



Appeal Decision

Site visit made on 16 March 2026

by **H Marriott MPlan MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20 March 2026

Appeal Ref: 6002382

1 Chancerygate Business Centre, Stonefield Way, Ruislip, Hillingdon HA4 0JA

- 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 Sina Ghami of Evolve Gym Ltd against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref is 66683/APP/2025/998.
 - The development proposed is described as 'change of use from industrial/storage (Use Class B2/B8) to a gymnasium (Use Class E(d)) (resubmission following appeal dismissal ref APP/R5510/W/22/3313644)
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposed development only affects part of the building located at 1 Chanerygate Business Centre (the building), which is split into four units. It is clear from the plans and evidence submitted, that the proposed change of use relates to the shared ground lobby area and two of the units, Units 1c/d located at first floor level only. I have determined the appeal on this basis.
3. A planning application for a development similar to the appeal proposal was refused by the Council in October 2022¹. An appeal against the refusal of that application was lodged and subsequently dismissed in August 2023² (the 2023 appeal). While the proposed development before me is different insofar as it omits Unit 1a, I shall have regard to the other Inspector's findings, insofar as they are relevant to the matters in dispute.

Main Issue

4. The main issue is the effect of the proposed change of use on the availability of strategic industrial space in the area.

Reasons

5. The appeal site lies within the Stonefield Way / Victoria Road Strategic Industrial Location (SIL). Policy DME1 of the London Borough of Hillingdon Local Plan Part 2 Development Management Policies (2020) (LP) states that employment proposals in SILs will be supported in accordance with the relevant policies in The London Plan (2021) (TLP).

¹ Council ref: 66683/APP/2022/1338

² Appeal Ref: APP/R5510/W/22/3313644

6. Policy E4 of the TLP seeks to ensure a sufficient supply of land and premises in different parts of London to meet current and future demands for industrial and related functions, taking into account strategic and local employment land reviews, industrial land audits and the potential for intensification, co-location and substitution. This aligns with Paragraph 85 and 86 of the National Planning Policy Framework (the Framework), which require significant weight to be given to supporting economic growth and productivity and for planning policies to identify strategic sites to meet anticipated needs over the plan period.
7. There is no dispute between the main parties that the proposed gymnasium use does not fall within any of the industrial and related uses listed in Policy E4 of TLP (or those identified as suitable for SILs in the justification to Policy DME1 of the LP, which include general industrial, light industrial, storage and distribution, waste management, recycling, some transport related functions and other industrial related uses i.e. generally Use Classes B1 (c), B2 and B8³ (now Use Classes E(g), B2 and B8⁴).
8. Policy DME1 of the LP states that proposals for other uses will be acceptable in SILs only where there is no realistic prospect of the land being developed in accordance with the specified uses; sites have been vacant and consistently marketed for a period of 2 years; and the proposed alternative use does not conflict with the policies and objectives of the LP.
9. Units 1c/d were last used as offices and the appellant has confirmed that these units have been unoccupied since 30 September 2022. While these offices may historically have been associated with the ground floor warehouse type use, the majority of the ground floor space within the building has not been available since 2017, when it was occupied by a gymnasium⁵. Even so, there appears to be no dispute between parties that the existing lawful use of these units is Use Class B2/B8.
10. In determining the 2023 appeal, that Inspector concluded that while there was evidence of marketing at the time, the information available to them did 'not confirm the period over which marketing has been carried out' and did not 'clearly specify that the site would be available for B2 and B8 uses', and therefore failed to demonstrate that adequate steps had been taken to market the space for the required period and effectively for appropriate industrial, logistics and related uses.
11. Since then, a refreshed marketing campaign has been undertaken with a new commercial agent and advertising the units at reduced rental cost. The appellant's Marketing Report⁶ indicates that the units, in varying size options, were marketed as office space between October 2022 and December 2024 using multiple advertising platforms, display boards, targeted e-mails and open viewings. The campaign reportedly generated interest only for warehouse space, which the appellant advised could not be accommodated due to the gymnasium occupying most of the ground floor of the building. It is recognised that demand for office space has reduced since the Covid pandemic, with many businesses adopting working from home models, and that an industrial location with limited

³ Town and Country Planning (Use Classes) Order 1987.

⁴ Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.

⁵ Council ref: 72194/APP/2017/14 Change of use from storage (Use Class B8) to a gymnasium (Use Class D2) involving alterations to external windows/doors – granted 28 April 2017.

⁶ Compiled by Chamberlain Commercial December 2024

kerb appeal may be less attractive for office occupiers. In this context, the limited interest is unsurprising.

12. While it is accepted that Units 1c/d have been unsuccessfully marketed as offices for a period of at least 2 years, the marketing evidence does not clearly specify that the units could be available for B2 and B8 uses, or any other industrial-type activities. The appellant explains that this is intentional, as the first-floor location of Units 1c/d is not well suited to such uses. I observed at my site visit that access to the upper floors is via narrow staircases, one of which is a fire exit, and there is no lift. This configuration would limit suitability for certain B2 and B8 activities including those requiring heavy equipment or significant storage space. However, not all industrial or other related businesses require large machinery or extensive warehouse space, and some of the specified uses could, in principle operate from modest accommodation at first floor level, for example small-scale small assembly or specialist repair workshops which use small, light parts that can be handled manually.
13. The appellant asserts that the marketing undertaken made it clear that the units are located within an industrial complex, and that advertising them as office space would not have deterred other enquiries. However, there is no certainty that this was the case, and some potential occupiers may have been discouraged from enquiring on that basis. Therefore, I am not satisfied that marketing Units 1c/d for a greater range of the specified uses be a pointless task, or would even deter investment. It is also noted that there are other premises⁷ in the locality available that may be better suited to a wider range of industrial and other related uses. While that may be so, it does not fully rule out the potential suitability of the appeal units for some forms of B2 / B8 or any other industrial-type uses.
14. The short-term commercial prospects of the units 1c/d may be limited due to the lack of interest for their use as offices and the building constraints highlighted. However, I am not satisfied that the Inspector's reasons for dismissing the 2023 appeal have been satisfactorily addressed. It remains that the marketing did not clearly specify that the site would be available for a greater variety of B2 and B8 uses or other industrial and related uses other than offices, and therefore the appellant has failed to demonstrate that adequate steps have been taken to market the space in accordance with the requirements of DME1 of the LP.
15. The proposed development would enable the expansion of the established gymnasium, increasing facilities and accommodating more members. It would bring the long vacant Units 1c/d back into use. The scheme would create employment and support the health and well-being of gym users, including the local community who choose to use it. These benefits align with the National Planning Policy Framework's social and economic objectives, including promoting healthy, safe communities and enabling businesses to expand, modernise and respond to changing needs. However, these benefits do not outweigh the lack of demonstration that there is no demand for industrial or related uses on the site.
16. I conclude that it has not been demonstrated that the proposed development would not result in a harmful effect on the availability of strategic industrial space

⁷ Appendices E – L of the appellant's statement relating to Target Point, Emerald House, Hallmark House, Northolt 68, Unit 1 Tera 40, 428 Long Drive and Segro Park.

in the area. In this regard, it would conflict with Policies E4 and E5 of TLP and Policy DME 1 of the LP which seek to sustain SILs for uses that support the functioning of London's economy and for the reasons set out above.

Other Matters

17. The Council identified no other harm, subject to conditions where necessary, including in relation to character and appearance, highway safety, parking or living conditions. However, these considerations indicate the absence of harm rather than any benefit.

Conclusion

18. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

H Marriott

INSPECTOR