

Planning & Environment

Date:	18 December 2018
Title:	Unit 3, Wenman Road Thame OX9 3XA
Contact Officer:	Graeme Markland, Neighbourhood Plan Continuity Officer

Background

1. Members will recall that application P18/S3531/FUL was discussed at 6 November 2018 Planning & Environment Committee. The application was refused on grounds of being contrary to Thame Neighbourhood Plan (TNP) Policy WS12, having insufficient parking provision and concerns over highway safety.
2. The applicant met with the Neighbourhood Plan Continuity Officer in order to better understand the Town Council's concerns. This was in addition to a telephone conversation held before the submission of the original application. The applicant has submitted revised plans and additional information and these are now before Members for consideration.

Proposed Development

3. On the ground floor, it is proposed as before that the building will be converted into a gym with an adjacent area that will host the formerly discussed boxing gym. The dividing wall that separated these two functions has now been removed, as has the squash court. The ground floor studio has been slightly enlarged.
4. It is now proposed that a sports injury clinic takes the place of the ground floor office. The shop/reception area has been slightly reduced in size, to accommodate a creche. A bar/seating area has been added behind the shop/reception area. Disabled ramps have been designed to allow access to the proposed facility via the snack bar, and emergency access from the studio. An extra door has been shown off the kitchen in order to enable deliveries away from public access points.
5. The first floor arrangements have similarly changed. Instead of three offices, there is now a sports therapy room, one single office and a hairdresser. These are adjacent to the fitness studio and changing rooms previously discussed. The latter have been slightly enlarged and are now shown with a potential working layout.
6. A late amendment has introduced a functional layout for the disabled toilet/changing room facility on the ground floor.
7. Some alterations to the parking arrangements have been made as has some clarification on cycle provision.

Discussion

8. **Gym.** The applicant has provided some details of the type of operations the gym will host. The gym itself will have equipment not currently in the Town. This includes equipment aimed at high end amateur/professional sports people. It is claimed the applicant is also aiming for a different offer within the studio classes and while these may attract existing users from the existing public/private offer in Thame it is not felt that the impact of this will be as severe as first thought.

9. The applicant has also provided further details on the potential boxing offer. The boxing gym will be open to the public during all hours, other than during the closed training sessions that will be offered for juniors and adults 2 – 3 times a week. This will be run, potentially under affiliation with the International Boxing Association (AIBA) on a not-for-profit basis. The gym will aim to attract the best in the Thame area. It is also intended to offer kickboxing classes on a more normal, fee-paying basis.
10. **Need.** There has been much misunderstood about the definition of “need” with regards to future sports and leisure provision in Thame.
11. As discussed during the original consideration of this application, to establish need in the Thame/north South Oxfordshire area two documents are key. It is essential that regard is taken of these as they represent the most up to date evidence base for sports and leisure within the north of the District:
 1. The Thame Sports Facility Strategy, 2015 (TSFS)
 2. The SODC Sports and Leisure Strategy, 2017 (SLS)
12. The TSFS focuses very much on Thame and concentrates on establishing the needs for Thame based on the growth allocated to it under the 2012 SODC Core Strategy. This includes the 775 dwellings allocated within the TNP.
13. The SLS looks at the whole of South Oxfordshire but does provide some “allocation” of facilities. Crucially, this document covers the period up to 2033 *and therefore accommodates all future identified growth in and around Thame in South Oxfordshire.*
14. There is therefore no need to think further about the numbers of housing being built, or allocated in the most recent SODC Publication Local Plan in terms of leisure provision as that was not a “new” allocation, and indeed took account of all windfall development to date.
15. The need identified within the SLS was for 8 pieces of gym equipment, and one studio, to be provided by 2033. In terms of that target, we are still many hundreds short of the homes needed to trigger the requirement. The growth identified would require all of the remaining allocation sites in the TNP to be completed, plus the most recent allocation that has yet to be delivered through the next TNP; currently around 650 homes. Potential sites for over half of those homes have yet to be identified and the allocation has, in any case, to be approved through public examination.
16. The potential provision, especially when linked to the specialist nature of the gym equipment, means that although this application would provide an improvement to Thame’s current offer the quantitative need is not required now and would not be so for some years.
17. **Employment.** The applicant has now submitted to the District Council further details on the intended employment provision in the form of a letter to their planning agent. This clarifies the employment status of their 10 full-time staff; it is suggested that they will be fully employed within this facility.
18. This does at least begin to address the potential yield from the existing site as suggested within the Homes and Community Agency’s Employment Density Guide (November 2015) which, as reported last time could reasonably host 16 full time equivalent “final mile” warehouse jobs, and 16 jobs within the existing office floorspace. The application remains however contrary to TNP Policy WS12 in proposing non-“B” class uses for the site’s floorspace and land.

19. The site has been vacant for at least a year. Policy WS12 states that the land or building must be redundant, be no longer economically viable and the site marketed at a reasonable price for at least a year for suitable employment/service trade uses before alternative uses may be permitted.
20. The building has recently been subject to modernisation. This was partly to allow the unit to be marketed at all (due to changing energy performance requirements) and partly to make the unit more attractive to the market. The owner must have believed the unit is still relevant to today's market before committing to the expenditure.
21. Monitoring shows there are empty units around Thame but very few within or nearby. There are currently no advertised units within a 5 mile radius of Thame that are both built and within +/- 20% of the floorspace offered at 3 Wenman Road. Vacancy rates in and around Thame remain unhealthily low, as low as 2% of total industrial premises (source: SODC Economic Development Team, January 2018). The release of this recently upgraded unit from B class supply risks harm to the economic vitality of the Town. It is likely the low rates of interest expressed in the unit so far has a direct link to the current underlying economic uncertainties.
22. The number of full time equivalents employed within either the hairdressing salon or the therapy room is not, however, declared. The National Hairdressers' Federation indicates that most hair, barber and beauty salons across the UK (69%) employ fewer than 5 people (2017 Industry Statistics for Hairdressing, Barbering and Beauty). With a generous floor space of over 43 sq.m. available, a very cautious estimate of the number of FTEs employed would be 5. The hours of operation of this proposed use is also not declared.
23. The hairdressing function is, like the sports therapy function, a main town centre use as defined within the NPPF glossary, being A1 and D1 uses, respectively. As currently shown, the sports therapy unit may be declared ancillary to the main proposed, D2 use by the District Council. The applicant should, however, have submitted an assessment of the availability of alternative sites in line with the retail hierarchy prescribed within paragraphs 86 and 87 of the NPPF and Policy WS1 of the TNP.
24. As a retail unit, the site would be able to perform the function of any high street shop, without the benefit of planning permission. Although relatively constrained by its location on the first floor, it is accessible from the main entrance, without having to enter any of the other facilities. Given the constrained on-site parking issues and the lack of an assessment of alternative sites, this use should not be supported in this location.
25. **Transport.** As mentioned above, within their amended plans the applicant states they have space for 22 parking spaces, and 3 disabled spaces. There is concern over the 4 parking spaces shown on the northern boundary of the site. These rely on parallel parking for access. It appears that drivers will be forced to reverse back into the main car park before they find an opportunity to turn and leave in forward gear. The Highways Authority will decide if these arrangements are suitable. In response to the request from County, 20 covered bicycle parking spaces are now shown on the plans.
26. The Highways Authority recommended that 35 parking spaces be made available for the application, as originally submitted. The applicant has introduced a parking plan that also shows the availability of parking spaces on the adjacent Lupton and Dormer Roads. It indicates the availability of 16 spaces on each. The applicant claim in their letter to their agent that the adjacent commercial businesses work between 8am and 4pm and so these spaces will be available for their customers at peak gym times of late afternoon/evening.

27. These roads are of course serving multiple industrial units. It is known that during the daytime the presence of cars parked on these roads regularly hinder the operation of the businesses operating there. The estate was built at a time when fewer workers had access to cars and it is essential for its health and vitality that the businesses are able to operate efficiently. This application represents a potential threat to that vitality and so it is essential that information known to the applicant is placed before the Town, District and County Councils.
28. The information sought is hours of operation, the numbers and times of studio sessions and the average numbers attending them. Additional details sought would be the number of members expected to visit the gym each day, the times they will likely arrive, their likely length of stay and, for preference, where they will be arriving from. Such information should be within the applicant's business plan; without it they would not be able to establish staffing levels, calculate the numbers of toilets and showers required, etc.
29. In spite of having been informed this information would certainly be required for the submission of the amended version, this information is still missing. This does not allow us, the District or the Highway Authority an insight into the level of harm versus the benefit the application could bring. The car park may be adequate, or it may be swamped with vehicles overflowing onto the neighbouring industrial and residential streets.
30. The applicant has argued that in having popular classes in Thame that people currently travel to car use will be reduced. It is of course very possible that a disproportionate number of people will travel to Thame, recognising the studio and gym as alternative destination instead. With the applicant failing to provide details on numbers of members or the likely areas users will come from it seemed sensible to look at the many messages expressing support for the application on the AVDC website. It is notable that over half of those offering support come from outside Thame; addresses in Chinnor and Aylesbury are common.
31. The applicant has stated that he is prepared to reward his employees in order to discourage them from bringing their cars to work; it is clear this has not yet been worked through but it is encouraging that the applicant is thinking of how to improve his application. It is uncertain though how this could be policed without being conditioned through a formal travel plan and monitoring arrangement. This would be a matter for either the District or County to manage and sign-off. Without such an arrangement any agreement would be worthless, in planning terms.
32. The applicant states within their letter to their agent that "under no circumstances will there be parking on Wenman Road outside the building". This is simply not within the applicant's ability to police.
33. The applicant states they have a verbal agreement with one of their neighbours to use their car park, offering 38 spaces outside normal working hours. The applicant may not be aware that a change of use permission would be required for this, and a legal document may need to be drawn up to the satisfaction of the local planning authority. Additionally, the use of the space is likely to impact on the hours of operation of the unit. The last planning application on the neighbouring site (P12/S2214/FUL) shows hours of operation sought between 6 am and 8pm Monday – Friday and 7am – 1pm, Saturday.
34. A quick check of recent planning applications in the area of Wenman, Lupton and Dormer roads show that half the permissions recently granted did not have any restrictions in terms of hours of operation; and of the remainder, one operates 7.30am until 11.30pm plus Saturday mornings, another until 6pm, etc. This demonstrates that the use of Lupton and Dormer Roads for parking even outside of normal office hours does not mean that businesses will remain unaffected.

35. It is likely that potential customers of the gym will be more inclined to park in the better lit, and more visitor-friendly roads of the immediately adjacent housing estates. This practice has the potential to cause friction within the community.
36. The commentary on parking makes no mention of the A1 unit, proposed for a hairdresser. Without any information to the contrary, it must be assumed that, as with all hairdressers there will be an overlap between customers and that many will choose to arrive and leave by car. As an A1 unit of 43 sq. m. only 2 extra car parking spaces may be required, using the District's maximum standard; it is not known what, if any extra will be added for staff members of this unit or because of the intensive nature of its use. It is not known if it will operate within or outside normal shop hours and so once again, the level of harm it might cause is not known.

Policy

This application remains contrary to these policies:

- TNP WS12 – Retain existing employment land in employment use;
- Core Strategy T2 – Parking in line with the District's maximum parking standards.

Recommendation:

37. It is recommended that Thame Town Council objects to this application.