

Our ref: LB1321
Your Ref: PP-14641661

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Monkton Park Offices
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Via PlanningPortal

Dear Sir/Madam

UNIT 2 CHURCHILL WAY WEST RETAIL PARK, SALISBURY, SP2 7TS
VARIATION OF PLANNING CONDITION 7 - HOURS OF PLANNING PERMISSION LPA REF:
PL/2024/09079

On behalf of our client, The Gym Group, please find enclosed an application for the variation of Condition 7 (Hours) of planning application PL/2024/09079 granted on 18th July 2025 for the:

"Full planning permission for external alterations to Units 1 and 2 to create 2 X retail units (Units 1 and 2) and for the use of proposed Unit 1 for retail sales within Class E of the Town and Country Planning (Use Classes) Order, including for the sale of convenience goods from 80% of the sales area and unrestricted comparison goods from the remaining 20%, alterations to vehicle car park and associated development."

The Site forms part of Churchill Way West Retail Park, Salisbury. The retail park is directly north of Churchill Way West (A36) and approximately 650 metres from Salisbury Town Centre. The Site lies within the urban area of Salisbury in an edge of centre location.

The retail park contains 4 units. Unit 4 is occupied as a Waitrose Supermarket and Unit 3 by Sports Direct. Units 1 and 2 (Unit 2 being the application site) have been the subject of a recent planning approval for alterations, with Lidl to occupy Unit 1 and The Gym Group Unit 2. A Certificate of Lawfulness was submitted in January 2025 (Ref: PL/2026/00560) to confirm the lawful use within Class E as a gym.

To facilitate occupation by the proposed gym operator a variation of condition 7 is submitted in this application to extend the hours of operation of the gym use and facilitate 24/7 opening to meet the requirements of the operator.

This application specifically relates to the following condition:

Condition 7 – Hours

"The use hereby permitted shall only take place between the hours of 0700hrs and 2300hrs Monday to Saturdays, and between 0800hrs and 1800hrs on Sundays and between 0700hrs and 2100hrs on Bank/Public Holidays."

We propose to vary Condition 7 to allow 24 hour operation of Unit 2 to align with the hours of The Gym Group's operational requirements. The variation would alter Condition 7 to read as:

Condition 7 – Proposed Wording

"Unit 1 and Unit 2 shall not be open for trading other than between the following hours:

07.00 - 23.00 Mondays to Saturdays;

08:00 - 18.00 on Sundays;

07:00 – 21:00 on Bank/Public Holidays;

apart from for use of Unit 2 as a gym within Class E(d), which is not restricted in terms of hours."

The application comprises the following documents:

- Application Form;
- CIL Form;
- Supporting Statement (this letter);
- Noise Report;
- Operations Statement.

The application fee has been paid via the Planning Portal.

Proposal

Amendments are proposed to Condition 7 to enable the vacant accommodation to be bought back into active and beneficial use as a health and fitness use for the local community. The proposed use as a gym is lawful as both the existing and proposed uses fall within Class E of the Use Class Order and there are no restrictions on the existing uses of the units. A Certificate of Lawfulness application (Ref: PL/2026/00560) was submitted in January 2026 to confirm the lawful position in terms of gym use of the premises within Class E.

To facilitate the reuse it is necessary to amend the hours of operation to enable 24/7 operation to meet The Gym Groups operational parameters.

The Gym Group aims to increase access to health and fitness activities to a wide demographic to encourage improved health by providing a low cost and flexible gym membership option. The Gym Group provides a high quality but lower cost option for health and fitness activity. On average 35% of The Gym Group's members have not been to a gym before with The Gym Group attempting to provide its facilities to a much wider market.

A key component of The Gym Group's operation and offer to its members are its opening hours and the flexibility which they allow to members. The Gym Group has built a successful business model operating 24 hour health and fitness uses, and therefore, has considerable experience in ensuring that their units operate efficiently and without disruption. The Gym Group are an experienced operator with over 250 gyms operating across the country at present, including premises in Poole, Bournemouth, and four operations in Southampton.

Membership of The Gym Group is at low cost, with no minimum contract period. As such members can join for just a single month, or have a break within their membership at nominal cost. The Gym Group opens on a 24 hour basis to ensure flexibility of use by its members, whilst of critical importance is ensuring that the amenity of surrounding occupiers is not unduly affected.

The Gym Group's operations include a range of cardio-vascular (rowing, running, cycling, etc.) and resistance (weights) equipment for individual use. No studios or dance floor areas will be provided. As such there are no

intensive activities undertaken as part of the operation and music will be limited to provide controlled low-level background music only.

Planning Consideration

The NPPF includes a requirement on local planning authorities to plan positively for growth and identifies the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 sets out three overarching objectives related to economic, social and environment objectives.

Paragraph 85 of the NPPF states that “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”.

Paragraph 96 of the NPPF identifies that “Planning policies and decisions should aim to achieve healthy, inclusive and safe places which: a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other; b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion; and c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling”.

Paragraph 124 of the NPPF states that planning policies and decision making should promote an effective use of land. **Para. 125d** promotes and supports the development of under-utilised buildings.

Core Policy 57 of the Wiltshire Core Strategy (2015) states in Part vii that a proposal should have:

"regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing, vibration, and pollution (e.g. light intrusion, noise, smoke, fumes, effluent, waste or litter)."

The site is located on an existing retail park containing commercial uses and operation. The proposed extension to enable 24 hour opening will support the surrounding uses by enabling occupation of this vacant unit and improving accessibility to health and fitness facilities, supporting the operation of the retail park overall and meeting the needs of different groups within the area. The Gym Group has significant experience of providing 24 hour health and fitness uses in similar locations to the application site, and of critical importance is ensuring that the amenity of surrounding occupiers is not unduly affected.

National policy seeks to avoid, mitigate and minimise the adverse impacts on health and quality of life arising from new development. Core Policy 57 of the WCS requires development to have regard to compatibility with adjoining buildings and uses and the impact on the amenities of existing occupants.

The site is located in a largely commercial location, with residential properties located in the wider area. The closest, most affected residential receptors are 2 Meadow View and Avon Reach Flats, located approximately 70m and 85m respectively from the building's façade.

As part of the application, acoustician's Air and Acoustic Consultants Limited have been commissioned to assess the potential noise impact of the proposed 24/7 operation of Unit 2 as a gym. An assessment of operational noise associated with gym activity has been conducted in line with the existing acoustic environment. The

assessment concludes that activity noise breakout from the gym will be controlled to significantly below the existing background (LA90) noise level at surrounding residential receptors at all times of day and night. The report therefore concludes that it is considered that noise breakout from 24/7 operations of the gym use represents a negligible risk of impact where no further mitigation measures would be required.

The note confirms that the use of Unit 2 as a 24/7 gym will not result in any adverse effects on nearby residential dwellings in terms of noise or vibration.

Due to the nature of the gym use members attending between these hours tend to do so on an individual basis, rather than as part of groups, and comprises those working shifts, such as emergency service personnel. As such the potential for any impact in terms of noise and disturbance during these hours is limited and the extended hours of operation of the unit would not result in additional harm to the amenities of adjoining or surrounding properties.

Given the nature of the operation and location, the management controls and mitigation measures employed by The Gym Group, the proposed use of the premises on a 24/7 basis would continue to have no detrimental impact on the amenity of occupiers within the surrounding area. The Gym Group are a considerate and conscientious operator who rely on the local population for a considerable element of their membership and as such take their responsibility to the local environment and surrounding occupiers very seriously to ensure that disturbance does not occur at any hour of the day or night.

Overall, the proposed nature of the operation, together with the mitigation and management measures, will ensure that there are no unacceptable impacts on surrounding residents or the local environment. In line with the Policy 57 of the WCS and NPPF it has been demonstrated that the use on a 24 hour basis will not give rise to noise nuisance or disturbance, and will not impact on residential amenity.

Premises security

Ensuring that a high level of security is provided throughout the operation is a principal objective of The Gym Group. Maintaining a friendly and welcoming environment and deterring any anti-social behaviour is a priority of both The Gym Group and to its members.

Access to the property is strictly controlled. Between the hours of 8am and 8pm the front door of the premises will be open and access will be afforded to the lobby. At this point a two door portal will be in operation which requires a personal entry code to be entered into a key pad and restricts access to one person at a time only. The pin code enables The Gym Group to record attendance within the premises. These full height glazed partitions and portals also provide a barrier to noise transmitting from the main body of the gym via the accesses.

Free standing computer terminals within the entrance area of the premises enable people to join up to The Gym Group or to manage any issues relating to existing membership and entry. Call points are located externally to enable any users to address issues directly.

Between 8pm and 8am the main front entrance door is locked and again pin code input is required to gain access to the premises to restrict access to the entire premises to members of The Gym Group only outside of core hours.

An extensive network of CCTV cameras will operate providing coverage of all internal areas and external entrances. This CCTV will be monitored on a 24 hour a day basis through a remote monitoring system enabling operatives to identify and react to potential issues immediately.

Maintaining a friendly and welcoming environment and deterring any anti-social behavior is a priority to both

The Gym Group and to its members. The Gym Group successfully operate on a 24 hour basis utilising this well tested system and have an exemplary safety record across all existing operational Gyms in the UK. This includes the operation of 24 hour premises adjacent to and in close proximity to residential properties, as well as units within residential buildings. The established operation and management measures set out will ensure a safe environment without an unacceptable impact on local amenity.

Conclusion

This application proposes the variation of Condition 7 planning application PL/2024/09079 so that The Gym Group can operate from the premises on a 24 hours a day, seven days a week basis.

The insulation and mitigation measures incorporated into the building fit out specification ensure that there will be no unacceptable impacts in terms of noise on surrounding occupiers or the local environment. The noise assessment undertaken confirms that the extended hours of use will not have a material impact or noise nuisance on residential occupiers in the wider area. The operation and management of the premises will ensure a safe environment without an unacceptable impact on local amenity.

The proposal is in compliance with the Development Plan and we therefore respectfully request that the Council approve the variation of condition 7 of planning permission ref: PL/2024/09079 to enable occupation by The Gym Group.

We trust the above is in order, however, should you have any queries or require further information please contact Matt Brewer on the above details. We look forward to receiving confirmation of receipt and validation of this condition discharge application.

Yours faithfully,

Matt Brewer
URBANSPACE Planning Ltd

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