

LONDON BOROUGH OF ENFIELD

PLANNING COMMITTEE

Date: 20 December 2016

Report of

Assistant Director, Planning,
Highways & Transportation

Contact Officer:

Andy Higham
Sharon Davidson
Ms Marina Lai

Ward:

Palmers Green

Ref: 16/02235/FUL

Category: Full Application

LOCATION: Southgate Town Hall, 251 Green Lanes, N13 4XE,

PROPOSAL: Change of use of part of ground floor and basement from health centre / doctors surgery (use class D1) to gymnasium (use class D2)

Applicant Name & Address:

Mr Peter Gunter
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Agent Name & Address:

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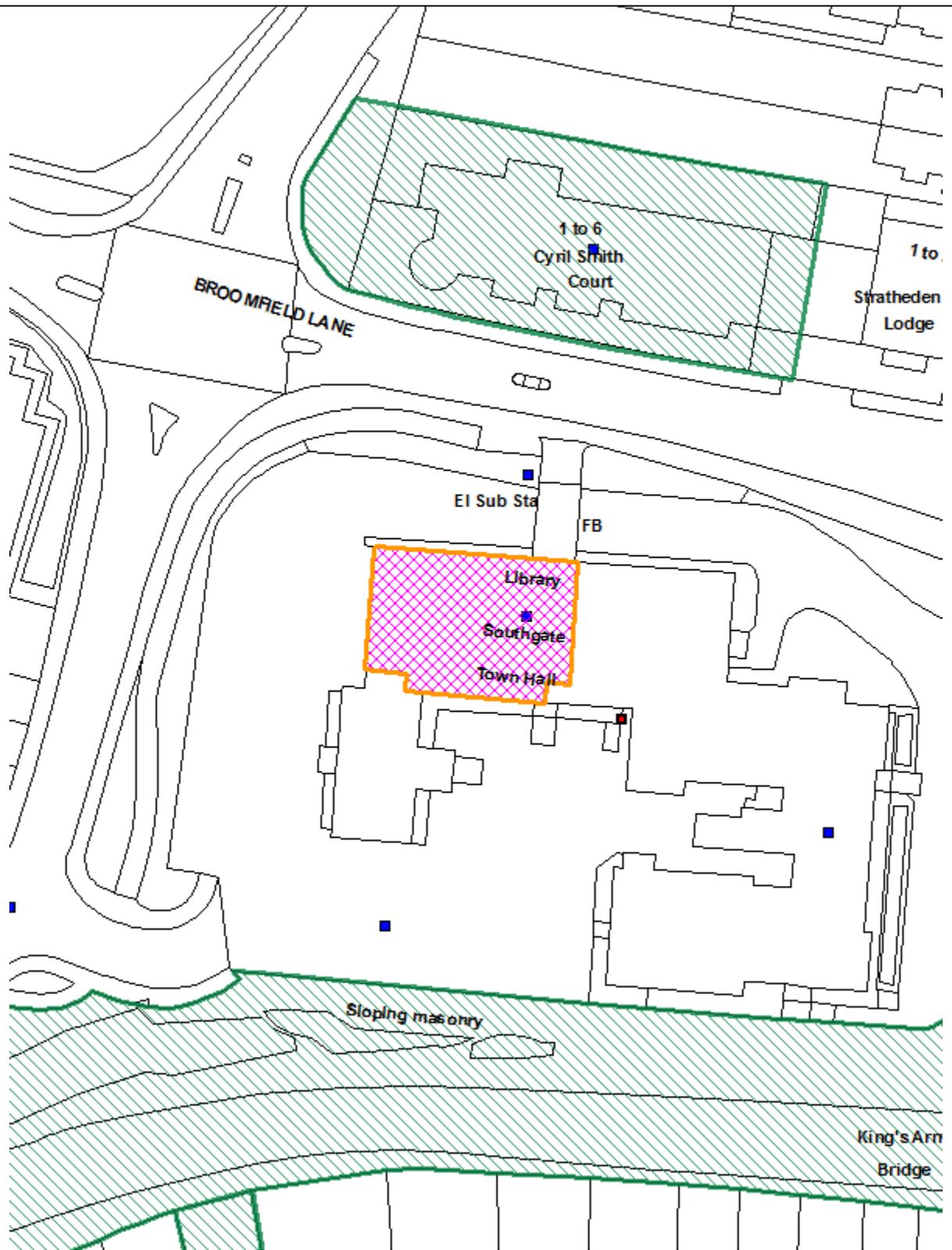
RECOMMENDATION:

That planning permission be **GRANTED** subject to conditions.

Note for Members:

Although applications of this nature would normally be determined under delegated authority, the subject building is owned by the LB Enfield Council and as such the application is required to be determined by committee under the Councils scheme of delegation.

Ref: 16/02235/FUL LOCATION: Southgate Town Hall, 251 Green Lanes, N13 4XE,



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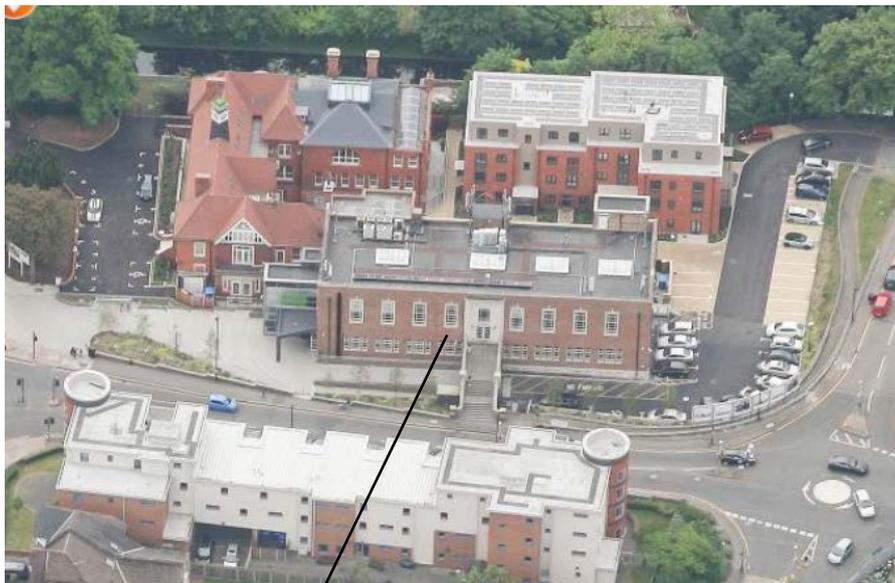
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North



1. Site and Surrounding

- 1.1. The subject building, known as Palmers Green Library, is a three-storey 1940s built library annexe and grounds located off Green Lanes. It forms part of a wider site of Southgate Town Hall which is currently undergoing a redevelopment containing two phases:
 - 1) First Phase: Refurbishment and re-organisation of the Library building to provide a modern library and health centre uses.
 - 2) First Part of Second Phase: conversion of the Town Hall from office use to provide 19 x residential units;
 - 3) Second Part of Second (Final) Phase: erection of a part 3 and part 4 storey block of 18 x residential units.
- 1.2. The application site specifically refers to the basement level and part of ground floor level of the subject building, with frontage facing Broomfield Land and Shapland Way. The unit is currently vacant.
- 1.3. The building has local, historical and architectural merit although it is not statutorily listed or part of a designated Conservation Area. The surrounding area is a mix of residential, community and commercial uses. Palmers Green district town centre is directly to the north of the site and includes a mix of convenience and comparison retail provision. A mix of residential housing developments of 2- 3 storeys in scale are located to the north, west and south.



application building

2. Proposal

- 2.1. Planning consent is sought for the proposed change of use from D1 (Doctor's Practice) to D2 (Gym), involving no external alterations to the subject building.
- 2.2. The D1 use was approved under the 2013 consent (Ref: P13-03626LBE) granted for sub-division of internal floorspace to provide library and health centre/doctors' surgery (D1) involving refurbishment of library and new extension. Since the library has been refurbished, the D1 use for the

application site has become lawful in perpetuity, although it has never been implemented on the site.

- 2.3. The proposed gym is proposed to service the centre of Palmers Green and the large residential area surrounding the site, offering affordable gym facilities for all type of user. Run by Fit4Less, the operation hours are proposed to be:
 - Monday to Friday: 6am - 11pm
 - Saturday: 7am - 10pm
 - Sunday and back holidays: 7am - 10pm
- 2.4. The council's Environmental Officer initially raised the concerns that a full assessment on its amenity impact in terms of noise and disturbance was unable to be carried out owing to the absence of an acoustic report. A time extension was subsequently given to the applicant to undertake the required Acoustic Report.
- 2.5. After the Acoustic Report had received, a re-consultation letter was sent out on 11/11/2016 to the neighbouring properties.

3. Consultations

Neighbours:

- 3.1. The application was referred to 8 surrounding properties (21 days expired on 30/08/2016), and 2 x objections were received, concerned:
 - Detrimental effect on the security and privacy of Prytaenum Court;
 - Inadequate parking;
 - Increase in traffic;
 - Increase in pollution;
 - Noise;
 - Out of keeping with character of area;
 - Over-development;
 - No enough information given: the plan does not contain 1) provision for parking; ii) the identity of the gym provider and iii) the proposed time frame for completion of the works;
 - Local people won't go to this gym, as they are unaffordable.
- 3.2. The above issues raised via the neighbouring consultation are assessed on Section 7 of the Report.

Internal:

- 3.3. Transport Team: The proposal contains insufficient information on the parking arrangements to confirm the development will not have a negative impact on the existing operation of the library and residential units, having regard to the existing need for parking on the site, and is therefore contrary to the London Plan Policy 6.13 and DMD Policies 16, 25, and 45.
- 3.4. The issues raised by the Transport Team are assessed on Section 7 of the Report.
- 3.5. Environmental Protection Team: no objection to the submitted Acoustic Report submitted on 28/10/2016 as there is unlikely to be a negative

environmental impact. 1 x condition limiting the operating hours is recommended.

3.6. *External:* None

4. Relevant Planning History

- 4.1. P13-03626LBE: Sub-division of internal floorspace to provide library and health centre/doctors' surgery (D1) involving refurbishment of building, 2-storey extension to the north east elevation to provide a lift shaft, glazed staircase enclosure and canopy to entrance, new windows and roof and revised car parking layout and associated landscaping. Approved 25-Feb-2014.
- 4.2. P13-01645LBE: Demolition of the west annexe of the library, erection of a 2-storey escape stairwell to south elevation and service entrance to the south west elevation. Approved 27-Aug-2013.
- 4.3. LBE/96/0026: Erection of new external lift shaft with entrance lobby at ground floor level. Approved 26-Nov-1996.

Planning History for Adjoining Sites within the Town Hall

- 4.4. P14-00285PLA: Planning consent was granted for conversion of office building to provide 19 residential units (comprising 9 x 1-bed and 10 x 2-bed self-contained flats) involving rear extension to lower and upper ground floor, first floor rear infill extension, replacement windows, re-instatement of 2 windows to the basement facing the east, 1 x door opening to replace window opening at basement level to each flat, removal of external fire escape staircase, demolition of existing rear extension and associated landscape works.
- 4.5. P14-00291PLA: Planning consent was granted for erection of a part 3, part 4-storey block of 18 residential units (comprising 6 x 1-bed, 9 x 2-bed and 3 x 3-bed self-contained flats) with balconies to front and rear and associated landscaping, at Land to the rear of Southgate Town Hall, 251 Green Lane

5. Relevant Policies

5.1. Core Strategy

CP24: The Road Network

CP25: Pedestrians and Cyclists

CP30: Maintaining and Improving the Quality of the Built and Open Environment

5.2. Development Management Document (adopted in November 2014)

DMD 16: Provision of New Community Facilities

DMD17: Protection of Community Facilities

DMD 25 - Locations for new retail, leisure, and office development (local shopping facilities)

DMD 27 - Angel Edmonton, Edmonton, Palmers Green, Southgate

DMD 37: Achieving High Quality and Design-Led Development

DMD 45 - Parking standards and layout (parking, design, car free aspects, car club, traffic flow)

DMD 47: Access, new roads, and servicing (pedestrians, cyclists, vehicular access, refuse, operations for nurseries)
DMD 48: Transport assessments, travel plans, servicing & delivery plans
DMD Appendix 5 - Commercial opening hours (on street parking, traffic generation)
DMD Appendix 7 - London Plan parking and Cycle standards
DMD Appendix 8 - Parking standards (parking dimensions)
DMD Appendix 9 - Road classifications

5.3. London Plan Consolidated with Alterations since 2011 (2015)

Policy 6.9 Cycling
Policy 6.10 Walking
Policy 6.13 Parking
Policy 7.4: Local Character
Policy 7.6: Architecture
Table 6.3 Cycle Parking minimum standards
Table 6.2 Parking standards

5.4. National Planning Policy Framework (NPPF)
Section 7): Requiring Good Design

5.5. Other Relevant Policy Considerations

Enfield Characterisation Study
Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

6. Main Issues to be Considered

- 6.1. In accordance with the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), change of use from D1 to D2 does not constitute permitted development, hence requiring planning permission.
- 6.2. The subject building has an established use of D1 under health centre / doctor's surgery. Thus the proposal would result in a net loss of D1 floor space, required to comply with DMD17 (Protection of Community Facilities) of the council's adopted DMD.
- 6.3. The proposal would also involve the creation of a new community facility (gymnasium), which DMD16 (Provision of New Community Facilities) is also applied to.
- 6.4. Thus, the main issues to be considered in respect of this application are:
- Whether the proposed gym would be a suitable replacement community facility that meets community needs;
 - Effective use of land;
 - Acceptability of the scheme in terms of design and public accessibility;
 - Impact on the neighbouring amenity;
 - Impact on transport.

7. Analysis

Loss of community facility

- 7.1. DMD 17 states that the Council will protect existing community facilities in the borough and proposals involving the loss of community facilities will not be permitted unless:
- a) A suitable replacement facility is provided to cater for the local community that maintains the same level of public provision and accessibility; or
 - b) Evidence is submitted to demonstrate that there is no demand for the existing use or any alternative community use.
- 7.2. The submitted Statement explains that the approved use of GP Practice under the 2013 consent (Ref: P13-03626LBE) has been unable to be complemented, owing to the Doctors being pulled off. The premises have been vacant since.
- 7.3. In order to bring the premises back in use, the council's has then decided to approach a new bid for either Children's Nursery operators or health and fitness clubs. It is because that both uses are community based and would offer the same level of public provision and a good match for the space, as well as both uptakes would be the most economically advantageous tenders.
- 7.4. Section 5 (Community Facilities) of the DMD outlines that examples of community facilities include:
- Recreation, leisure, culture and arts facilities, including theatres
 - Libraries
 - Outdoor and indoor sports facilities
 - Schools and other educational and training institutions
 - Facilities for early years provision
 - Health facilities
 - Day centres vulnerable adults and carers
 - Community halls and centres
 - Places of Worship
 - Emergency service and policing facilities, accessible to the public
- 7.5. Thus, the proposed gym would fall in the examples of community facilities as set out in the DMD, and given the floor space, is considered to remain the same level of public provision and accessibility. Thus, the proposal is considered to be a suitable replacement facility and would adequately meet the requirements of DMD17.

Provision of new community facility

- 7.6. DMD16 requires that new community facilities will be only granted if the proposed development:
- a) Is demonstrated to have a community need;
 - b) Makes an efficient and effective use of land and buildings, and where appropriate, provides opportunities for co-location, flexible spaces and multi-use;
 - c) Is easily accessible to the community it is intended to serve by walking, cycling and public transport to reduce dependence upon private car transport;
 - d) Is designed to provide access for physically impaired users, in accordance with DMD 37 'Achieving High Quality and Design-Led Development';
 - e) Does not harm the amenities of neighbouring and nearby properties;

- f) Does not have a negative impact on the area in terms of the potential traffic generated.

- 7.7. The application site forms of part of the council's redevelopment of Southgate Town Hall which comprises of large residential development. The surrounding area is a mix of residential, community and commercial uses. As outlined in the submitted Planning Statement, the nearest fitness facility, Triangle Health Club, has now permanently closed, while Park View Health Club has moved to charge a higher monthly membership fee. The proposed gym is to service the centre of Palmers Green and the large residential area surrounding the site, offering affordable gym facilities for all type of users. Given local context, the proposal is considered to meet the community need, consistent with DMD16 (a).
- 7.8. The premises are currently vacant, and the proposal would bring the unit back in use, which would make an efficient and effective use of land, be compliance with DMD16 (b).
- 7.9. The application site is located within close proximity to Palmers Green Town Centre and has a PTAL rating at 4, which indicates the accessibility to the public transport is good. A site visit noted that there are a number of public transport links, including Bus Stop on Green Lanes: No121, 329, 629 and N29 services, and Palmers Green Train Station which is approximately 500m to the site providing direct access into London and surrounding stations on the Great Northern line. This would comply with DMD16 (c).
- 7.10. The proposal would involve no external alterations to the subject building. The entrance of the proposed gym can be directly accessed via the existing level access on the street level or the shared entrance with the newly refurbished library on the ground floor where provides access for physically impaired users. The gym is also proposed to install a disabled shower room. Thus, the proposal would comply with DMD 16 (d).

Impact on the neighbouring amenity

- 7.11. With regard to the neighbouring amenity, objectors raised the concerns that the proposal would generate an increased level of noise, pollution and disturbance to the detriment to the adjoining occupiers.
- 7.12. The applicant has submitted 'Gym Noise Impact Assessment', demonstrating that the following mitigation measures will be taken into account to mitigate the effect on noise:

Mitigation Summary	
Area	Action
Basement level	- Concrete floating floor underneath all free weight areas or... - Resilient layer of Sportec Tile, Sylomer SR42 and Sylomer SR28 if concrete floating floor is not possible.
Ground floor	- Concrete floating floor underneath all weight machines and/or free weight areas, if structurally viable. - Resilient layer of Sportec Tile, Sylomer SR42 and Sylomer SR28 if concrete floating floor is not possible. - Impact absorbers to be installed on all weight machines.

	- Isolation pads to be used on all treadmills.
Spin Studio	- Noise limiter installed and set to 88dB Leq. - 6mm secondary glazing pane to be installed 100mm from existing glazing OR removal of windows to be replaced with brickwork.
Studio	- Noise limiter to be installed and set to 93dB Leq.
Roof	- Acoustic barrier to be placed around condenser units.

- 7.13. The council's Environmental Officer was invited to comment on the Assessment and consider that the proposal would not adversely impact on the neighbouring amenity in terms of noise, disturbance and pollution. Officer also recommended a condition for limiting operating hours so as to minimise the impact on noise caused by air conditioning units at night. Subject to Condition, the proposal is not considered to adversely harm the neighbouring amenity of the adjoining occupiers, complying with DMD16 (e).

Transport Impact

- 7.14. The application site does not benefit from any allocated parking within the site boundary, and the proposal would not allocate any parking space to future users of the proposed gym, which was concerned by the council's Transport Team.
- 7.15. The same concerns were also raised under the original 2013 consent Ref: P13-03626LBE, which was noted in Case Officer's Report:

It is noted that the provision of 15 car parking spaces is unlikely to be sufficient for both uses (library and doctor's practice) without appropriate onsite controls in order to minimise the potential for overcrowding and vehicle conflicts. The principle of a "Pay and Display" regime as identified by the applicant may be acceptable, although no further details have been provided to demonstrate how this would overcome the aforementioned concerns. It is also suggested that the applicant should also consider other measures such as the installation of a ticket barrier and the introduction of a "Pay and Display" regime on Shapland Way in order to ensure sufficient parking capacity is maintained at all times.

Whilst it is acknowledged that there is potential for parking pressure within the site as well as the surrounding roads, based on the advice of the Transport Team, it is considered that further details of parking management can be secured via an appropriately worded planning condition.

- 7.16. Thus, despite that 15 x car parking spaces being allocated to the library and original approved health centre under the 2013 consent, parking pressure within the site was well acknowledged, and to minimise the potential for overcrowding and vehicle conflicts was advised via appropriate onsite control, or introduction of a 'Pay and Display' regime on Shapland Way. A condition

was then imposed for the submission of parking management to ensure sufficient parking capacity can be maintained at all times.

- 7.17. It is also important to point out that DMD16 requires that new community facility should be easily accessible to the community and is intended to serve by walking, cycling and public transport to reduce dependence upon private car transport.
- 7.18. The proposed gym is to serve the local community around the centre of Palmers Green and the large residential area surrounding the site and thus it is anticipated that a high percentage of users will walk or using public transport to the site given that the site is well served by public transport. Owing to the nature of business, the gym's users are also not anticipated to stay in the premises for long hours, and there is a public (pay and display) car park within 500m of the site located off of trade close.
- 7.19. In order to address the concerns raised by the Transport Team, a condition is recommended to request the submission of a parking management plan to be approved prior to the commencement of the scheme. The parking management plan should include details of how to manage future users' car parking, and it may include but not be limited to Pay and Display bays.
- 7.20. Subject to this condition, the proposal is not considered to give rise to unacceptable parking demand or increase traffic to a level that would have a negative impact on the existing operation of the library and residential units, hence complying with DMD 16 (f).
- 7.21. In light with the above assessment, the proposed D2 use under Gym at this location is considered acceptable, and would comply with DMD16.

8. Conclusion and recommendation

- 8.1. It is concluded that, subject to conditions, the proposal is not considered to adversely affect the amenity of the adjoining properties and would be compliance with the council's policies.
- 8.2. As such, approval is recommended, subject to the following conditions:

- 1) Condition 1: Time limited permission
- 2) Condition 2: Approved plans
- 3) Condition 3: Restriction of Operating hours
The gym hereby permitted shall only open between the following hours:
 - Monday to Friday: 6am – 10pm
 - Saturday: 7am – 9pm
 - Sunday and back holidays: 7am – 9pm

Reason: In the interests of highway safety and to safeguard the amenities of nearby residential properties.

- 4) Condition 4: Restriction of use within D2

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 and the Town and Country Planning (General

Permitted Development) (England) Order 2015, or any amending Order, the premises shall only be used as a gym and shall not be used for any other purpose within Use Class D2 or for any other purpose.

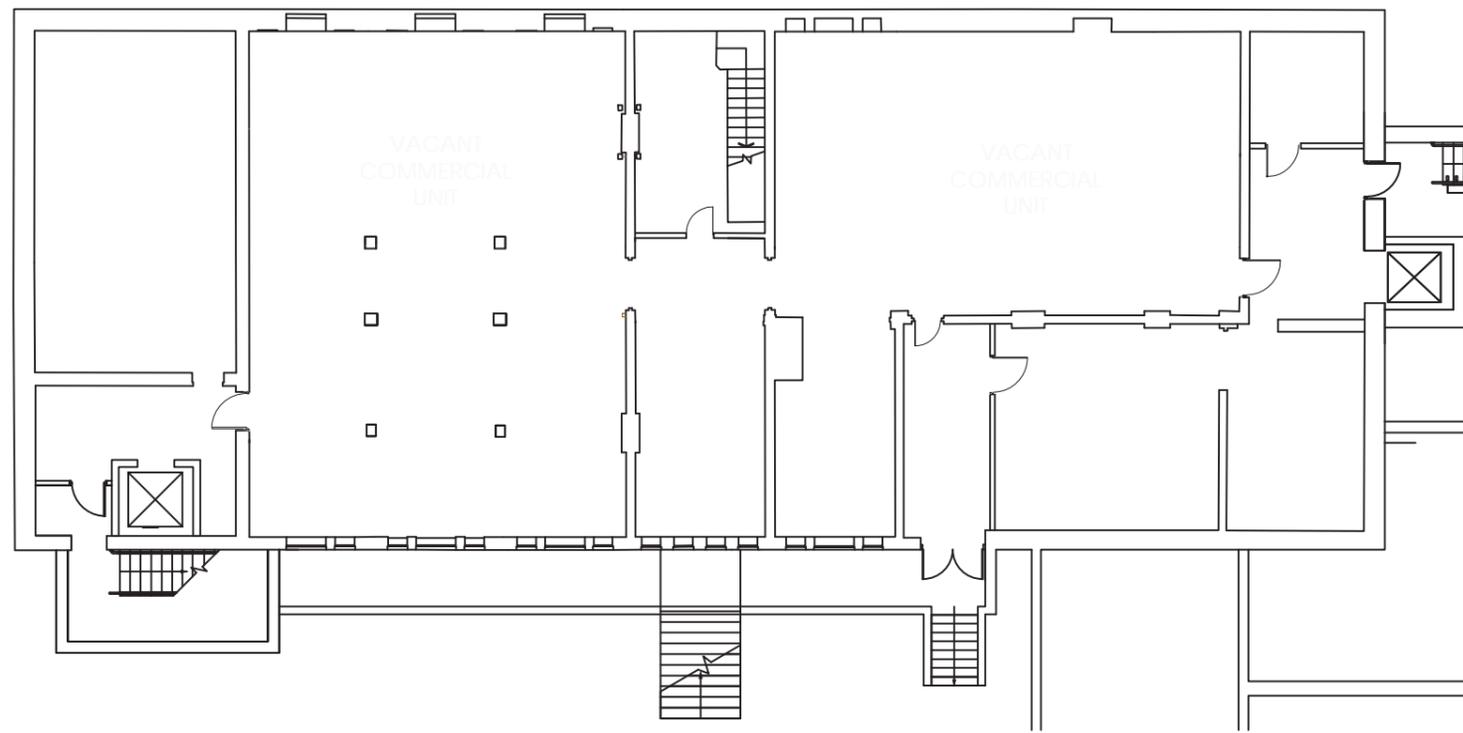
Reason: To prevent inappropriate uses.

Informative: This permission relates to the change of use only. Separate advertisement consent is required for the proposed signage.

5) Condition 5: Parking Management Plan

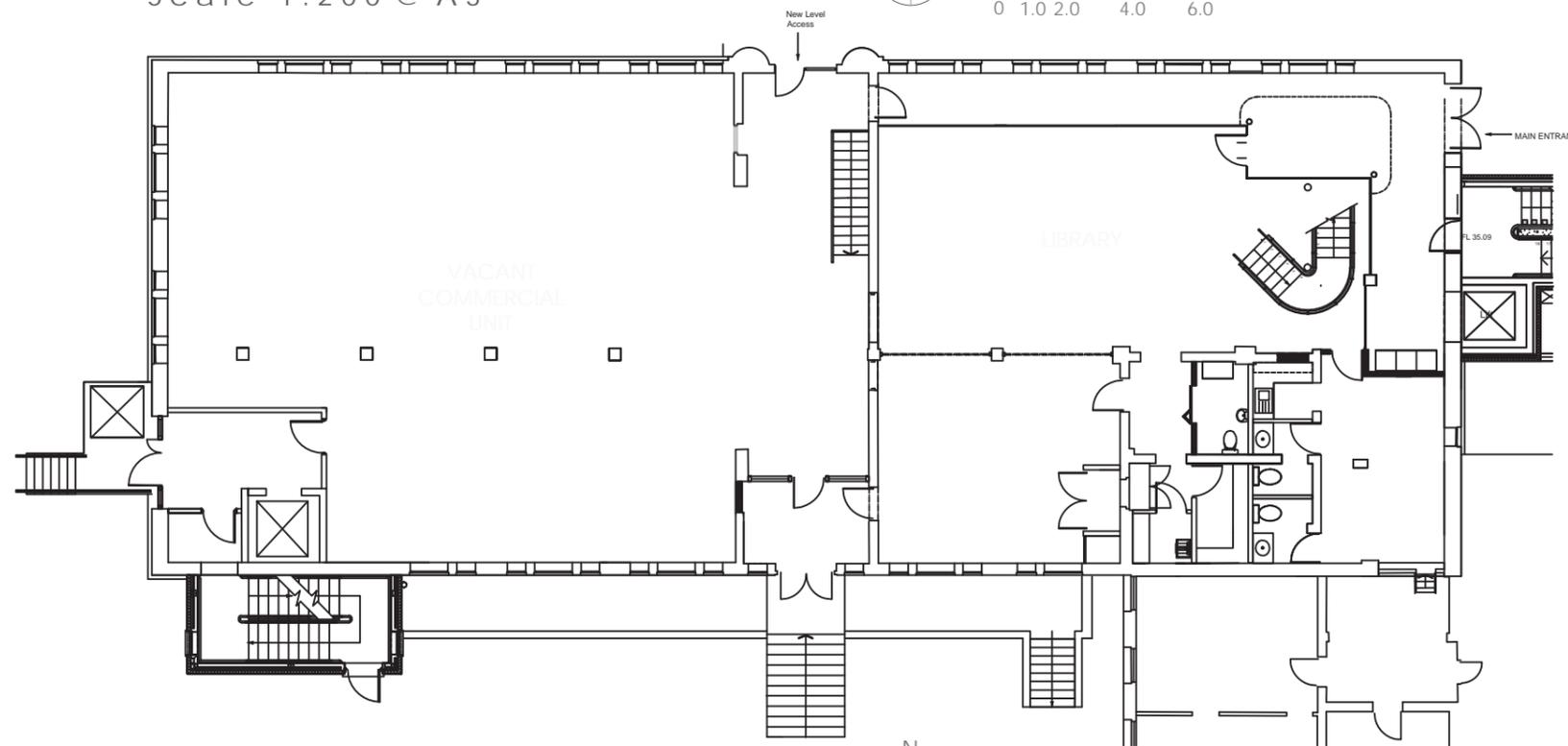
The development shall not be occupied until a car park management strategy has been submitted to and approved by the LPA and implemented in accordance with the approved details. It is essential that the strategy provides details of how to manage user's car parking, and it may include but not be limited to Pay and Display bays.

Reason: To ensure the proposed development will not have a negative impact on transport to the existing operation of the library and residential units.



EXISTING BASEMENT PLAN

Scale 1:200 @ A3



EXISTING GROUND FLOOR PLAN

Scale 1:200 @ A3



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Drawing type: PLANNING DRAWING

Amendments:
0: 16.02.2016 First Issue

Client: FIT4LESS - PALMERS GREEN
PETER GUNTER

Project: COMMERCIAL UNIT, PALMERS GREEN
LIBRARY, BROOMFIELD LANE,
LONDON, N13 4EY

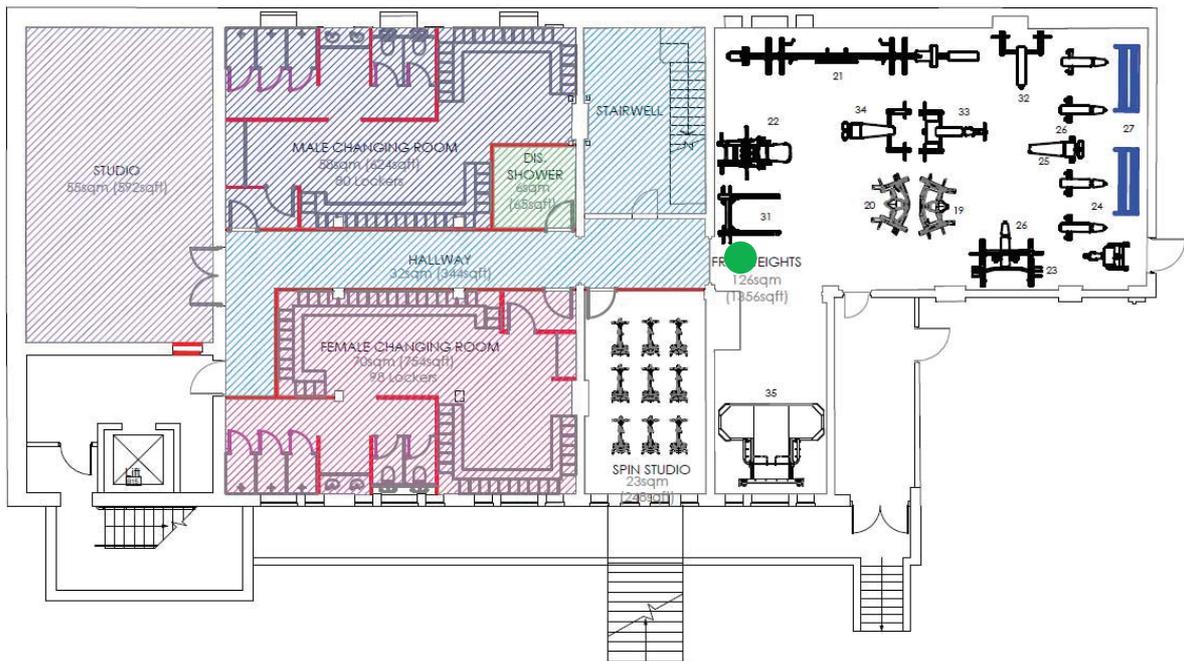
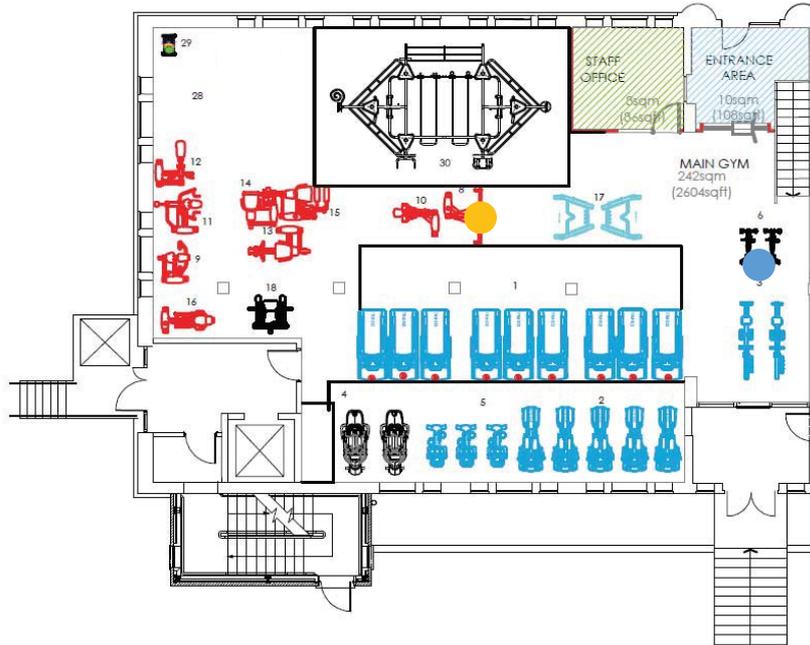
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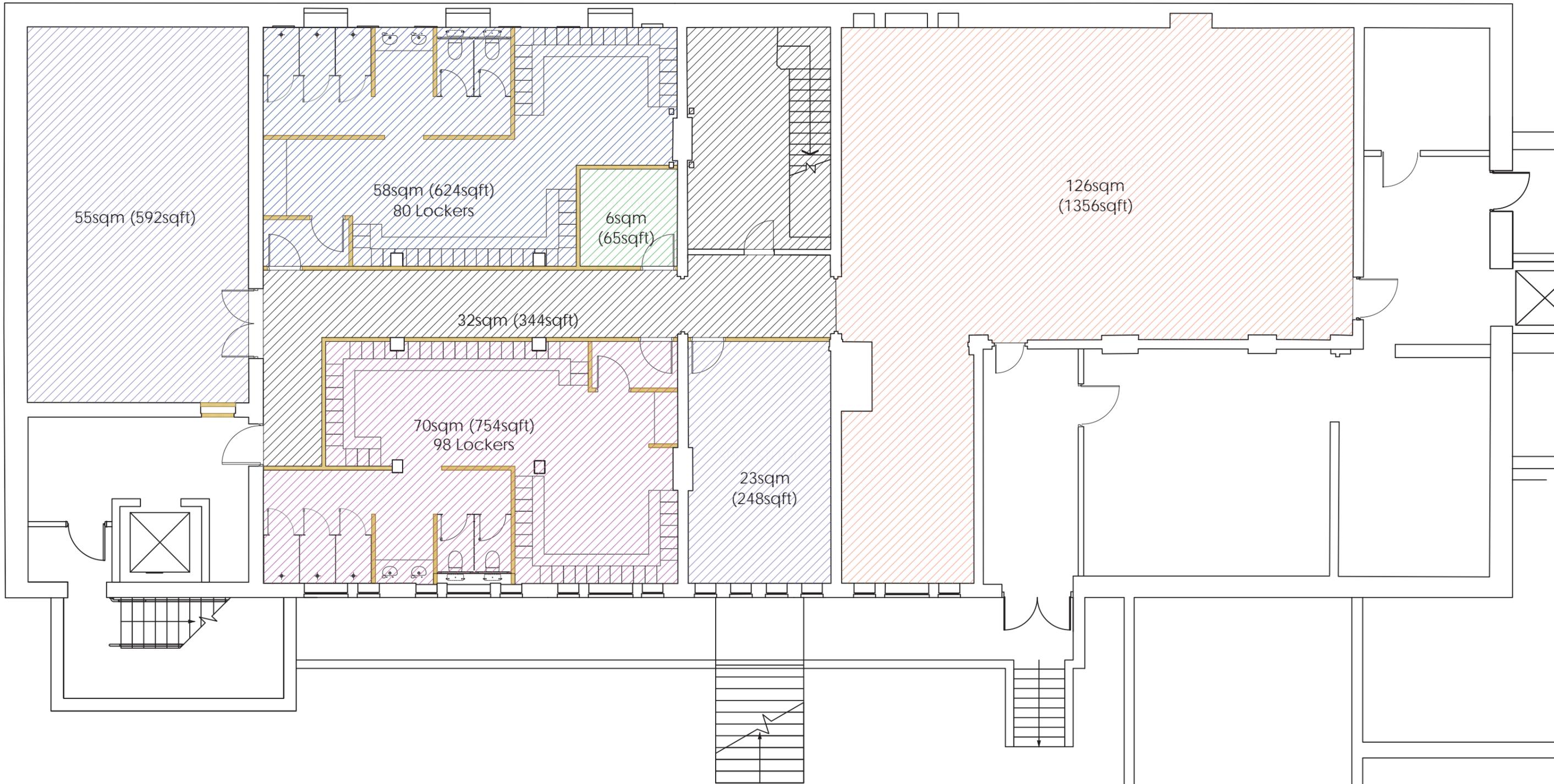
Drg.no: T13119 - 83 - 1101 Rev: 0

Title: EXISTING BASEMENT AND GROUND
FLOOR PLANS

Kettlebell Drop Locations

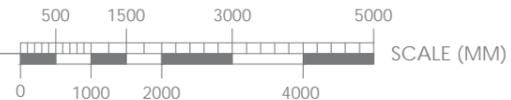


- D1 (Ground floor)
- D2 (Ground floor)
- D3 (Basement)



PROPOSED BASEMENT FLOOR PLAN

Scale 1:100 @ A3



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Amendments:
0: 16.02.2016 First Issue
A: 09.06.2016 Alteration to layout

Client: **FIT4LESS - PALMERS GREEN
PETER GUNTER**

Project: **COMMERCIAL UNIT, PALMERS GREEN
LIBRARY, BROOMFIELD LANE
LONDON, N13 4EY**

Scale: 1 : 100 @ A3

Date: December 2015

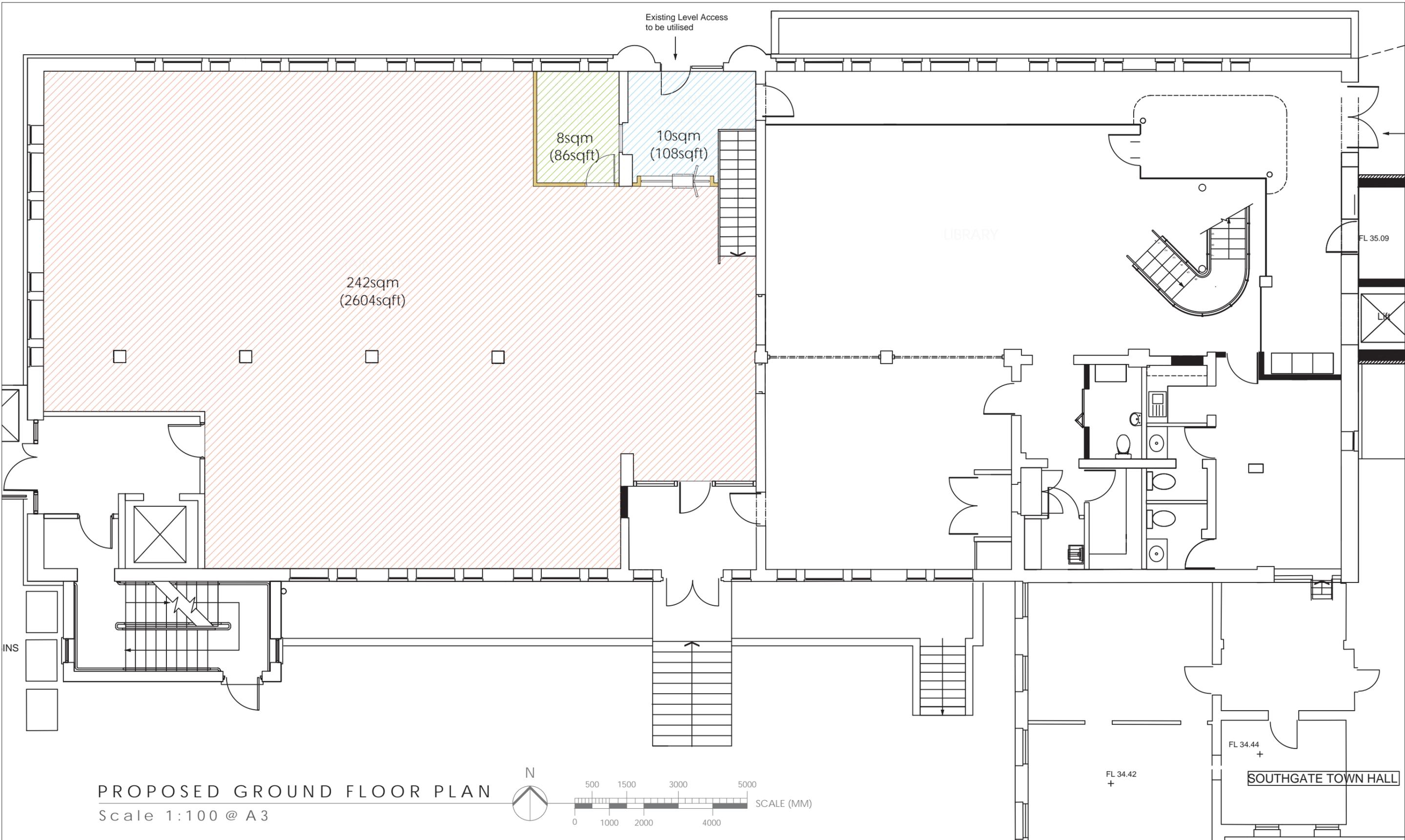
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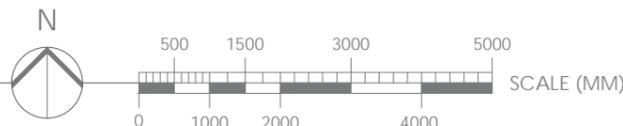
Drg.no: T13119 - 83 - 1104

Rev: A

Title: **PROPOSED BASEMENT FLOOR PLAN**



PROPOSED GROUND FLOOR PLAN
Scale 1:100 @ A3



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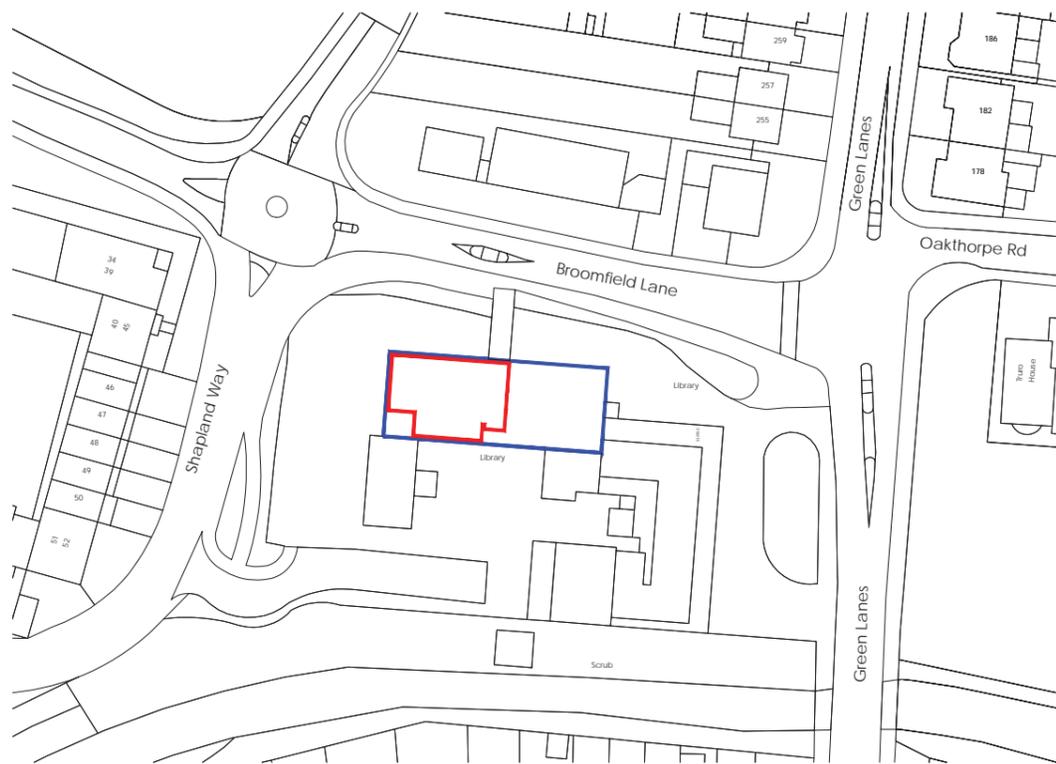
Amendments:
O: 16.02.2016 First Issue
A: 09.06.2016 Amendment to entrance note
B: 18.06.2016 Amendment to rear staircase

Client: **FIT4LESS - PALMERS GREEN
PETER GUNTER**
Project: **COMMERCIAL UNIT, PALMERS GREEN
LIBRARY, BROOMFIELD LANE
LONDON, N13 4EY**

Scale: 1 : 100 @ A3 Date: December 2015
Drawn: RP Checked: RDW
Drg.no: T13119 - 83 - 1103 Rev: B
Title: **PROPOSED GROUND FLOOR PLAN**

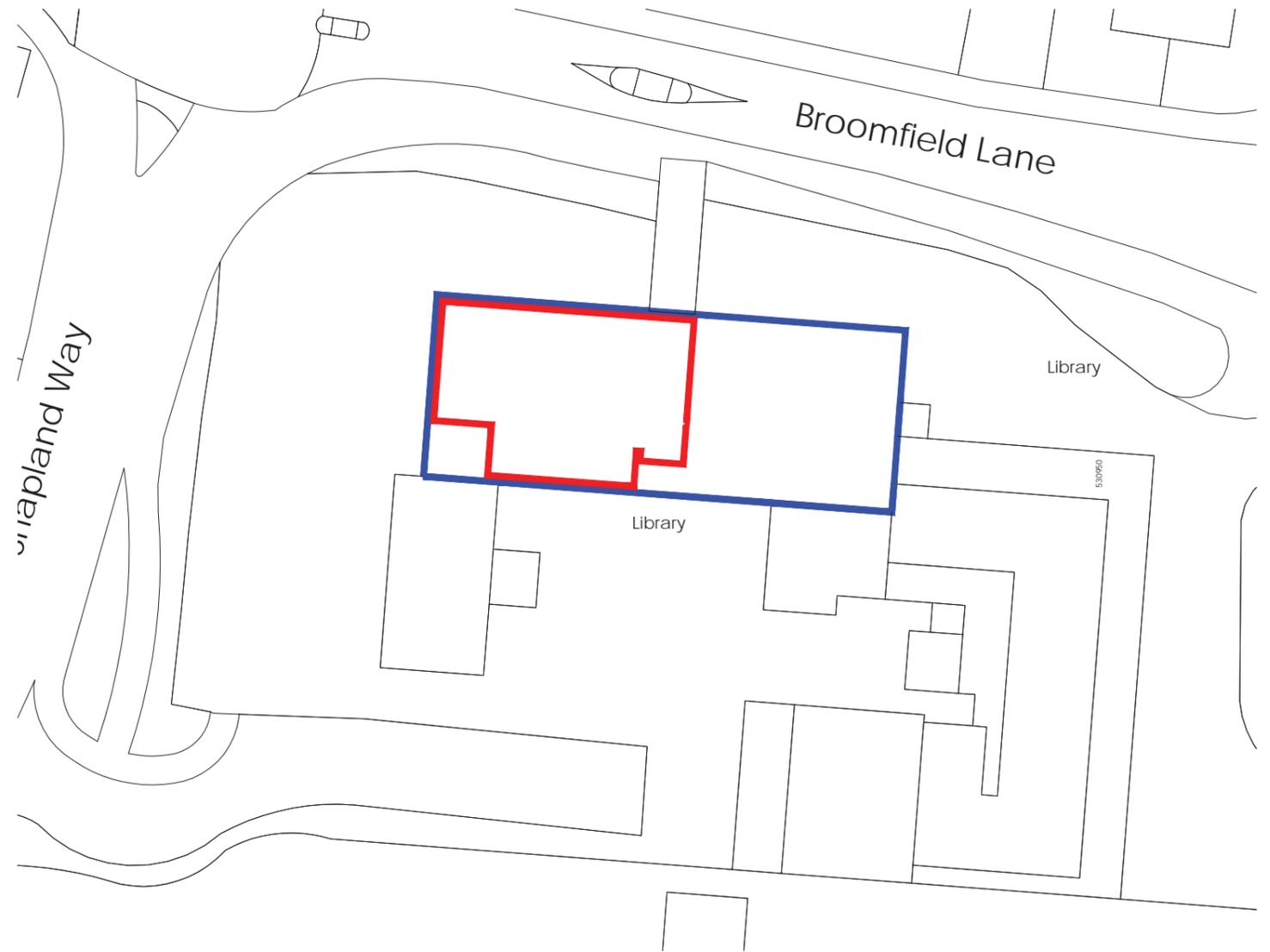
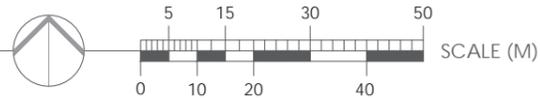
 Application Boundary At Ground Floor

 Site Boundary



SITE LOCATION PLAN

Scale 1:1250 @ A3



SITE BLOCK PLAN

Scale 1:500 @ A3



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Client: **FIT4LESS - PALMERS GREEN
PETER GUNTER**

Project: **COMMERCIAL UNIT, PALMERS GREEN
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LONDON, N13 4EY**

Scale: 1 : 500/1250 @ A3 Date: December 2015

Drawn: RP Checked: RDW

Drg.no: T13119 - 83 - 1100 Rev: 0

Title: **LOCATION AND BLOCK PLAN**