

Officer Report

Application Number: 06/2018/1201

Proposal: Change of use from print works (Class B2) to gym (Class D2)

Site Address: Unit F, Broughton Business Park, Caxton Road, Preston, PR2 9ZA

Case Officer: Franc Genley

Decision: Approval with conditions

1	Information
1.1	Location
	<p>The application relates to 381sqm of a former canteen facility which formed part of the 2,500sqm offices (Unit F) previously occupied by the Lancashire Evening Post (LEP). It is understood that the premises were vacated by the LEP in the summer of 2016. Since this time, the office premises, alongside the adjacent former printworks facility (which is also vacant), have been actively marketed by multiple commercial agents as a range of individual units, with an option to combine units where preferred.</p> <p>The former LEP offices and printworks are set within a wider commercial area known as Broughton Business Park, which comprises a further range of employment uses including office space. The site benefits from a substantial communal car park.</p> <p>The site is identified as 'Existing Employment Site' EP2 on the Policies Map of the Preston Local Plan 2012-26 (Site Allocations and Development Management Policies) and reviewed as a part of the Central Lancashire Employment Land Study – Technical Report of 2017</p>
1.2	Proposal
	<p>The application proposes the use of the premises as an access controlled gym (Use Class D2) for the provision of personal training and bespoke fitness classes. The proposed gym is not open access and patrons would only be able to attend with a set appointment. Opening hours are proposed between 6:00 and 8:00am and in the evenings between 6:00 and 9:00 pm daily. There will be no more than 10 people booked in at any one time with the gym initially operating with 3no. full-time and 4no. part-time staff. Generally there would be 2no. personal trainers on site.</p>
1.3	Relevant Planning History
	<p>The application relates to a former canteen facility which formed part of the offices (Unit F) previously occupied by the Lancashire Evening Post (LEP). The canteen sits adjacent to a reception area, on the other side of this reception area, a similar sized segment of the larger unit (offices) was subject to a Prior Notification:</p>

	06/2018/1308 - Prior notification submission for change of use from office space to Children's Nursery - Granted January 2019
1.4	<p>Planning Policy Framework</p> <p>Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that if regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p> <p>The Development plan comprises:</p> <p><u>Adopted Central Lancashire Core Strategy</u> Policy 3: Travel Policy 10: Employment Premises and Sites Policy 11: Retail and Town Centre Uses and Business Based Tourism Policy 24: Sport and Recreation</p> <p><u>Adopted Preston Local Plan 2012-2026 (Site Allocations and Development Management Policies)</u> Policy EP2: Protection of Existing Employment Areas Policy ST1: Parking Standards Policy ST2: General Transport Considerations</p> <p>Other Material Considerations: <u>Local Policy</u> Preston City Centre Retail Study Central Lancashire Employment Land Study – Technical Report of November 2017</p> <p><u>Central Lancashire Supplementary Planning Documents (SPD)</u> Controlling the Re-Use of Employment Premises</p> <p><u>National Planning Policy Guidance</u> National Planning Policy Framework (the Framework) National Planning Practice Guidance (NPPG) National Planning Policy for Waste</p>
1.5	<p>Consultation responses</p> <p>Publicity – No responses received</p> <p>Environmental Health – No response</p>
1.6	<p>Analysis</p> <p><u>Principle of the development</u> Policy 10 of the Adopted Lancashire Core Strategy (CS) seeks to protect the employment use of employment sites and sites last used for employment purposes. The policy sets out a series of criteria for assessing applications for non-employment use. Implementation of this policy is outlined in the detail in the Adopted Central Lancashire SPD: Controlling Re-</p>

Use of Employment Premises. Paragraph 22 of The Framework states that where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable communities.

The position with regards to Core Strategy Policy 10 and the alternative use of the employment site is as follows:

(a) *there would not be an unacceptable reduction in the type, quality or quantity of employment land supply;*

It is acknowledged that the site is small scale and forms less than 0.5% of the Employment Land Study site number 30. Furthermore, the site does not form part of the employment land supply of EP1 sites assessed in the Employment Land Study. However, the Good Urban site is located within an existing employment area where employment growth should be focused and the proposal would partly erode the good critical mass of employment floorspace in this accessible employment area.

The submitted planning statement states that the proposal would generate three full time jobs and four part time jobs. The proposal would result in the loss of a staff canteen, canteen kitchen, W.C. areas and storage areas associated with the larger unit. It is considered that the reduction in employment floorspace would be acceptable in terms of the type, quality and quantity of employment land supply because the loss of these ancillary facilities would / could be alternatively be provided for within the larger unit. The nearby Asda superstore provides access to food and beverages. It appears that the existing ground floor W.C. areas could be refitted to provide for an additional female or unisex W.C. in the event that one is required to serve both halves of the ground floor, depending on the internal access arrangements and any other requirements as relevant.

(b) *the provision and need for the proposed use;*

The proposal would contribute to meeting identified need for gym / health and fitness provision in Preston, consistent in this aspect with criterion b and the findings of the Preston City Centre Retail and Leisure Study (May 2013). The submitted information does contain a sequential assessment of alternative sites or information on the catchment area of the proposal. Following a review of this document, it is accepted that the proposal complies with the sequential test for main town centre uses in the Framework because there are no defined centres in the catchment area of the proposal that contain available and suitable sites within the size range of the proposal. The small scale of the proposal and its distance from gyms in centres would not result in any significant adverse leisure impacts on centres, consistent with paragraph 89 of the Framework.

(c) *the suitability of the site for employment and for the alternative use;*

The site is considered to be suitable in principle for the alternative use, being located in an urban area within an Employment Area that could generate customers for the proposal and has scope for linked trips with the nearby foodstore to the south of Pittman Way. The Central Lancashire Employment Land Study – Technical Report of November 2017, Table A10.2 – Preston Employment Areas, found the wider ELR site number 30 to be of good quality and

generally, of very high quality. It is therefore considered that the site remains suitable for employment use.

(d) the location of the site and its relationship to other uses;

The Central Lancashire Employment Land Study – Technical Report (2017), found that site No. 30 had a ‘Good’ grading for critical mass, accessibility, prominence and environment, so that the overall total grade of site 30 is ‘Grade A’. This indicates that the location of the site and its relationship to other uses is potentially suitable in principle for use as a gym, whilst being appropriate and suitable for employment use. It is considered that the submitted information does not demonstrate that the proposed gym would be better suited to the site and its relationship to other uses than employment use, contrary to the SPD flowchart and contrary to Policy 10, criterion d.

(e) whether the ability to accommodate smaller scale requirements would be compromised;

The Technical Report indicates that site 30 contains both large distribution units and a number of offices offering space over both one and two floors. For the reasons given in the assessment of the proposal against criterion a above, it is considered that it would not compromise the supply of land to accommodate smaller scale employment requirements, consistent with Policy 10, criterion e.

(f) there would be a net improvement in amenity;

Given the site is small scale, its function within the existing unit and that it is set within an existing employment area, it is considered that any improvement in amenity as a result of the proposal for residential development in the surrounding area would be insignificant. Furthermore, the environment of site 30 was found to be good in the 2017 Employment Land Study.

On this basis, the principle of the proposal accords with Core Strategy Policy 10, paragraph 80 of the Framework.

Sequential Test

In regards to proposals for main town centre uses CS Policy 11 seeks to direct these uses to existing centres within the retail hierarchy (ie the City Centre and local centres). CS Policy 24 seeks to ensure that everyone has the opportunity to access good sport, physical activities and recreation facilities. Paragraph 86 of the Framework requires main town uses to be “located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.” A sequential test must be applied to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan.

Paragraph 87 states that when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.

A comprehensive Sequential Test document has been and submitted with the application. In considering potential alternative premises in Preston Centre, there are none known to be available which could accommodate the application proposal. The proposed development meets the requirements of the sequential test and the Council agrees with the conclusions of the submission.

Conclusion on Principle of Development

Overall, the proposal would not adversely affect the integrity of the function of the existing Employment Area as a Best Urban site. The proposal would cause the small scale loss of ancillary facilities of an employment unit within the B use class. However, it would not significantly adversely impact on the function of the remaining encompassing employment unit. The proposal would not result in a significant loss of jobs that could be generated at the site. The proposal would constitute a sustainable proposal in principle with regard to the uses in the area and the overall employment land supply.

It is therefore considered that the proposed use of the application site as a Class D2 leisure use would not prejudice the viability or vitality of either the City Centre or nearby local centres and therefore does not conflict with Core Strategy Policies 10 and 11 or the Framework.

Traffic and highway safety

CS Policy 3 and LP Policy ST2 require development proposals to demonstrate that efficient and convenient movement of all highway users and corridors which could be developed as future transport routes, are not prejudiced; existing pedestrian, cycle and equestrian routes are protected and extended; the needs of disabled people are fully provided for; appropriate provision is made of vehicular access, off-street servicing, vehicle parking and public transport services; and that measures are included for road safety and to facilitate access on foot and by bicycle. LP Policy ST1 requires all development proposals to provide car and cycle parking and servicing space in accordance with the requirements set out in LP Appendix B. Paragraph 32 of The Framework states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

In conjunction with the demand for the proposed use in this location, the application site is ideally located. The site is served by adequate communal parking for cars and motorcycles. County Highways also confirmed in a recent prior notification application for a nursery use in an adjacent unit that the existing and planned pedestrian facilities on Oliver's Place and Eastway would support pedestrian movements to and from Broughton Business Park (ref. 06/2018/1308). The proposal is considered to represent a non-intensive D2 leisure use which would be unlikely to result in any detrimental impacts on neighbouring commercial uses. A condition limiting use of the premises to 'gymnasium' within the Class D2 Use Class can ensure this remains so.

Amenity

The Framework seeks to ensure a good standard of amenity for all existing and future occupants of land and buildings. It is considered that the proposals would improve the amenity of the premises in that it would involve the refurbishment and re-use of a long standing vacant unit. The proposal would also introduce an active use which would encourage other prospective tenants to make active use of the other remaining vacant units.

	The proposal would not result in any detriment to the amenity of existing or future occupants of neighbouring units.
1.7	Value Added to the Development
	A sequential test was submitted at the request of the Council and an updated Plan of the unit layout has been provided.
1.8	Conclusions
	<p>Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that if regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts the determination must be in accordance with the plan unless material considerations indicate otherwise.</p> <p>No objections have been received relating to the proposed development. The proposed development is acceptable and would not have any unacceptable adverse impacts on the vitality and viability of the city centre, traffic and highway safety, the amenities of neighbouring occupiers and would not result in the unacceptable reduction in the type, quality or quantity of employment land supply. The proposal does not conflict with the relevant provisions of the Central Lancashire Core Strategy and the Preston Local Plan 2012-2026 (Site Allocations & Development Management Policies) and there are no material considerations which outweigh this finding. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, the application is approved.</p>
1.9	Recommendation
	Approval with conditions
2	Compliance with paragraphs 186 and 187 of the National Planning Policy Framework
	The Local Planning Authority has acted positively and proactively in determining this application, in accordance with paragraph 38 of the National Planning Policy Framework, by assessing the proposal against relevant planning policies and all material considerations, identifying matters of concern within the application (as originally submitted) and negotiating acceptable amendments to the proposal with the applicant in order to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development.

Conditions

1. The development hereby permitted shall only be implemented in accordance with the approved plans. This approval relates to drawing numbers: 'F-Plan', 'F-Layout' and 'F-Parking'
2. The development hereby permitted must be begun not later than the expiry of three years beginning with the date of this permission.
3. The premises shall be used as a sports gymnasium and for no other purpose, including any other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.

Reasons

1. To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.
2. Required to be imposed pursuant to section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.
3. The use of the premises other than in accordance with the approved use would require further consideration by the Local Planning Authority and may not be appropriate in this locality in order to safeguard the amenities of the neighbouring properties, in accordance with Policy 17 of the adopted Central Lancashire Core Strategy, Policy AD1(a) of the Adopted Preston Local Plan 2012-26 (Site Allocations and Development Management Policies).