



Appeal Decision

Site visit made on 3 February 2025

by J Reid BA(Hons) BArch(Hons) RIBA

an Inspector appointed by the Secretary of State

Decision date: 17 February 2025

Appeal Ref: APP/Q3820/W/24/3353363

**Unit 10 Gatwick Distribution Centre, Whittle Way, Crawley, West Sussex
RH10 9RT**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Sebastian Birch of PHX Gym against the decision of Crawley Borough Council.
 - The application Ref is CR/2024/0367/FUL.
 - The development proposed is change of use of a vacant industrial/logistics unit to provide a gym for a temporary period of five years.
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue is whether the proposed development would provide adequate car parking to meet its operational needs.

Reasons

3. The appeal site is situated within the Gatwick Distribution Centre (the centre), which is mostly characterised by storage/distribution and light industrial uses in blocks of terraced units. The site is reached by the vehicular access from the roughly east side of Whittle Way. The site includes the roughly 827 m² floor space end of terrace Unit 10, which is situated at the roughly south end of a west facing block (Units 6 to 10) that backs on to Gatwick Road. Unit 10's front faces the fronts of Units 1 and 2 in the similar terraced block (Units 1 to 5) that backs onto Whittle Way. There are open yards and/or parking spaces by the loading doors in front of the units in the 2 opposing blocks, and the shared vehicular route to and from the units, which is used for access, egress, turning, loading and unloading, runs between them.
4. The land edged red on application plan numbered KC/01/SKA shows that the site includes part of the shared route between the blocks, and that most of the turning space and all of the car parking bays on the north side of the parking court by Unit 10's south side would be within the site. However, from the appellant's representations, only the 2 westernmost car parking bays by the south side of Unit 10 would be available for Unit 10.
5. The proposal would include 20 car parking spaces, 18 of which would be in double length parking spaces, where one of every 2 cars parked would be parked directly

in front of another parked car, that is, in tandem. The 2 car parking spaces in the court to the south of Unit 10 would stay as they are.

6. Policy DD1 of the Crawley Borough Local Plan 2023 to 2040 (LP) aims for development to meet the requirements necessary for their safe and proper use, in particular with regard to access, circulation and manoeuvring, vehicle parking, and loading and unloading.
7. LP Policy ST2 seeks to permit development where proposals provide the appropriate amount and type of car parking to meet its needs when it is assessed against the Council's car parking standards. The Policy adds that parking standards for developments other than residential developments will be based on the particular usage of the premises, which will take account of the intensity and requirements of each use and the accessibility of an area by public transport and other sustainable modes.
8. The LP Crawley Local Plan Parking Standards Annex seeks a minimum of one car parking space for each 22 m² of floor space for places of assembly/leisure, so the proposal would require roughly 37 car parking spaces. However, the Annex advises that, where a lower level of provision is proposed, it should be justified on site-specific grounds, including the accessibility of the location.
9. The appellant's business model reflects a demand for pre-booked classes for different groups of up to 15 people in the early mornings and evenings, typically, 2 hours in the early mornings and from 1600 hours to 2000 hours. These 50 minute classes would include a 10 minute changeover period, and outside these times, the facilities would be open to members. Other services could include the provision of drinks and snacks.
10. The appellant's evidence shows that 18 car parking spaces would be necessary, so the proposed 20 car parking spaces would provide a modest buffer. Also, whilst the proposal's users would be unlikely to use rail services from Gatwick Airport Station, which is over a mile away, the proposal would be reasonably accessible by walking, cycling and by bus. Even so, as parked cars in up to 9 of the tandem spaces could be hemmed in by other parked cars, only 11 car parking spaces would be useable at any time. That would be contrary to the highway authority's guidance that good parking design is as important as providing the appropriate number of spaces, and that developers should ensure that all spaces are useable.
11. No operating times or likely staff and member numbers have been put to me, and there is little evidence that only one class would run at any one time. Whilst it is said that some class goers would car share, there is no certainty that car sharing would happen. As class goers would also reasonably expect to, say, shower, chat with others, and/or have a drink or snack, or stay on to use the facilities, it is unlikely that all members of one class would vacate their parking spaces within 10 minutes of the class ending and another class starting or members arriving. Moreover, members could arrive and depart from the premises at any time when the premises is open to them.
12. So, due to the proposed use, the layout of the tandem parking spaces and their relationships with the shared service route, the proposal would be likely to lead to increased waiting or manoeuvring vehicle movements within the shared service route, to the detriment of the efficient operation of Units 1 to 9. Whilst all drivers would reasonably be expected to take care, the proposal could lead to

unnecessary conflicts within the service route. Moreover, as less than two thirds of the 18 necessary car parking spaces would be useable at any time, the proposal would not be acceptable.

13. There is little evidence that the operating hours of the nearby units are controlled by condition, so their present operating hours attract little weight. The appellant says that overspill parking could be accommodated in Whittle Way, but as there is almost no on-street parking data before me, that also attracts little weight. There are other cases of tandem parking within the centre, but as most of the relevant units comply with the centre's established use, their circumstances differ from those of the proposal. As there is little evidence to show that a management plan would overcome the harm due to the layout of the tandem car parking spaces, the suggested condition could not reasonably be imposed. Highway safety was not a concern in the Council's reasons for refusal, and I agree. So, whilst the proposal's benefits would include making efficient use of the vacant unit, which is within a reasonably accessible location, they would not overcome the harm due to the shortfall in useable car parking spaces.
14. Therefore, I consider that the proposed development would not provide adequate car parking to meet its operational needs. It would be contrary to LP Policies ST2 and DD1, and the Framework which aims to ensure that safe and suitable access to the site can be achieved for all users, to minimise the scope for conflicts between pedestrians, cyclists and vehicles, and to allow for the efficient delivery of goods and access by service vehicles.

Conclusion

15. I have found that the proposed development would be contrary to the Development Plan when taken as a whole. The other considerations in this case, including the Framework, do not outweigh that conflict.
16. For the reasons given, the appeal should be dismissed.

J Reid

INSPECTOR