

17/07892/FUL

Ward Councillor Preliminary Comments

Councillor L M Clarke OBE

Original comment:

I do not agree with this application for change of use for this building, especially as it is a neighbouring property to a substantial gym provision already.

I believe that DM5 in its reference to Economic development is served by the present use and not the change to D2. Further the present uses compliments policy DM6 and the proposed change of use is contrary to Policy DM6 which specifies B use class.

I do not believe the Caitlin Building has been properly marketed by the Applicant especially with the knowledge of the present uses applied to this building, the suggested change of use would go against policy DM7.

The local area has many small businesses and is close to the Railway Station with exceptionally good links to London. It is an area that is ripe for the small entrepreneurs and small start-up businesses. If minded to approve this application please bring to Committee for determination.

Second comment:

I think this is a detrimental step to the suggested change of use and would suggest it remains in its present classes, we require businesses in the town centre, not more gym outlets which are not fully used. I think it also goes against our Economic Plan for the town centre. I would ask that it is dealt with via DELCH.

Parish/Town Council Comments/Internal and External Consultees

High Wycombe Town - Abbey Ward

County Highway Authority

First Comment:

When considering the sites town centre location which makes use of suitable public transport links and public car parks within walking distance, I do not deem this scheme detrimental to the safety and convenience of the highway network.

Second Comment:

I note that the Highway Authority has previously provided comments upon this application in a letter dated 15th January 2018. I include these comments below:

“When considering the sites town centre location which makes use of suitable public transport links and public car parks within walking distance, I do not deem this scheme detrimental to the safety and convenience of the highway network.

Mindful of the above, I do not have any objections or conditions to add with regard to highway impacts.”

Having assessed the additional information provided, I note that the Buckinghamshire Countywide Parking Guidance policy document requires bicycle parking provision to be covered. I believe that a covering for the proposed bicycle parking spaces can be secured by way of condition.

Mindful of the above comments, I have no objections to the proposed application subject to the following condition:

Condition 1: No other part of the development shall begin until details are submitted for the

approval of the Local Planning Authority in consultation with the Highway Authority which shall include a scheme for covered cycle parking in accordance with adopted parking standards policy. The approved scheme shall be implemented and made available for use before the development hereby permitted is occupied and that area shall subsequently not be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

Control of Pollution Environmental Health

First Comment: No objection.

Second Comment:

It is recognised that there will be noise sources from the proposed development these include air-conditioning and air handling plant which. The applicant has not provided details or specification for the plant intended for use. A noise impact assessment has been completed specifying an adequate noise reduction protect neighbouring property from this noise source.

Concern has been raised as to noise breakout from gym activities taking place as part of the daily operations of the premises. These activities are not defined but should be controlled so as not to cause a nuisance. Preventing the loss of amenity to neighbour properties including any tranquil areas associated with them.

The proposed development should look to comply with:

- WHO Guidelines for community noise
- Environmental Noise Directive: 2002/49/EC (Article 3)
- National Planning Policy Framework: para. 2, 110, 121, 122, 123, 124 & 125
- Noise Policy Statement for England (Observable Adverse Effect Levels)
- Planning Policy Guidance
- BS8233:2014, BS4142:2014

Conditions recommended.

Third Comment:

The proposals outlined in the Environmental Statement (dated the 18/10/2017) shall be adopted. The provisions specified to control noise emanating from site shall be implemented fully. This scheme includes controls to prevent noise breakout from the daily activities of the Fitness Centre). These shall remain in place in the interests of amenities of the local residents.

Representations

A lengthy objection was received from the legal owners of the Caitlin building, Croke (South Bucks Ltd); it is believed that the building is currently being administered by a Law of Property Act Receiver. Croke (South Bucks Ltd) also initiated the Judicial Review. In summary the objections are detailed below;

- The existing consent is for a flexible use which is important in delivering vitality and vibrancy to this part of the town centre.
- The proposed use does not reflect the planning strategy and is not efficient use of this commercial floor space.
- The proposal will damage the aesthetic image of the Caitlin building.
- The building has not failed on marketing for 7 years. There has been interest.
- A gym needs to be assessed on its individual planning merits.
- The reason the Caitlin building is not in commercial use is due to current legal claims.

The objector has re-iterated his objection as a result of the re-consultation:

Please note that my objection to this planning application remains as per my previous submissions...
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It is very unclear why this is in fact being re-determined as I have been informed that the proposed tenant has withdrawn from the transaction intended by the Bank and the LPA Receivers...

Please accept my formal request for this Application to be brought to the Planning Committee for determination and that I wish to be given the opportunity to address the Committee at the meeting at which it is to be determined.