



# **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee North

**BY:** Head of Development

**DATE:** 02 October 2018

**DEVELOPMENT:** Proposed change of use from indoor rifle range to Gymnasium (Class D2) and associated external works including creation of a new entrance with canopy to rear, side fire exits with associated escape ramp to northern side. Installation of 3x roof lanterns and 3x wall mounted air conditioning units to rear elevation.

**SITE:** The Holbrook Club North Heath Lane Horsham West Sussex RH12 5PJ

**WARD:** Holbrook East

**APPLICATION:** DC/18/1433

**APPLICANT:** **Name:** Mr Matthew Russell **Address:** The Holbrook Club, North Heath Lane Horsham RH12 5PJ

**REASON FOR INCLUSION ON THE AGENDA:** More than eight persons in different households have made a written representation, which disclose material considerations, are within the consultation period and are inconsistent with the officer's recommendation.

**RECOMMENDATION:** To approve planning permission subject to appropriate conditions

## **1. THE PURPOSE OF THIS REPORT**

To consider the planning application.

### DESCRIPTION OF THE APPLICATION

- 1.1 Full planning permission is sought for the change of use of the existing indoor rifle range building to a Gymnasium (Class D2) together with associated external works. The proposed external works would include the provision of a new main entrance to the building to the eastern elevation with an canopy over; the provision of side fire escapes to the northern and southern elevations, with an access ramp to the northern fire exit; installation of three roof lanterns and the installation of three air conditioning units to the eastern rear facing elevation.
- 1.2 It is noted that this application is a re-submission of a similar previously approved scheme under planning reference number DC/14/0270, which was granted planning permission by the Planning Committee in May 2014. The permission was not though implemented and has since expired.

### DESCRIPTION OF THE SITE

- 1.3 The Holbrook Club is located on the east side of North Heath lane in the built up area of Horsham. The site comprises a number of buildings in association with its leisure use and also provides fitness classes, racket and other sports as well as business and event venue spaces.
- 1.4 The application refers to the building to the north of the main clubhouse building itself. It is a long narrow flat roof building currently located to the north of the main building. To the front of the building is a car parking area and there are a number of trees along the road frontage and to the north. The area is predominantly residential; however there is an industrial estate on the opposite side of the road to the west.

## **2. INTRODUCTION**

### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

### RELEVANT PLANNING POLICIES

The following Policies are considered to be relevant to the assessment of this application:

#### **2.2 National Planning Policy Framework**

#### **2.3 Horsham District Planning Framework (HDPF 2015)**

Policy 1 - Strategic Policy: Sustainable Development

Policy 7 - Strategic Policy: Economic Growth

Policy 9 - Employment Development

Policy 25 - Strategic Policy: The Natural Environment and Landscape Character

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Policy 40 - Sustainable Transport

Policy 41 - Parking

Policy 42 - Strategic Policy: Inclusive Communities

Policy 41 - Community Facilities, Leisure and Recreation

### RELEVANT NEIGHBOURHOOD PLAN

- 2.4 Status – Horsham District Council has approved the designation of Horsham Blueprint as a Neighbourhood Forum as of June 2015.

#### **2.5 PLANNING HISTORY AND RELEVANT APPLICATIONS**

DC/14/0270	Proposed change of use from rifle range to Gymnasium (Class D2) and associated external works including new entrance lobby, new fire escape door, new windows, three No. glazed roof lights and 3 No. wall mounted external air conditioners	Application Permitted on 19.06.2014
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## **3. OUTCOME OF CONSULTATIONS**

- 3.1 Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at [www.horsham.gov.uk](http://www.horsham.gov.uk)

### INTERNAL CONSULTATIONS

- 3.2 **HDC Environmental Health:** No objection in principle, however conditions suggested regarding air conditioning units

#### OUTSIDE AGENCIES

- 3.3 **WSCC Highways:** No Objection. The LHA does not raise any parking capacity or highway safety concerns to the proposals.

- 3.4 **Parish Council Consultation:** No objection to the change of use, however, in light of the previous use of the building request that any contamination found as a result of firearms activity is removed.

#### PUBLIC CONSULTATIONS

- 3.5 19 separate letters of objection were received for this application; 16 of which have stated they are members of the Holbrook Club. The nature of these objections can be summarised as follows -

- Concerns raised with regards to parking capacity
- The proposals would result in a loss of rifle/shooting associated facilities
- Discrepancies on the application form
- Potential Impact on Neighbouring amenity
- Existing gymnasiums within the Holbrook Club site should be utilised

- 3.6 17 separate letters of support were received for this application. The nature of these letters of support can be summarised as follows –

- Current gym is very small, additional facilities would be a positive for the club
- Good for the community

#### MEMBER COMMENTS

- 3.7 The Local Members, Cllr Burgess and Cllr Baldwin, provided comments in support of the proposals.

### 4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS

- 4.1 Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application, Consideration of Human rights forms part of the planning assessment below.

### 5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

- 5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

### 6. PLANNING ASSESSMENTS

- 6.1 The main issues are the principle of the development in the location and the effect of the development on:

- The principle of the change of use
- The character of the development and the visual amenities of the street scene
- The amenities of the occupiers of adjoining properties

- The existing parking conditions and any highway safety implications

### **Principle of development**

- 6.2 The premises is currently used as a rifle range which the applicant has advised has 45 members and is utilised for approximately 10-12 hours per week. While this facility would be lost as a result of the proposal the applicant has advised that Horsham Rifle Club have confirmed they would welcome any displaced members, and it is understood that a transition of membership would take place to assist with this. There are no specific policies within the HDPF which seek to retain sui generis uses, such as a rifle range, and given the above there is no objection in principle to the proposed change of use.
- 6.3 Policy 42 of the Horsham District Planning Framework (HDPF) is supportive of developments which enhance/upgrade community facilities, and, with regard to the provision of sport and recreation facilities, states that these should be approved provided the development is in keeping with the character and amenity of the area and is located within reach of residential communities.
- 6.4 The proposed change of use would create additional activity space at the site which, the applicant has advised, would provide flexible space which would supplement existing facilities on the site. The provision of a gymnasium would have a broad community interest and given its location within an established sports and community facility is considered to be acceptable.
- 6.5 The application site is located within the built-up-area of Horsham in a sustainable location accessible by various modes of transport. One of the core principles of the NPPF is to 'take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services, to meet local needs. In addition Section 8 of the NPPF seeks to 'deliver social, recreational facilities and service the community needs'. The proposed use would provide a valuable service for adults, children and families, in a sustainable location.
- 6.6 As the site is within a sustainable location, within walking distance from the centre of Horsham and well served by public transport, the principle of the development is considered to accord with the relevant sections of the National Planning Policy Framework and Policies 42 and 43 of the Horsham District Planning Framework.

### **Character and appearance of the proposal and visual amenities of the street scene**

- 6.7 Horsham District Planning Framework Policies 32 and 33 seek to promote development of high quality and inclusive design for all development in the district, ensuring that it is complementary of local distinctive character and heritage, integrating with their surroundings. Furthermore, these policies ensure that the scale, massing and appearance of the development is of a high standard of design and layout and where relevant, relates sympathetically with the built surroundings.
- 6.8 The proposed alterations to the building would primarily be located to the rear and sides of the building. The existing building is set back considerably from the public highway to the west with the existing car park located in between. Given the mixture of buildings types, in terms of design and scale making up the complex of the Holbrook Club, it is considered that the proposed external alterations would not have a detrimental impact on the host building or the character of the wider area. As such, the proposed external works to the building are considered to be modest in nature and would be in accordance with Policies 32 and 33 of the Horsham District Planning Framework.

### **The effect of the development on the amenity of adjoining properties**

- 6.9 Policy 33 of the Horsham District Planning Framework states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land. It is not anticipated that the proposed change of use or the proposed external works to the building would have an adverse impact upon the amenity of any residents as the leisure facility is already well established and the works are contained within the existing complex. The site consists of indoor and outdoor sports facilities and it is considered that the proposal would not significantly intensify the use of the site beyond that of the existing facilities.
- 6.10 Three air conditioning units would be installed externally to the eastern elevation of the existing building. The proposed air conditioning units would be screened by existing mature landscaping to the northern boundary of the site, providing a buffer to the nearest residential properties located to the north. The closest air conditioning unit to the north of the building would be located approximately 17m away from the closest residential property. HDC's Environmental Health department have provided comments in this regard stating that they have no objections to the proposals subject to appropriate conditions relating to the operating times and maintenance of the air conditioning units to ensure that noise levels are kept at an appropriate level.
- 6.11 It is therefore considered that the proposed development would not have a detriment impact on the amenity of neighbouring properties, in accordance with Policy 33 of the Horsham District Planning Framework.

#### **The effect of the development on existing parking and traffic conditions in the area**

- 6.12 The application site is located within a sustainable location within walking distance of public car parks and has close links to the public transport network. The proposals do not include any alterations to the existing access into the site or the car parking provision. It is not anticipated that the proposed change of use would result in a marked increase in vehicle numbers with respect to the existing use by members of the rifle club.
- 6.13 16no car parking spaces have been indicated on the submitted plans, however it is noted that no alterations to the existing parking provision serving the Holbrook Club are proposed as part of this application and the proposed external alterations to the building would not impact on the parking area. WSCC Highways have been consulted on the application and they have no objections to the proposal. As such, it is considered that there would not be any parking or highways safety concerns associated with the change of use of the building in question.

#### **Conclusion**

- 6.14 Overall, the proposal does not raise any policy concerns and would not have a detrimental impact on the make-up of the existing building, the wider site or the visual amenities of the street scene. The proposals would not result in any harmful impact on neighbouring amenity beyond that of the existing use of the site and are considered to be acceptable on parking and highway safety grounds. The application is therefore recommended for approval.

## **7. RECOMMENDATIONS**

- 7.1 It is recommended that planning permission is granted subject to the following conditions -

1 A list of the approved plans

- 2 **Standard Time Condition:** The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

- 3 **Pre-occupation Condition:** Prior to the commencement of the Gymnasium (Class D2) use hereby permitted a full product specification and maintenance schedule for the air conditioning units shall be submitted to and approved by the Local Planning Authority in writing. The maintenance schedule shall thereafter be fully implemented and adhered to in accordance with the approved details.

Reason: In the interests of the amenities of neighbouring properties and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 4 **Regulatory Condition:** The air conditioning units hereby approved shall not operate outside of the opening hours of the Holbrook Club.

Reason: In the interests of the amenities of neighbouring properties and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 5 **Regulatory Condition:** The gymnasium building following the change of use hereby approved shall not be open for trade or business except between the hours of 06:00 and 23.30 Monday to Friday inclusive, Saturdays 07:00 to 21:00 and Sundays 08:00 to 21:00, in line with the current opening hours of the Holbrook Club.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 6 **Regulatory Condition:** All external windows and doors shall be kept closed whilst amplified sound equipment is in operation within the building.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 7 **Regulatory Condition:** If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy has been submitted to and approved by the local planning authority detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Reason: To ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).