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13th December 2011

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**PLANNING APPLICATION 2011/282/COU**

**CHANGE OF USE FROM REDUNDANT FACTORY UNIT (CLASS B.1) TO  
FORM FITNESS SUITE (CLASS D.2)**

**TRAFFORD PARK, UNIT 19 TRECOTT ROAD, REDDITCH**

**APPLICANT:       COMPETITION LINE UK LTD  
EXPIRY DATE:     2ND DECEMBER 2011**

**WARD:             CENTRAL**

The author of this report is Sharron Williams, Planning Officer (DM), who can be contacted on extension 3206 (e-mail: sharron.williams@bromsgroveandredditch.gov.uk) for more information.

**(See additional papers for Site Plan)**

**Site Description**

The site forms part of a row of similar designed factory units with adjacent off street car parking bays located within a cul de sac. The land slopes down from the north of the site, and the units are built into the slope. The unit is approximately 1250 sq m and is two storey, comprising of a pitched roof with a brick and grey clad elevation. A roller shutter door and numerous windows and personnel doors exist on the front elevation. The unit is currently unoccupied.

**Proposal Description**

Permission is sought to convert the factory unit to a fitness suite (Class D.2). Internal works are proposed to create changing room facilities, two studios, exercise room, associated offices and staff rooms, and two open plan fitness suites one on each floor served by a new central staircase. Some external works are proposed, mainly the insertion of a glazed main entrance in the roller shutter opening on the front elevation.

Additional car parking (16 car spaces) is proposed in the main communal car parking area to the south of the row of factory units. Also the car parking layout directly outside the unit would be revised to include an additional disabled car space to make a total of 2 car spaces. A cycle stand for 8 bicycles is proposed close to the glazed entrance of the unit.

Hours of opening are proposed to be as follows:-

Monday – Friday	06:00 - 22:00
Saturday, Sunday and Bank Holidays	08:00 - 22:00

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The application is supported by a Design & Access Statement, which states that the proposal would provide a fitness facility with 100 pieces of fitness equipment and ancillary studios providing space for dance, aerobics and spinning classes.

The application is supported by a Principle of Development Statement which refers to a Sequential Assessment of alternative sites that the applicant has considered. The Assessment addresses issues such as availability, suitability, viability, town centre locations prior to out of town locations. The sites considered were as follows:-

- Lakeside Industrial Estate
- Prospect House
- Threadneedle House
- Trafford Park Industrial Estate

### *Lakeside Industrial Estate*

Considered unsuitable because of limited height negating the possibility of introducing a mezzanine level incorporating commercial storey heights. Also, not in close proximity to large residential areas and is not town centre.

### *Prospect House*

Primarily office accommodation, the compatibility of office and leisure use in this particular arrangement would be difficult in practical terms and would make sub-division awkward.

### *Threadneedle House*

In a good location but accommodation is spread over four floors which in terms of management and facility provision would be impractical.

### *Trafford Park Industrial Estate*

Considered to be the most suitable in terms of adaptability of the building, with easy and immediate access to the town centre, linking infrastructure and reasonable on site car parking. The site is close to public transport routes and within acceptable travel distances to residential areas. Proposal brings a commercial building back into use. Proposal would complement surrounding commercial mixed uses.

The application is supported by a Climate Change Statement which states that the building incorporated heat loss and energy consumption when it was originally built and satisfied Building Regulations at the time of construction. New lighting installations will consist of low energy fittings that would be activated by motion sensors. Air conditioning and ventilation systems will specify and use equipment that qualifies for the Governments Enhanced Capital Allowance Scheme which encourages developers to install energy efficient plant and machinery. The utilisation of an existing building with full

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infrastructure facilities minimises further, any impact the proposal would have on climate change.

The application is supported by a Secured by Design Statement which states that the building exterior will not be altered other than converting the existing roller shutter door to a feature entrance screen. The roller shutter will be retained for security when the premises are not in use. Windows are minimal with all being on the public / car park elevation and are aluminium with dual locking. Ground floor doors are for escape purposes only with no ironmongery on the external face. Car parking is open aspect for ease of surveillance. CCTV cameras would be installed within the building particularly monitoring the main entrance and a security alarm would be installed.

The application is supported by a Cycle and Walking Route Statement which states that the site is served by an existing infrastructure of roads and footpaths interconnected with the established road and footpath network. The site is approximately 0.5 km from the National Cycle Network route, and cycle parking provision has been included in the proposals.

## **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](http://www.communities.gov.uk)

[www.wmra.gov.uk](http://www.wmra.gov.uk)

[www.worcestershire.gov.uk](http://www.worcestershire.gov.uk)

[www.redditchbc.gov.uk](http://www.redditchbc.gov.uk)

## ***National Planning Policy***

PPS.1 (& accompanying documents) Delivering Sustainable Development  
PPS.4 Planning for Sustainable Economic Growth

## ***Regional Spatial Strategy***

PA1 Prosperity for All  
PA6 Portfolio of Employment Land  
T7 Car Parking Standards and Management

## ***Worcestershire County Structure Plan***

SD.4 Minimising the Need to Travel  
D.19 Employment Land Requirements  
D.24 Location of Employment Uses in Class B8  
D.25 Use of Employment Land for Specific Uses within Class B  
D.26 Office Development (Class A2 and Class B1)  
T.4 Car Parking  
T.10 Cycling and Walking

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## ***Borough of Redditch Local Plan No.3***

CS.7	The Sustainable Location of Development
E(EMP).1	Employment Provision
E(EMP).3	Primarily Employment Areas
E(EMP).3a	Development Affecting Primarily Employment Areas
E(TCR).1	Vitality and Viability of the Town Centre
E(TCR).4	Need and Sequential Approach
C(T).12	Parking Standards

The site is within an area designated for Primarily Employment Uses in the Borough of Redditch Local Plan No.3, and is also a site allocated for employment development to meet the Borough's strategic employment requirement as designated in the Local Plan.

## ***Supplementary Planning Guidance/Supplementary Planning Documents***

Designing for Community Safety  
Employment Land Monitoring

## ***Emerging Policies***

The government has recently published its draft National Planning Policy Framework document (NPPF). Whilst it is a consultation document and, therefore, subject to potential amendment, nevertheless it gives a clear indication of the Government's 'direction of travel' in planning policy. Therefore, the draft National Planning Policy Framework is capable of being a material consideration, although the weight to be given to it will be a matter for the decision maker's planning judgment in each particular case. The current Planning Policy Statements, Guidance notes and Circulars remain in place until cancelled.

It is not considered in this case that this policy direction is significantly different from that in the other Development Plan documents that are relevant to this decision, and therefore is not referenced further due to it having only little weight at this stage.

The Core Strategy is the document that will eventually replace the local plan, and is currently working through the process towards adoption. It has been published and consulted upon, and therefore counts as emerging policy to which some weight can be given in the decision making process. The current version is the 'revised preferred draft core strategy' (January 2011).

The Core Strategy contains objectives for the overall approach to development in the Borough up until 2026, as well as strategic policies.

## ***Other Relevant Corporate Plans and Strategies***

Town Centre Strategy (TCS)  
Redditch Economic Development Strategy

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**Relevant Site Planning History**

<b>Appn. no</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
93/156	Outline app – construction of 4 retail units, 7 industrial units and drive in restaurant all with associated parking facilities	Approval	13 August 1993
93/490	Reserved Matters – Construction of 5 retail units, and 4 industrial / warehouse, with associated car parking	Approval	25 March 1994

**Public Consultation Responses**

**Responses in favour**

1 letter stating no objection to the change of use of the unit.

**Consultee Responses**

***County Highway Network Control***

No objection to the grant of permission.

***Worcestershire Regulatory Service***

No comments to make in respect to this application.

***Crime Risk Manager***

No comments submitted.

**Development Plans**

**Revised Draft Core Strategy** The proposal would conflict with the Spatial Vision in the Revised Preferred Draft Core Strategy, as it would be a leisure provision outside of the Town Centre.

**PPS.1** States that it is one of the Governments key objectives to ensure that suitable locations are provided for economic development, it is important that this site is not lost to other uses such as a D2 use.

**PPS.4** The proposed use is an appropriate town centre use that can increase economic prosperity within the town centre. PPS.4 points out that a sequential assessment is required for planning applications for main town centres uses that are not in an existing centre and are not in accordance with the development plan.

**Borough of Redditch Local Plan No.3** This application would restrict the current and future use of this site for employment purposes and as such would not comply with Policy E(EMP).3 and E(EMP)3a. The proposed leisure use would not be considered to be compatible with the surrounding uses for reasons including amenity and car parking.

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This application is contrary to Policy E(TCR).1 as it has not fully considered the use of the town centre for this facility as per the policy requirement.

Supplementary Planning Guidance Employment Land Monitoring This document makes a clear distinction between redundant employment land and unoccupied employment land.

## ***EDU***

The property has been vacant since 16/11/10. During this time, it has been considered by 17 enquirers looking for industrial premises of this size. In the past 12 months there have been 56 enquiries from businesses looking for industrial properties between 929 and 1,393 sq m. In 2009 the average length of time an industrial unit between 929 and 1,858 sq m was on the market before being let was 441 days. Do not recognise any exceptional circumstances why this unit would not attract a B user class occupier and therefore do not support the application for change of use.

## **Assessment of Proposal**

The key issues for consideration in this case are:-

### Principle of Change of Use

It is important to clarify firstly that the application site is not in the Town Centre and it is also not located within the Town Centre Peripheral Zone as designated in Local Plan.3. This is an important distinction to bear in mind whilst considering this proposal in relation to the following policies:-

#### **PPS.1**

Key objective of PPS.1 is to provide suitable locations for economic development. This particular site is an allocated site in the Local Plan for employment development (site IN42) and has been developed for this purpose. To use the premises for a non employment use would reduce the opportunity to secure economic prosperity in this area of the Borough. It is important to note that generally this size building is sought after given the level of interest Economic Development receive in respect to enquiries for units of this size. Therefore, it is imperative that the site be available to contribute towards the employment land portfolio for the Borough. The proposal conflicts with PPS.1 guidance.

#### **PPS.4**

The applicant has submitted a Principle of Development statement which states that a sequential assessment has been carried out on 4 sites, the assessment should include the availability, suitability and viability of town centre locations before considering edge of centre locations. However, only one of the sites the applicant has considered is within the town centre, therefore, it is considered that the sequential assessment submitted is unsubstantial and weakens the applicant's case for a leisure facility outside the town centre and as such the proposal conflicts with PPS.4. In addition,

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PPS.4 states that the impact of such an application on town centres should be considered; as such proposals would have a detrimental impact on the town centre. Due to the nature of the proposal, it is likely that a leisure use in the location proposed could potentially draw investment out of the town centre, which may be harmful to the vitality and viability of the centre.

***Borough of Redditch Local Plan No.3***

The site is within an area designated for Primarily Employment Uses in the Borough of Redditch Local Plan No.3 where the primary aim of Policy E(EMP).3 is to maintain uses within Classes B1 (Business), B2 (General Industry) or B8 (Storage or Distribution). In addition, the site forms part of a commercial complex allocated (site IN42) for employment development under Policy E(EMP).1 to meet the Borough's strategic employment requirement as designated in the Local Plan. The change of use of this unit to a fitness suite (Class D2) would be detrimental to the aims and objectives of Policy E(EMP).1 and E(EMP).3 of Local Plan No.3.

Policy E(EMP).3 states that non-employment development within Primarily Employment Areas will only be considered where it can be demonstrated that the loss of the site will not have an unacceptable loss on the supply of employment land within the Borough and that the use is compatible with the use of adjacent land for employment purposes. It should also be demonstrated that the site is not capable of being developed for employment use. This application is contrary to all of the points detailed under this policy. The applicants have not demonstrated that the site is not capable of being developed for employment use, or that the loss would not have an unacceptable impact on the supply of employment land in the Borough. The applicants have not demonstrated that the current use of the site for employment purposes raises unacceptable environmental or traffic problems.

The proposal would also be contrary to Policy E(EMP).3a which requires development to be compatible with the use of Primarily Employment Areas. This application would restrict the current and future use of this complex for employment purposes. As this location is a primarily employment area the proposed leisure use would attract a large number of people which could have various amenity implications on the surrounding uses as well as a high demand for parking, this use would not be considered compatible with the existing surrounding employment uses.

Policy CS.7 of the Borough of Redditch Local Plan No.3 states that uses that attract a lot of people will be directed to the Town Centre. The proposed development, being one such use would be ideally suited to a town centre site rather than an out of centre location such as the application site, which has relatively poor public transport links. The proposal is therefore considered to be unsustainably located having regard to that Policy. In addition, the proposal would not comply with Policy E(TCR).1 which seeks to maintain and enhance the vitality and viability of the Town Centre by

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encouraging a wide range of facilities such as retail, commercial, public offices, community facilities, entertainment and leisure. This application is contrary to this policy as it has not fully considered the use of the town centre for this facility as per the policy requirement, it is noted that this proposal is in close proximity to the edge of the centre, however as this use would attract a large volume of people the town centre should be considered in the first instance.

Given that this use would attract a large volume of people, it is appropriate that it be provided in a town centre location, therefore, the approval of this use outside of the town centre would be contrary to Policy E(TCR).1 which seeks to maintain and enhance the vitality and viability of the town centre.

Supplementary Planning Guidance Employment Land Monitoring (2003)  
This SPG makes a clear distinction between redundant employment land and unoccupied employment land. The applicant has stated within the proposal that this site is considered to be redundant. The SPG defines redundant as the following:

*“Redundant employment land - Land or buildings that meet all of the following criteria (regardless of state of buildings/land);*

- *formerly occupied by B Class employment uses; and*
- *totally unoccupied for a minimum of 2 years and 3 months.”*

It is considered that the applicant has not demonstrated that the site meets the redundant classification and therefore it can only be assumed that the site is simply ‘unoccupied’. The SPG defines unoccupied as;

*“Land or buildings with existing B Class use rights which are not in full productive use but for which there is a reasonable expectation of reoccupation for B Class use (of existing or new buildings). Such sites are not yet considered to be redundant.”*

Therefore until this site reaches a redundant state it is considered there is a reasonable expectation this site will be reused for employment purposes. Should the site be considered redundant it should still form part of the employment land portfolio until all other aspects of the SPG are fulfilled and the current Development Plan no longer requires the site for employment purposes. However, as there is an acute shortage of employment land within the Borough it is very unlikely this situation will occur.

The importance of retaining this building for employment purposes are further emphasised following comments from EDU who have stated that there is a need and interest in this size unit for employment purposes, and whilst this particular unit has been unoccupied since 16th November 2010, such sized units are on average being let again after 441 days. Therefore, it is unreasonable to consider the unit as a redundant building.



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Design and Layout

Notwithstanding the above concerns the proposed elevational treatment would be considered to be in keeping with the unit. However, these elevational works would also be acceptable if the use of the unit remained a Class B1, B2 or B8 use.

Highways and Parking

The proposal involves rearranging the car parking provision directly outside the frontage of the unit to provide an additional disabled car parking space. Also, an additional 16 car parking spaces are proposed to be provided to the south of the commercial complex in the cul de sac area. The maximum car parking requirement for this proposal would be 56 spaces and 3 disabled car spaces. The car parking provision directly outside the unit and including the communal car parking area (as extended) equates to 77 spaces with 2 disabled car spaces. However, the communal car parking (67 spaces) is intended for all occupiers of the 4 commercial units in the complex. Given that the complex is not fully occupied at present this provision would be acceptable, however, there could be issues of parking in the future when all the units are full (only one occupied at present). However, County Network Control has no objection to the proposal.

Conclusion

The proposal would be on land allocated for employment development, therefore, the proposed use would take away the availability of employment land that is sought after in the Borough to meet the Council's strategic employment requirements and would be contrary to policies in the Local Plan No.3. In addition, the proposed use ought to be located in the town centre given the nature of the use and the volume of people who would use it. Such a use in the town centre would maintain its vitality and viability. Locating a leisure use outside of the town centre would have a detrimental impact on the centre and would conflict with Local Plan policies. Given that the proposal is not located within the town centre or the edge of centre (Town Centre Peripheral Zone), a sequential assessment is required under PPS.4. The assessment that has been submitted does not adequately demonstrate a thorough assessment of available town centre locations and as such does not address the requirements of PPS.4 and policies E(EMP).1 and E(EMP).3 of the Local Plan No.3. There is also a concern that the provision of a leisure facility in the middle of a modern employment complex would not be compatible with the surrounding employment units, and could have an impact on amenity in the area, as well as parking, and could potentially hinder interest in the remaining unoccupied units for Class B uses.

For these reasons, Officers consider that the proposal should be resisted in the interests of protecting employment land within the Borough.

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**Recommendation**

**That having regard to the development plan and to all other material considerations, planning permission be REFUSED for the following reasons:-**

1. The proposed change of use to a leisure facility (Class D.2) would result in a loss of land designated for employment use (B1, B2, and B8). In the absence of any justification for this loss, the proposal is considered to be harmful to the employment land supply for the Borough and would be contrary to Policy E(EMP).3 of the Borough of Redditch Local Plan No.3. The proposal would also conflict with policies and objectives of PPS.1 Delivering Sustainable Development and PPS.4 Planning for Sustainable Economic Growth.
2. The provision of a leisure facility (Class D.2) in a designated Primarily Employment Area would hinder the amenities of the adjacent employment units and as such would not be compatible with the potential and existing employment uses in this complex and as such would be contrary to Policy E(EMP).3a of the Borough of Redditch Local Plan No.3.
3. Documents submitted by the applicant to justify the location of a leisure facility outside the town centre are insufficient to address the sequential assessment requirements set out under PPS.4 Planning for Sustainable Economic Growth and would be contrary to Policies E(EMP).1 and E(EMP).3 of the Borough of Redditch Local Plan No.3.
4. The provision of a leisure facility (Class D.2) use in a location outside of the town centre would by its very nature, have a detrimental impact on the vitality and viability of the town centre and would be contrary to Policies CS.7 and E(TCR).1 of the Borough of Redditch Local Plan No.3.