



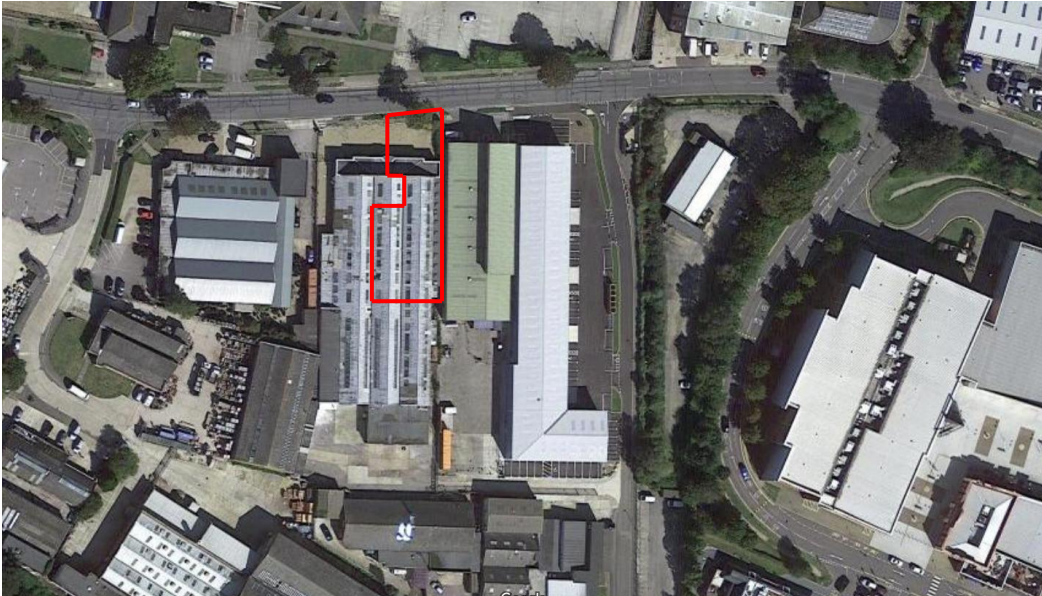
DOUGLAS BRIGGS
PARTNERSHIP

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1. Objectives

- To provide suitable commercial accommodation for a successful business wishing to expand into the Chichester market place.
- To provide facilities for physical fitness and training for residents and visitors to Chichester City.
- To achieve the above in a way that is not significantly harmful to neighbouring amenity or the local community.

2. Site History and Context



The building is located on the Terminus Road industrial estate to the South side of Terminus Road, with Stonepillow, WF Electrical, The Tread Shop and MS Roofing Supplies neighbouring on the West side and the vacant former ambulance station to the East with the Chichester Gate retail and Leisure complex 200m to the East of the site.

Chichester Railway station is less than 500m away to the North East and the nearest residential properties (Canal Place) are 230m away.

The building was formerly the warehouse and showroom for Feather & Black, selling Bedroom furniture with a glass fronted showroom facing the road with retail and warehouse space behind and distribution yard to the South end of the site.

The building was converted in 2019 following Feather & Black vacating the site and permission was granted in 2019 for 7 separate commercial units with a flexible business use falling within the B1, B2 and/or B8 use classes.

However, despite being advertised for let since January 2020 one unit has been let to commercial tenants (carpenter) within the approved B class uses and 5 of the 7 units remain vacant.

The application consists of 1 of the 7 units created for commercial uses and is located in the North East corner of the building totalling 733.5m² of floor space with frontage onto Terminus Road, 6 allocated car parking spaces in a car park adjacent to the road and 10 cycle spaces.



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3. Socio Economic Context

Commercial Use

Since the closure of Feather & Black, the site owners have struggled to find tenants willing to take on the whole site and the permission to sub-divide the site into 7 units offered a life line for the continued commercial use.

However, since the corona virus outbreak the number of businesses looking for accommodation of this size has significantly reduced and demand for premises of this type is unlikely to increase for some considerable time.

It is worth noting that the adjacent former ambulance station has remained vacant since 2017.

The site owners have therefore looked for alternative tenants for their building and when the applicant's approached them with plans to operate a fitness gym, they were interested to agree a tenancy subject to planning permission.

Optimus Gym

The applicant's Gym business, Optimus Gym was established in Rustington in 2019 with 557m² of flexible gym and training facilities with over 700 registered members and this business model has been very successful.



Optimus Gym offers a unique experience that differs to other commercial gyms in providing flexible and affordable (£30/month) space and a variety of different equipment for members to train in a Covid secure way.

The gym employs full and part time staff plus a number of fitness trainers that use the gym's facilities that run regular classes and provide personal training services.

The business has continued to flourish and has been able to adapt to the various measures introduced to control the spread of corona virus and despite recent restrictions has continued to expand their membership.

4. Proposals

With a number of their registered customers resident in Chichester, the applicants are looking to expand their successful enterprise to open a second gym providing a space and fitness facilities to the Chichester area.

The gym will provide 733.5m² of flexible space for fitness training and exercise and be open from 6am to 10pm on weekdays and 7am to 7pm at weekends.

The application site is ideally located less than 10 minutes walk from the railway station, where the applicants know from experience that commuters form a large part of their customer base and will attract Chichester residents returning from work by train to use their facilities.

The close proximity to other leisure facilities at Chichester Gate provides an attractive draw to potential customers of the gym and the gym's customer base has the potential to increase the visitor stay time bringing economic benefits to other businesses in the area.

The works required to the building to accommodate the change of use are comparatively minor, being restricted to internal alterations to the existing spaces and access control.

5. Employment

The proposed gym would employ 5 full time and 3 part time staff plus approximately 10 trainers that run classes and further opportunities for around 5 private trainers to work in the gym and use the facilities on a space rental basis, giving employment opportunities for a total of 23 people.





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6. Amount, & Scale

The size of the unit is unchanged by the proposals.

The employment generated by the Gym use is comparable to some of the approved B-class uses and traffic generation comparable to others (see traffic and transport below).

7. Layout & Access

Unit 1 is located in the North East corner of the existing building.

The layout of the site and parking facilities are unchanged as a result of the proposals with vehicular and pedestrian access of Terminus Road.

The unit has a large window facing the road and use of the central entrance as well as side entrances on the East side of the building for staff access and fire escape.

The access into the gym will be through the front entrance where a reception area will be located with the choice of direct access to the gym area or access to the changing facilities. Staff facilities are provided in a small room on the East side of the building.

8. Appearance

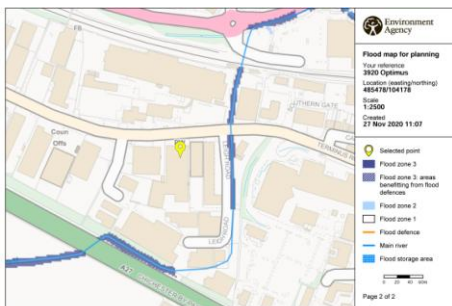


The external appearance of the building is unchanged by the change of use, save for the inclusion of signage on the North elevation of the building.

The proposed signs replace the previous feather & black sign (left side) with the gym's corporate graphic as shown.



9. Flood Risk



The site is not within an area identified as at risk of flooding.

The surface water drainage is unchanged by the proposals and was approved when the change of use to mixed B-class uses was granted in July 2020.



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10. *Traffic and Transport*

The application site is ideally located less than 10 minutes walk from the railway station, where the applicants know from experience that commuters form a large part of their customer base and the proposals will attract Chichester residents returning from work by train to use their facilities. The applicant has a policy of employing local staff where the majority of their existing staff cycle or use public transport.

Unit 1 is allocated 6 car parking spaces and 10 cycle spaces in a car park at the front of the building.

Most members train with a training partner and use the gym facilities to train outside normal office hours (9-5) with peak periods being before and after work on weekdays, with a steady flow of members throughout the weekends.

From the applicant's experience of their existing site in Rustington, they anticipate members will visit at the following times;

Weekdays; 6-9am – 50 people; 9am-5pm – 60 people; 5-10pm 90 people

Weekends; approximately 150 people throughout the day

Due to the nature of the training the gym offers, the average stay is around 1 hour 20 minutes and the majority of members arrive by public transport (the train station is not far away), cycle or walk from the local area.

The gym has the potential to attract workers from the adjacent business in the industrial estate and those visiting Chichester Gate who would easily be able to walk to the gym.

Their Rustington site is also located on a trading estate and the 4 spaces provided at Rustington have proved to be adequate to meet the predicted demand described above including visitor and staff parking requirements, despite the Rustington site being further from the railway station.

When compared to the approved 'B-class' uses, the class E(d) use as a gym, has a much lower parking requirement than say a B1(a) office use (now class E(g)) during the day and due to the nature of the customer base, a lower prevalence of car use anyway.

The peak timing of the use is also relevant as the gym's peak periods are outside the operating hours of adjacent businesses further reducing transport impacts.



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11. Planning History

Following the departure of Feather & Black, an application was made to “Sub-divide existing large warehouse into 7 no. smaller individual warehouse units for flexible B1, B2 and B8 use on the 11th September 2019, after a period of difficulty in finding a tenant willing to take on the whole site and general lack of interest in the accommodation and permission was granted on the 10th July 2020 (CC/19/02343/FUL).

The units were actively marketed during the application period and following approval. However, despite extensive marketing, only 1 of the 7 units has been let to a tenant falling within the B class uses (carpenter) and thus the site owner has looked to other business types for interest.

12. Planning Context

The site lies within the employment area of the Terminus Road Industrial Estate, providing accommodation for a variety of B-Class uses (mostly B2) and is close to Chichester Gate that provides accommodation for the former D2 class uses (Assembly and leisure) now Classes E(d), F2(c-d) and some new ‘Sui Generis’ uses (Cinema etc).

The proposed gym use would formerly have fallen within the D2 use class but now falls into the new use class E(d) Indoor sport, recreation or fitness (not involving motorised vehicles or firearms).

It is considered that the proposed change of use, meets an existing business need in an underused property within an employment area and therefore accords with the aims and intentions of national and local planning policy. In particular:

12.1. National Planning Policy Framework February 2019

It is considered that proposals constitute sustainable development which accords with current policy. Sustainable development is understood to be identified as follows;

Achieving sustainable development

International and national bodies have set out broad principles of sustainable development. Resolution 24/187 of the United Nations General Assembly defined sustainable development as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

In the NPPF the Government have identified the following as important;

8. *Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):*
 - a) *an economic role – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
 - b) *a social role – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services that reflect current and future needs and support communities’ health, social and cultural well-being; and*
 - c) *an environmental role – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

It is considered that the proposals meet many of these objectives in particular contributing to the economy and making prudent use of natural resources by occupying an existing underused building with an appropriate use, close to public transport and promoting a healthy lifestyle and the move to a low carbon economy.



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The presumption in favour of sustainable development

11. Plans and decisions should apply a presumption in favour of sustainable development.

For **decision-taking** this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

It is considered that the proposals constitute sustainable development and as such should be supported.

6. Building a strong, competitive economy

80. Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalize on their performance potential.

The proposals are important for the on-going success of a thriving business and as such meet the governments aims with respect to building a strong, sustainable, competitive economy;

12.2. Chichester Local Plan Key Policies 2014-2029

The Chichester Local Plan was adopted in 2015 and forms part of the statutory 'development plan' for the area in relation to the requirement of Section 70(2) of the Town and Country Planning Act 1990 as amended by Section 38(6) of the Planning and Compulsory Purchase Act 2004 that "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."

Policy 1 repeats the definition of the presumption in favour of sustainable development at paragraph 14 of the NPPF where applications that accord with policy will be approved, unless material considerations indicate otherwise but also provides a commitment that "When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development.... It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible"

Policy 3 The Economy and Employment Provision, States that "Sustainable growth of the local economy will be supported through the provision of a flexible supply of employment land and premises to meet the varying needs of different economic sectors. This will comprise: ... Planning to provide a wider range of local employment opportunities and bring forward new business premises on allocated and identified employment sites; ... Protecting and enhancing existing employment sites and premises to meet the needs of modern business (see Policies 11 and 26); ... Protecting and promoting Chichester city as the main focus, and the Settlement Hubs as other locations for retail, office, leisure and cultural activities (see Policies 10 and 27);"

The proposals will provide a wider range of local employment opportunities in the area, enhancing the existing employment site, providing for different economic



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sectors and promoting Chichester city as the main focus of employment activity in the district.

Policy 26 Existing Employment Sites, States that “Planning permission will be granted for development of employment floorspace, refurbishment, upgrading or modernisation of existing premises, and/or proposals which make more efficient use of underused employment sites and premises where it has been demonstrated that:

1. There is no material increase in noise levels resulting from machinery usage, vehicle movement, or other activity on the site, which would be likely to unacceptably disturb occupants of nearby residential properties or be of a scale that is likely to cause unacceptable harm to the enjoyment of the countryside; and
2. The proposal does not generate unacceptable levels of traffic movement, soil, water, odour or air pollution and there is no adverse impact resulting from artificial lighting on the occupants of nearby residential properties or on the appearance of the site in the landscape.

Existing employment sites will be retained to safeguard their contribution to the local economy. Planning permission will be granted for alternative uses on land or floorspace currently or previously in employment generating uses where the following criterion is met:

1. It has been demonstrated (in terms of the evidence requirements accompanying this policy) that the site is no longer required and is unlikely to be re-used or redeveloped for employment uses.”

The proposals are for an employment use that makes efficient use of an existing underused employment site. The proposals do not involve heavy machinery and due to the nature of the business and position of the site are unlikely to unacceptably disturb occupants of nearby residential properties.

The proposals will generate comparable levels of traffic with the approved use that benefits from a timing of use that will not adversely affect the operation of neighbouring businesses and with no exterior lighting proposed or likely sources of air or odour pollution is unlikely to have any adverse impact on nearby residential properties or the appearance of the site.

Policy 39 Transport, Accessibility and Parking, States that “Planning permission will be granted for development where it can be demonstrated that all the following criteria have been considered:

1. All development provides for the access and transport demands they create, through provision of necessary improvements to transport networks, services and facilities, either directly by the developer or indirectly in the form of financial contributions;
2. Development is located and designed to minimise additional traffic generation and movement, and should not create or add to problems of safety, congestion, air pollution, or other damage to the environment;
3. The proposal has safe and adequate means of access and internal circulation/turning arrangements for all modes of transport relevant to the proposal;
4. The proposal encourages development that can be accessed by sustainable modes of transport, in part, through the creation of links between new development and existing pedestrian, cycle and public transport networks;
5. The proposal provides for safe, easy and direct movement for those with mobility difficulties;
6. The proposal does not create residual cumulative impacts which are severe; and
7. Proposals provide for high quality linkage direct from the development to the broadband network.

Developments with significant transport impacts must submit a Transport Assessment in accordance with the NPPF, and a Travel Plan including defined targets, implementation, funding, and monitoring regime.





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Where development is likely to have an impact on an Air Quality Management Area, an air quality assessment will be required.

The level of car parking provision should be in accordance with current West Sussex County Council guidance. This, together with residential parking and the level of cycle parking, will be assessed on a flexible site by site basis depending on the provision of public transport and access to local facilities."

The proposals will generate comparable levels of traffic to the existing approved B1-B8 use and the site is ideally located less than 10 minutes walk from Chichester Rail station and has provisions for cycle parking and pedestrian access that promote sustainable modes of transport.

Parking provision is unchanged from that approved for the B1-B8 flexible use and due to the nature of the proposed use, the proposals provide adequate parking on site and will not create severe residual cumulative impacts on the road network.

As the transport impacts of the proposals are likely to be small, a Transport Assessment is not required.

Policy 54 Open Space, Sport and Recreation, States that "The Council will seek to retain, enhance and increase the quantity and quality of open space, sport and recreation facilities, and improve access to them...."

Where opportunities arise, the provision of new or enhanced open space, sport and recreation facilities will be encouraged to meet any identified shortfalls in the local area

Where possible, sports and built facilities that attract large numbers of people will be located in larger settlements and will be easily accessible by public transport, cycling and walking."

The proposals are for indoor fitness facilities that are ideally located within the city, close to other recreation facilities and less than 10 minutes walk from Chichester Railway Station and accessible to customers by cycling and walking.

13. *Involvement of local interests*

There has not been any involvement of local interests with respect to this particular application.

14. *Conclusion*

The success of the applicant's existing business in Rustington has demonstrated the resilience of their business model and they are one of a small number of new businesses that are willing to take on commercial accommodation within the City in these challenging times.

The application site offers commercial floor space within 7 units of varying sizes but despite the flexible use class and variation in type of unit, the site owners have seen little interest and the demand for units of this nature has fallen significantly since the corona virus outbreak.

The close proximity to the railway station is an important consideration as it offers opportunities for sustainable modes of transport that are encouraged by the nature of the applicant's business model and customer base. Nearby leisure attractions are likely to benefit from the increase in footfall arriving by sustainable means brought about by regular members visiting the gym with an improved visitor offer and joint benefits to the local economy.

Many businesses and their premises have needed to adapt to survive these challenging times and the prospect of a new business that will create 8 new jobs with opportunities for 10-15 trainers benefiting indirectly through use of the gym facilities and the applicant's popular model of affordable gym membership to the community of Chichester is to be welcomed and merits support.



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