

**PLANNING
COMMITTEE**

3rd April 2013

PLANNING APPLICATION 2013/032/COU

**CHANGE OF USE FROM CLASS A1 (RETAIL) TO CLASS D2
(GYMNASIUM).**

**FORMER T J HUGHES (LOWER GROUND FLOOR), 6 KINGFISHER
SQUARE, KINGFISHER SHOPPING CENTRE, TOWN CENTRE,
REDDITCH**

**APPLICANT: MR ROMIT CHAUHAN
EXPIRY DATE: 13 MAY 2013**

WARD: CENTRAL

(See additional papers for Site Plan)

The author of this report is Sharron Williams, Planning Officer (DM), who can be contacted on extension 3372 (e-mail: sharron.williams@bromsgroveandredditch.gov.uk) for more information.

Site Description

The site is located on the lower ground floor of the Kingfisher Shopping Centre towards the end of the shopping parade in the locality of the bus station. The site comprises of the former TJ Hughes unit that previously occupied a ground and lower ground floor unit in this location. However, this application only relates to the lower ground floor of this former store.

Proposal Description

It is proposed to convert the unit from Class A1 retail to Class D.2 Gymnasium. No external alterations are proposed to the unit, therefore, the design and appearance of the existing unit would remain the same. However, the details submitted do not show the internal layout of the gymnasium.

It is proposed to operate 24 hours a day 365 days of the year. Direct access to the unit would be via multi storey car park 1 and through the pedestrian access points from within the Kingfisher Centre.

The application is supported by a Planning Statement which states that the gymnasium would enhance the leisure and entertainment services in the Kingfisher Centre and enhance the vitality and viability of Redditch Town Centre. The internal layout of the unit is currently unknown. However, the tenants fit out will be subject to building regulation approval as well as the Town Centre management approval. It is envisaged that the proposals would have no detrimental impact on noise to the surrounding neighbourhood or existing tenants within the Centre.

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Relevant Key Policies

All planning applications must be considered in terms of the planning policy framework and all other relevant material considerations (as set out in the legislative framework). The planning policies noted below can be found on the following websites:

www.communities.gov.uk

www.wmra.gov.uk

www.worcestershire.gov.uk

www.redditchbc.gov.uk

National Planning Policy

National Planning Policy Framework (NPPF)

The NPPF requires planning policies to be positive and promote competitive Town Centre environments that should provide customer choice. A range of sites for retail, leisure, commercial, tourism and cultural development should be available within the Town Centre.

Regional Spatial Strategy and Worcestershire County Structure Plan

Whilst the RSS and WCSP still exist and form part of the Development Plan for Redditch, they do not contain any policies that are directly related to or relevant to this application proposal. Therefore, in light of recent indications at national level that Regional Spatial Strategies and Structure Plans are likely to be abolished in the near future, it is not considered necessary to provide any detail at this point in relation to the RSS, or the WCSP.

Borough of Redditch Local Plan No.3

E(TCR).1 Vitality and Viability of the Town Centre

Paragraph 215 of the NPPF states that due weight be given to relevant policies in existing plans according to the degree of consistency with the NPPF (the closer the policies of the plan to the policies of the NPPF, the greater the weight that may be given). In accordance with paragraph 215 of the NPPF, the above policies should be afforded due weight, as the aspirations of these policies are consistent with the NPPF.

Supplementary Planning Guidance / Supplementary Planning Documents

Borough of Redditch Supplementary Planning Document (SPD) on Designing for Community Safety

Other relevant corporate plans and strategies

Town Centre Strategy (TCS)

Relevant Site planning History

2000/168 Demolition of existing buildings and erection of 4 storey building comprising bus station, retail with food and drink uses and leisure development. Approved 3 Nov 2000.

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Public Consultation Responses

No comments submitted.

Consultee Responses

Development Plans

Borough of Redditch Local Plan No.3

Policy E(TCR).1 Vitality and Viability of the Town Centre

This policy states that the Town Centre should be the focus for entertainment and leisure uses, provide vibrant mixed uses and promote a vibrant and safe, high quality, evening economy comprising a mix of leisure and entertainment uses.

Draft Borough of Redditch Local Plan No.4

Policy 29 Town Centre and Retail Hierarchy

This Policy promotes the redevelopment and diversification of the Town Centre by providing vibrant mixed uses, promoting the appropriate re-use of floor space within the Town Centre and promoting a vibrant and safe, high quality, evening economy comprising a mix of leisure and entertainment uses.

Policy 30 Regeneration for the Town Centre

This policy seeks to enhance the attractiveness of the Town Centre.

National Planning Policy Framework (NPPF)

The NPPF contains a chapter which seeks to ensure the vitality of Town Centres.

County Highway Network Control

No objection to the grant of permission.

Crime Risk Manager

No objection to the proposal.

Community Safety Officer

No objection to the proposal.

Town Centre Coordinator

No objection to the proposal.

Worcestershire Regulatory Services (Environmental Health)

No comments to make on the proposal.

Worcestershire Regulatory Services (Contamination)

No comments to make on the proposal but recommend an unexpected contamination condition.

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Severn Trent Water

No objection to the proposal subject to the inclusion of a condition.

Assessment of Proposal

The key issues for consideration in this case are:-

Principle

The site is located within the Kingfisher Centre which is located in Redditch Town Centre. The application site is within the vicinity of the Retail Core as designated in the Borough of Redditch Local Plan No.3, but is not within it as the application site is on the lower ground floor of the Centre (rather than the ground floor). Therefore, Policy E(TCR). 5 of Local Plan No.3 would not apply to this application.

However, policy E(TCR).1 of Local Plan No. 3 would apply and encourages entertainment and leisure uses in the Town Centre to promote a vibrant and safe, high quality, evening economy. The proposed use would enhance both the day and evening economy in the Town and would comply with this policy.

Policy 29 of the new Local Plan No.4 encourages the appropriate re-use of floor space within the Town Centre for a vibrant and safe, high quality, evening economy of leisure and entertainment uses that attract a large number of people. This proposal would be in accordance with this emerging policy.

Policy 30 Regeneration for the Town Centre

This policy seeks to enhance the attractiveness of the Town Centre. This application would contribute towards diversifying the Town Centre and adding to the vitality and vibrancy of the Centre and would be in accordance with this emerging policy.

It is important to note that when the application is considered at Planning Committee the draft Local Plan No.4 is likely to be in the process of a public consultation and as such the policies concerned carry very limited weight at this stage.

The NPPF contains a chapter which seeks to ensure the vitality of Town Centres. Paragraph 23 of the NPPF states that local planning authorities should recognise Town Centres as the heart of their communities and pursue policies to support their viability and vitality.

This proposal contains a use which would comply with policies in Local Plan No. 3, the NPPF, as well as emerging policies in the draft Local Plan No.4. Therefore, the principle of the proposed use is considered to be acceptable. It is also important to note that a gymnasium was approved as part of the bus station redevelopment under planning application reference 2000/168. Therefore, the principle of such a facility has already been considered favourably in this vicinity.

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Design and layout

The frontage of the unit would remain the same which is currently glazing. The plans submitted show no internal details of how the gymnasium would be laid out in respect to changing facilities, fitness rooms and any other facilities such as saunas etc. which makes officers consider that the proposal is speculative at this stage with no end user at present. However, it is likely that air conditioning units would be required for the proposed use which could have an impact on the external appearance of the building. Therefore, it is considered appropriate that a condition be imposed for the submission for approval of details for air conditioning units and any other external alterations that may be required for the conversion.

Highways and Access

In respect to car parking the proposal is within the Kingfisher Centre which is served by several multi storey car parks. However, it is anticipated that car park 1 would be the most accessible car park for these facilities. In addition, the location of the use relates well to public transport links nearby.

Other matters

The details submitted for the application state that the gymnasium would be open 24 hours 7 days a week. As the facility is within the Kingfisher Centre, the hours of opening would be dependent on the hours of opening of the Kingfisher Centre. Therefore, additional information will be sought on this matter for clarification purposes, and be provided in the Update Report.

Conclusion

The proposal complies with current Local Plan No.3 policies and emerging policies. It is located within an area of the Shopping Centre that is being promoted for a mix of uses to encourage day and night time economy in order to enhance the vibrancy, vitality and viability of the main Kingfisher Centre. Therefore, the proposal is considered to be acceptable.

Recommendation

That having regard to the development plan and to all other material considerations, planning permission be GRANTED subject to conditions and informatives as summarised below:-

- 1 Development to commence within 3 years.
- 2 Plans approved specified.
- 3 Use defined.
- 4 Drainage condition.
- 5 Details of air conditioning units and any other external alterations to be submitted and approved.

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Informatives

- 1 Reason for approval.
- 2 LPA acted in a positive and proactive manner.
- 3 Drainage informative.
- 4 Contact Community Safety for access control measures.

Procedural matters

This application is being reported to the Planning Committee because the proposal is a major development with a recommendation to grant planning permission. As such the application falls outside the scheme of delegation to officers.