

Application No: 14/2237C  
Location: Radnor Park Industrial Estate, BACK LANE, CONGLETON  
Proposal: Change of use from offices / manufacturing (B2) to fitness centre  
Applicant: Pulse fitness  
Expiry Date: 14-Aug-2014

**SUMMARY RECOMMENDATION:**

APPROVE subject to conditions

**MAIN ISSUES:**

The key issues in the determination of this application are:

- a) Principle of Development
- b) Loss of Employment Land
- c) Highways
- d) Residential Amenity

**REASON FOR REPORT**

The application is included on the agenda of the Northern Planning Committee as the proposal relates to a site measuring more than 1ha in size and is therefore a small-scale major development.

**DESCRIPTION OF SITE AND CONTEXT**

This application relates to the site of an existing commercial warehouse (46,025 square metres), office building and associated parking and loading areas on the western edge of Radnor Park Industrial Estate in Congleton. The surrounding uses are predominantly commercial and industrial in nature, however, the built up area to the west. The site is situated within the settlement zone line of Congleton as designated in the adopted Congleton Borough Local Plan First Review (2005).

**DETAILS OF PROPOSAL**

Full planning permission is sought to change the use of the integral offices associated with the manufacturing centre to use as a fitness centre. The proposal would amount to a change in use of 807 square metres of floorspace. The existing site offers some 46,025 square metres of B2 general industrial floorspace.

## RELEVANT HISTORY

08/1728/FUL - New access and parking area - Approved 04-Dec-2008

13/5117C - Change of use from manufacturing unit to fitness centre – Withdrawn 07-Mar-2014

## POLICIES

### Congleton Borough Local Plan Policy:

PS4	Towns
GR1	New Development
GR2	Design
GR6	Amenity & Health
GR9	Accessibility, servicing and parking provision
GR18	Traffic Generation
E10	Re-use or Redevelopment of Existing Employment Sites

### Cheshire East Local Plan Strategy – Submission Version:

Paragraph 216 of the National Planning Policy Framework (NPPF) states that, unless other material considerations indicate otherwise, decision-takers may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

In view of the level of consultation already afforded to the plan-making process, together with the degree of consistency with national planning guidance, it is appropriate to attach enhanced weight to the Cheshire East Local Plan Strategy - Submission Version in the decision-making process.

At its meeting on the 28<sup>th</sup> February 2014, the Council resolved to approve the *Cheshire East Local Plan Strategy – Submission Version* for publication and submission to the Secretary of State. It was also resolved that this document be given weight as a material consideration for Development Management purposes with immediate effect. Thus, the relevant policies are:

Policy SD 1 Sustainable Development in Cheshire East  
Policy SE 1 Design  
Policy EG 3 Existing and Allocated Employment Sites

**Other Material Considerations**

National Planning Policy Framework

**CONSULTATIONS (External to Planning)**

**Environmental Protection:**

No comments received

**Strategic Highways Manager:**

No comments received

**Archaeology:**

This application has no archaeological implications and no archaeological mitigation is advised.

**VIEWS OF CONGLETON TOWN COUNCIL:**

No objection

**OTHER REPRESENTATIONS:**

None received

**APPLICANT'S SUPPORTING INFORMATION:**

Design & Access Statement  
Marketing Information

**OFFICER APPRAISAL**

**Principle of Development**

The application site is located within the settlement zone line for Congleton, where according to Policy PS4, there is a general presumption in favour of development provided that it is in keeping with the town's scale and character and does not conflict with other policies.

The proposals involve the change of use of part of the existing manufacturing and office building at the site. The use would be accommodated within the existing buildings and as such, no operational development is proposed. The character and appearance of the site and the area would remain unchanged and as such would not be affected by the proposals.

According to Local Plan Policy E10, proposals for the change of use or redevelopment of existing employment sites to non-employment uses will not be permitted unless it can be demonstrated that the site is no longer suitable for employment use or there would be substantial planning benefit in permitting alternative uses that would outweigh the loss of the site for employment purposes. This advice is consistent with the NPPF and Policy EG 3 (Existing and Allocated Employment Sites) of the Cheshire East Local Plan Strategy – Submission Version.

In considering whether the site is no longer suitable for employment uses, account will be taken of:

- 1 The location of the site or premises and the physical nature of any building
- 1 The adequacy of supply of suitable employment sites and premises in the area
- 2 Whether reasonable attempts have been made to let or sell the premises for employment uses

The site is located within an established industrial estate on the north-westerly edge of Congleton. The site is well connected being positioned in close proximity to services and facilities and is accessible by various modes of transport. Whilst the buildings appear to be in reasonable condition and contribute to the employment floorspace within an established industrial estate, the buildings are outdated and are in need of investment.

The general demand and uptake of existing units within the area appears to be good with most units occupied. However, the applicant has stated that despite marketing the buildings for re-use from 2007 to 2013 (when the applicant purchased the site), there was no interest received from industrial users. Whilst there has been some limited interest, these were for alternative non-industrial uses and as such were not pursued.

Additionally, the marketing exercise included the offer of splitting the office accommodation from the main manufacturing warehouse. However, there is an abundance of modern office floorspace in close proximity to the site which is more attractive to end users and is not out-of date or substandard compared with the office accommodation the subject of this application. As such, these efforts to secure re-use of the office accommodation have also been unsuccessful.

With respect to the manufacturing part of the site, the proposal will only see the partial loss of floorspace (807 square metres), which will mainly comprise of existing office floorspace for which there has been no success in securing re-use and for which there is already a healthy supply in the area. Consequently, it is considered that the proposal would only amount to a small loss of employment floorspace, for which it has been demonstrated that there is no real interest in re-using as employment floorspace.

In considering whether there would be a substantial planning benefit from permitting an alternative use account will be taken of:

- 1 Any benefits in terms of traffic generation, noise or disturbance to amenity
- 1 The impact the proposal would have on the environment & economy of the local area
- 2 The need for the proposal and its potential contribution to the local area

### 3 The requirements of other relevant policies of the local plan.

The site benefits from good vehicular access and is capable of being serviced by large articulated vehicles. Whilst the local road network does provide access to residential properties, the present lawful use of the site and the wider industrial estate operates without causing significant harm to these neighbouring uses and the local highway network. The proposal would provide some employment benefits with the creation of 4 new jobs and would constitute a sustainable form of development. In any event, it is considered that the loss of this small amount of floorspace, predominantly office space would not undermine the contribution of employment floorspace in the area.

Taking the above into account, it is considered that the proposal complies with Local Plan Policy E10 and the emerging Policy EG3 in the Local Strategy.

#### **Highways**

The proposal would make use of the existing vehicular access and parking areas. These are capable of serving the proposed use without giving rise to parking or highway safety issues in the area. In assessing the previously withdrawn application for the same development, the Strategic Highways Manager offered no objection to the proposals. As such, the proposal is found to be acceptable in terms of highways and parking.

#### **Residential Amenity**

The nearest residential properties are sited approximately 50 metres to the west. In view of the current lawful industrial use at the site and the pattern of surrounding commercial development; it is not considered that the proposed use would have any greater material harm on neighbouring residential amenity. Conditions controlling hours of use could minimise any disturbance at sensitive times.

#### **Conclusions and Reasons for the Decision**

The applicant has demonstrated that part of the site is unsuitable for its current use and that reasonable attempts have been made to market part of the site for either its current use or redevelopment for alternative B2 uses. The proposal would amount to a small loss of employment space relative to the size of the site and therefore the loss of employment opportunities would not be felt.

There is no evidence to demonstrate issues arising from the site's use in terms of noise, general disturbance or traffic flow, and furthermore the proposal will provide a recreational use which will benefit local provision. The proposal will have no greater impact than the current lawful use and as such, the development is found to accord with the Development Plan and is recommended for approval.

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning and Enforcement Manager, in consultation with the Chair (or in his absence the Vice Chair) of Northern

Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

#### Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. The development hereby approved shall commence within three years of the date of this permission.
2. Approved plans
3. Hours of opening
4. Parking
5. Parking
6. Parking

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