

Appendix 2a Original Committee Report

East Area Planning Committee

12thOctober 2016

Application Number: 16/01726/FUL

Decision Due by: 2nd September 2016

Proposal: Change of use from Storage and Distribution (Use Class B8) to Assemble and Leisure (Use Class D2) on ground floor and Offices (Use Class B1a) on first floor. Provision of additional car parking, bin and cycle store.

Site Address: Unit 5 Ashville Way Oxford Oxfordshire
(Site Plan – Appendix 1)

Ward: Blackbird Leys Ward

Agent: Mr Michael Crofton-Briggs

Applicant: Mrs Hazel Walsh

Application Called in by Councillors Hollingsworth, Price, Clarkson and Smith for the following reason: To allow full consideration of the relevant planning issues by Councillors.

Recommendation:

The East Area Planning Committee is recommended to refuse planning permission for the following reasons:

- 1 The proposed development would result in the loss of a key protected employment site, which would be harmful to the range of job opportunities in the city and contrary to Policy CS28 of the Oxford Core Strategy 2026.

Main Local Plan Policies:

Oxford Local Plan 2001-2016 (OLP)

CP1 - Development Proposals

CP6 - Efficient Use of Land & Density

CP10 - Siting Development to Meet Functional Needs

Core Strategy

CS21 - Green spaces, leisure and sport

CS27 - Sustainable economy

CS28 - Employment sites

CS13 - Supporting access to new development

CS14_ - Supporting city-wide movement

Sites and Housing Plan (SHP)

MP1 - Model Policy

Other Material Considerations:

National Planning Policy Framework
Planning Practice Guidance

Relevant Site History:

None relevant

Representations Received:

Letters of support have been received from the following:

British Gymnastics
British Gymnastics (South Region)
Oxfordshire Sport and Physical activity
Oxfordshire Sports Partnership
No address given
Councillor L Smith

These comments can be summarised as follows:

Cherwell Gymnastics Club is the only provider of gymnastics in the city and has no proper permanent home. The proposed use would widen access to sporting opportunities. No net loss of jobs.

Statutory Consultees:

Local Highway Authority: No objection

Officers Assessment:

Site description

1. The building is an industrial warehouse last used for storage and distribution (use Class B8) with an open yard to the front, situated on a small estate of similar properties (**appendix 1**).
2. The unit forms part of a key protected employment site, as described in the Core Strategy. These sites ensure a sustainable distribution of business premises to maintain a range of job opportunities and contribute to Oxford's economy. Smaller employment sites, such as this one may support the functioning of the local economy and the efficient operation of larger employment sites, as well as being suitable for start-up light

industrial units.

Proposal

3. Permission is sought for a change of use to class D2 on the ground floor and B1a on the first floor to allow the building to be used as a by Cherwell Gymnastics Club as a gymnastics club, with the upper floor being sub-let for use as offices.
4. The Planning Statement and business plan included with the application contains substantial information relating to the merits of the proposed use, the lack of existing gymnastics provision in Oxford and the suitability of the building to Cherwell Gymnastic Club. These matters are accepted by officers, who consider that the proposed use as a gymnasium would make a valuable contribution to the provision of leisure and sports facilities in the city.
5. Cherwell gymnastics club is the only gymnastics club within the city with over 200 gymnasts across all age groups and over 1000 currently on a waiting list due to lack of space and availability of facilities.
6. Officers are aware that the gymnastics club has spent several years searching for a suitable venue within the city to help sustain and grow participation within the club and the sport as a whole but have been unable to find any suitable venues within the city to fulfil the ever growing demand.

Loss of a key protected employment site

7. Policy CS28 of the Core Strategy states that permission will not be granted for development that results in the loss of key protected employment sites and the accompanying text makes it clear that for the purposes of this policy, the term “employment sites” refers only to Class B or closely related Sui Generis uses.
8. The proposal would involve the change of use of the building from a B8 use class to a D2 and B1a use. This would result in the loss of a key protected employment site which would be contrary to Policy CS8.
9. Officers accept that the change of use may not result in a net loss in the number of jobs provided on the site, but as the Core Strategy makes clear, smaller employment sites such as this one may offer low skilled jobs and skilled manual work which are important to particular sectors of the population.
10. Officers would make Members aware that Policy CS28 does allow for the loss of some employment sites which are not key protected sites where substantial evidence is produced to demonstrate significant nuisance or environmental problems or to show that despite marketing, no employment generating (use class B) occupier can be found for the site. However this part of CS28 does not apply to this site because it is a key protected employment site and whilst the accompanying documents indicate that the unit has been advertised to

rent since January 2016 with no other viable interest, officers do not consider that substantial evidence has been provided to demonstrate either of the situations described above if this did apply.

Transport

11. The Local Highway Authority has indicated that it has no objection to the proposals with regard to parking provision and layout, cycle parking or impact on highways and transport, but would recommend that the cycle parking be provided closer to the building's access point.
12. Officers note that the block plan appears to show a disabled parking space and cycle stands, in addition to 8 car parking spaces. However the plan is lacking in detail and certainty and if members were minded to approve the application, officers would suggest that any permission should be conditional on a more detailed plan being agreed before the start of work on site.

Conclusion:

13. The proposal is considered to be unacceptable in terms of the relevant policies of the Oxford Core Strategy 2026 and therefore officer's recommendation to the committee is to refuse the development.

Human Rights Act 1998

Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to refuse this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

Section 17 of the Crime and Disorder Act 1998

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to refuse planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers: 16/01726/FUL

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Date: 28th September 2016