gym.
- There is huge homeless and unemployment crisis in Reading as a result of COVID. We should focus on developing affordable housing with the spaces we have available and not waste this opportunity. There are already enough gyms and gym clubs in Reading we do not need another.
- we should be protecting these children and not letting them anywhere near any organisation affiliated with British gymnastics.
- The rumours surrounding this local gym club are bad
- We are in recession and more stores are shutting. We should be supporting those essential businesses. This gym is a distraction and is not essential.
- Industrial estates are not safe for children and should be used to host something more appropriate.
- Areas are zoned for a reason. Putting a gym in an industrial zone is not appropriate. If this were to go ahead, where would it end? Could a factory be built on a residential street?

One of these 14 objections was from the neighbouring facility 'The Door Store' (26 Portman Road), whose concerns related to transport and parking. Their comments are as follows:

"As the Door Store we have separate parking spaces on the Loverock Road and have been approached by various neighbours requesting to use/rent these spaces from ourselves.

Unfortunately we find ourselves in a position where we cannot offer the use of these spaces to anyone. Our business is significantly increasing every year and we require these spaces to facilitate our own customers and staff, especially in the future.

Although we welcome any new business to the area the shared entrance road needs to be taken into consideration. This is an access road but unfortunately it is being used for car parking at present by others. Access in and out of our premises can be difficult at times and with parked vans obscuring driver's views, often dangerous.

The current application is for a gymnastic centre providing sessions that are aimed towards children and this will obviously attract more traffic and possible pedestrians to the access road. We are already concerned for the safety of our own customers entering and exiting our premises but the edition of parents and children using this access road is alarming.

The health and safety of our customers and others is paramount and I would ask a planning officer to visit the site during the day, so that they can fully understand the reality of the situation before any decisions are made”.

Ecology

This application is to change an industrial building to a gym. These proposals are very unlikely to have any effect on ecology and there are no objections to this application on ecology grounds.

Transport

The applicant has identified that the Councils adopted Parking standards would require a provision of 26 spaces with only 14 provided on site.

It has been confirmed that the Recreational Gymnastics would accommodate a maximum of 40 students aged 4 to 11+ which would operate Monday (15:45 to 21:30) to Saturday (11:00-14:45). What should also be noted is that the pre-school classes would also be taking place on a Saturday simultaneously between 9:00 and 12:30 of which the maximum capacity would be 24. This would equate to a provision of 64 children being on site during a Saturday morning when the surrounding industrial/commercial units are likely to be in operation.

Irrespective of the Councils adopted parking standards the applicant has identified through actual surveys that a car parking provision of 29 spaces would be required for just the recreational classes accommodating 40 children. Were this figure actually based on the total number of 64 children the parking demand would be 47 spaces.

Based on the timetable of 45-minute classes and the younger age groups that could utilise this facility is more likely that parents would actually stay on site especially when the parking provision is substantially reduced from what has been identified as being required.

It has been stated by the applicant that additional parking would be provided through agreement with adjacent commercial buildings, but these would not be formally agreed through the planning application. Given that this is the case the Highway Authority has to assess the parking proposed on the 14 spaces which are illustrated within the application site. As such It is clear that the applicant has not provided sufficient dedicated parking to cater for the proposed demand which would be contrary to Policy.

What I would also add following a review of the layout is that the proposed cycle parking spaces will obstruct access to and from the car park should bicycles be parking within them.

The tracking diagrams provided to date identify vehicle movement as being acceptable but that is because the Sheffield stands are vacant creating greater space.

Given the above and the applicant not being able to source additional car parking to meet the Council's standards as a minimum requirement which I have already accepted a reduction from to 24 spaces, so that all they have to do is source 10 spaces, the Highway Authority objects to the proposal on the following grounds.

Reason for refusal

The layout does not comply with the Local Planning Authority's standards in respect of vehicle parking. This could result in on-street parking/reversing movements on Loverock Road, adversely affecting road safety and the flow of traffic, and in conflict with Local Plan Policy TR5.

Relevant Planning Policy and Guidance

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with policies in the development plan unless material considerations indicate otherwise. Material considerations include relevant policies in the National Planning Policy framework (NPPF) - among them the 'presumption in favour of sustainable development'

Reading Borough Local Plan (November 2019)

CC1: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT
CC2: SUSTAINABLE DESIGN AND CONSTRUCTION
CC7: DESIGN AND THE PUBLIC REALM
CC8: SAFEGUARDING AMENITY
EN15: AIR QUALITY
EN16: POLLUTION AND WATER RESOURCES
EN17: NOISE GENERATING EQUIPMENT
EM1: PROVISION OF EMPLOYMENT
EM2: LOCATION OF NEW EMPLOYMENT DEVELOPMENT
EM3: LOSS OF EMPLOYMENT LAND
EM4: MAINTAINING A VARIETY OF PREMISES
TR1: ACHIEVING THE TRANSPORT STRATEGY
TR3: ACCESS, TRAFFIC AND HIGHWAY-RELATED MATTER
TR5: CAR AND CYCLE PARKING AND ELECTRIC VEHICLE CHARGING
RL2: SCALE AND LOCATION OF RETAIL, LEISURE AND CULTURE DEVELOPMENT
OU1: NEW AND EXISTING COMMUNITY FACILITIES

Supplementary Planning Guidance/Documents

Parking Standards and Design SPD (2010)

Sustainable Design and Construction SPD (2011)

Assessment

The main issues to be considered are:

- (i) Principle of development
- (ii) Transport
- (iii) Impact on appearance and character of the area
- (iv) Impact on neighbouring units
- (v) Other matters

(i) Principle of development

In accordance with Policy EM3, there is a general presumption against the loss of employment land within designated Core Employment Areas (CEA). Policy EM4 seeks to retain a variety of premises. The site is within a defined CEA in Policy EM2h: Portman Road. Policy EM2 states that these areas will be the main location for industrial and warehouse uses and there is a general presumption against the loss of employment land in these areas. Paragraph 4.3.11 of Policy EM2 also highlights that *“In order for these [Core Employment] areas to maximise their contribution to the economy, there may be scope for inclusion of uses that are not strictly within an ‘employment’ classification as set out in 4.3.14 in order to support the economic role of the area, for instance through provision of services and facilities for workers and customers. Where this does not result in a loss of employment land, it will be acceptable subject to other policy considerations, such as the retail and leisure sequential approach. If a loss of employment land is proposed, it will need to be judged against policy EM3”*.

Policy EM3 states *“proposals that would result in a loss of...[employment] land will not be permitted other than in the exceptional circumstances”*.

Given that the aim of parkour is to travel across a complex environment without the need for assistive equipment in the fastest and most efficient way possible; the size of the required building is considered to be very flexible as it is a sport where the participant works with the environment that is available to them. As such the specific requirements for a warehouse of this size and in this location are considered to be unnecessary and the proposed gym could quite easily be hosted elsewhere.

Assessing the scheme against the matters highlighted within Policy EM3, result in the conclusion that there are no exceptional circumstances which would support the loss of this employment land for the purposes of hosting a parkour gym.

Officers’ raised concerns regarding the proposals’ failure to comply with the loss of employment land policies, however correspondence resulted in agreement to disagree with the acceptability of the proposed scheme assessed against Reading Borough Councils policies.

A similar scheme in the local area saw 9a Loverock Road be granted a temporary 5-year permission (182019) for use as a Dance Studio (D2); however, in this case the application amended their plans to ensure the provision of a B1 Use element, which took the form of an office on the front elevation of the premises.

The Policies surrounding this have never been about numbers of employees, but rather retaining floorspace for the kinds of employment floorspace our economy needs. The exceptional circumstances that can allow a loss of employment floorspace according to Policy EM3 are if there’s no prospect of an employment use within ca. 5 years, and in that case, it needs to be an alternative commercial use that complements the area.

The proposed scheme firstly does not compliment the area, and the property itself has not been vacant for over five years.

The principle of this scheme is therefore unacceptable.

(ii) Transport

In relation to the car parking the application falls some way short of the Council's parking standard and from what the applicant's Transport Statement identifies will be required. It is noted that it is proposed to utilise the parking areas of adjacent businesses to compensate for the insufficient parking on site. Whilst there is no issue with this during out of hours periods; these parking areas will also be required during the adjacent business's hours of operation, which has been identified as one of the main busy periods for the proposed operation and therefore will lead to parking problems.

The applicant has accepted that the Council's adopted Parking standards would require a provision of 26 spaces but only 14 spaces are provided on site.

It has been confirmed that the Recreational Gymnastics would accommodate a maximum of 40 students aged 4 to 11+ which would operate Monday (15:45 - 21:30) to Saturday (11:00 - 14:45). What should also be noted is that the pre-school classes would also be taking place on a Saturday simultaneously between 9:00 and 12:30 of which the maximum capacity would be 24. This would equate to a provision of 64 children being on site during a Saturday morning when the surrounding industrial/commercial units are likely to be in operation.

Irrespective of the Council's adopted parking standards the applicant has identified through actual surveys that a car parking provision of 29 spaces would be required for just the recreational classes accommodating 40 children. Were this figure actually based on the total number of 64 children, the parking demand would be 47 spaces.

Based on the timetable of 45-minute classes and the younger age groups that could utilise this facility is more likely that parents would actually stay on site especially when the parking provision is substantially reduced from what has been identified as being required.

It has been stated by the applicant that additional parking would be provided through agreement with adjacent commercial buildings, but these would not be formally agreed through the planning application. Given that this is the case the Highway Authority has to assess the parking proposed on the 14 spaces which are illustrated within the application site. As such it is clear that the applicant has not provided sufficient dedicated parking to cater for the proposed demand which would be contrary to Policy.

It should also be noted that the letter of representation received from the neighbouring site (The Door Store, 26 Portman Road), states that they are in a position where they cannot offer the use of their parking spaces to anyone, as their business is significantly increasing every year and the use of these spaces is required to facilitate their own customers and staff.

Following a review of the layout, it should also be added that the proposed cycle parking spaces will obstruct access to and from the car park should bicycles be parked within them. The tracking diagrams provided to date identify vehicle movement as being acceptable, but that is because the Sheffield stands are vacant creating greater space.

Given the above and the applicant not being able to source additional car parking to meet the Council's standards as a minimum requirement (which RBC has already accepted a reduction from (to 24 spaces)), so that all that needs to be sourced is 10 spaces, the Highway Authority objects to the proposal. The transport issues are believed to be insurmountable.

(iii) Impact on appearance and character of the area

There are no external alterations proposed to the building and therefore it is considered that the change of use would not be detrimental to the appearance of the existing building and character of the area.

(v) Impact on neighbouring units

The unit is located within an industrial estate and the use of the unit as a gymnastics club is unlikely to have any impact on the nearest residential units, which lie to the south of Portman Road. This is because the noise generated by people practicing parkour is likely to be completely contained within the unit itself, and the only element of noise generated externally will be from people talking on their way to and from the unit and the coming and going of cars; which is not uncommon for this area. The proposal is therefore in accordance with policy CC8 (Safeguarding Amenity). An objection has been received from a neighbouring industrial unit, raising concerns regarding parking and transport.

(vi) Other matters

Equality Act 2010:

In determining this application, the Council is required to have regard to its obligations under the Equality Act 2010. However, there is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application. Therefore, in terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

CIL

The proposed development does not attract a CIL charge as it is a change of use of 'in use' floorspace with no additional floorspace proposed.

Conclusion

Given the above, it clear that the loss of industrial employment land would be contrary to Policy, and there are no genuine extenuation circumstances which would find this acceptable. In addition to the principle of development being unacceptable, it is believed that the Transport issues are insurmountable; and therefore, these would make up additional reasons for refusal. As such this proposal cannot be supported.

RECOMMENDATION:

Refuse Planning Permission