

Application No: 14/2083M

Location: 4 Brooke Park, Epsom Avenue, Handforth, Wilmslow, Cheshire, SK9 3RL

Proposal: Change of use of existing vacant industrial warehouse unit to an indoor Trampoline Park (class D2 leisure use)

Applicant: Erik Haugen, High Heaven

Expiry Date: 25-Jul-2014

Date Report Prepared: 25 July 2014

SUMMARY RECOMMENDATION

Approve, subject to conditions

MAIN ISSUES

- The principle of the development;
- Highways, access, servicing and parking issues;
- Design and Amenity Implications;
- Flood Risk; and
- Other Health Benefits.

REASON FOR REPORT

The proposal is a major development as defined by The Town and Country Planning (Development Management Procedure) Order 2010. Under the Council's constitution such applications are required to be considered by Committee.

Subject to the recommended conditions, the proposal is considered to be acceptable for the reasons set out in the appraisal section of this report.

DESCRIPTION OF SITE AND CONTEXT

This application seeks planning permission for the change of use of 4 Brooke Park in Handforth from an open class "B" use to a Trampoline Park D2 (leisure) use.

The application site is located at Brooke Park, an industrial estate of eight industrial warehouse units, built over two phases. It is located to the rear of Stanley Green Industrial Estate in Handforth. The building forming this planning application provides large, clear span industrial warehouse accommodation, incorporating ancillary offices at ground and at mezzanine/first floor levels, with good access and turning areas with allocated car parking. The unit has a full height loading door and a separate loading/turning area for delivery and

refuse vehicles. Internally, the unit provides a clear expanse of open plan warehouse with some partitioned offices at ground and a small mezzanine area.

The application unit has been vacant for 30 months now, despite extensive marketing of the premises.

DETAILS OF PROPOSAL

The proposed trampoline park is a recreational sports facility open to the public for freestyle trampoline play, trampoline dodgeball and basketball, large foam cube pits and fitness classes. The open jump area will consist of a large area of safety-padded, wall-to-wall interconnecting trampolines. The proposed use caters for individuals of all ages, as well as group events including birthday parties.

The applicant has stated that indoor trampoline play is a unique and safe way for youths and adults to have fun while at the same time obtain significant health benefits. Trampoline jumping provides a low-impact workout—the trampoline absorbs a significant percentage of the shock when undertaking exercises such as plyometrics (explosive moves) or jogging in place. This means it is much easier on the joints and is well suited for people recovering from injuries. It also provides significant cardiovascular benefits and enhances skills such as strength, agility, and balance.

Indoor Trampoline Parks are a relatively new concept to the UK, and is a new leisure use, which is proving increasingly popular in the USA.

The applicant already runs a number of indoor trampoline parks across the U.S. and will be opening their first operation in Glasgow in late spring/early summer 2014.

RELEVANT HISTORY

The industrial estate was built out in two distinct phases. Planning permission was originally granted on the site in December 1991 for a mixed B1, B2 and B8 development by virtue of application reference 68939P.

Phase two was first applied for under application reference 00/2319P, for five industrial / storage, units which was refused by the Council in November 2000. An amended application was then submitted and subsequently approved in January 2001 by virtue of application reference 00/2772/P.

POLICIES

By virtue of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the application should be determined in accordance with the development plan unless material considerations indicate otherwise.

The Development Plan for Cheshire East currently comprises the saved policies from the Congleton Borough (January 2005), Crewe and Nantwich (February 2005) and Macclesfield Local Plan (January 2004).

Local Plan Policy:

The application site is located within a defined employment area. Therefore the relevant Local Plan policies are considered to be: -

- Policy BE1: Design principles for new developments;
- Policy E1: Retention of employment land;
- Policy E4: General industrial development;
- Policy DC3: Amenity; and
- Policy DC6: Circulation and Access.

Cheshire East Local Plan Strategy – Submission Version (CELP)

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 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.

- Policy EG3 specifically relates to existing and proposed employment sites; and
- Policy SC1 relates to leisure uses and with regards leisure facilities.

The National Planning Policy Framework

The National Planning Policy Framework came into effect on 27 March 2012, and replaces the advice provided in Planning Policy Guidance Notes and Statements. The aim of this document is to make the planning system less complex and more accessible, to protect the environment and to promote sustainable growth. Local planning authorities are expected to “plan positively” and that there should be a presumption in favour of sustainable development.

Since the NPPF was published, the saved policies within the Macclesfield Borough Council Local Plan are still applicable but should be weighted according to their degree of consistency with the NPPF. The Local Plan policies outlined above are consistent with the NPPF and therefore should be given full weight.

CONSULTATIONS (External to Planning)

HIGHWAYS:

No objections.

ENVIRONMENTAL HEALTH:

No comments.

ENVIRONMENT AGENCY:

No objections.

VIEWS OF THE PARISH / TOWN COUNCIL

HANDFORTH PARISH COUNCIL:

The Parish Council have confirmed that they support the application.

REPRESENTATIONS

The application has been advertised in accordance with the General Development Management Order 2010, in this case incorporating the following elements:-

- On site, by the means of a site notice on Epsom Avenue making reference to major development;
- These site notices were posted on 16 May 2014 ; and
- Notice was published in the local press (Wilmslow Express) on 15 May 2014.

The publicity period for this application expired on 5 June 2014.

Two letters of support have been received from local residents and their comments can be summarised as follows:

- This centre sounds fantastic, and I support the business model whole heartily;
- This centre will benefit children and families and our community by bringing jobs, healthy activities for kids, and provide a good place for older children to do something productive;
- It will also bring people from further afield into the area, thus shopping in our local shops and contributing to the well being of Cheshire East. Being a Wilmslow resident with 2 children I'm now finding it hard to find indoor activities now they have grown out of soft play centres; and
- Looking into the set up I think I would be an excellent facility to many children in the area.

A full copy of all the comments made by the local residents toward this application as summarised above, can be viewed on the electronic file on the Council's public access website.

APPLICANT'S SUPPORTING INFORMATION

The applicant has submitted the following reports/documents in support of the application, details of which can be read on the electronic file on the Council's public access website.

- Planning, Design and Access Statement;
- Marketing Report; and
- Transport Statement.

OFFICER APPRAISAL

Having considered this application, it is the considered view that the main issues in this case are:

- The principle of the development;
- Highways, access, servicing and parking issues;
- Design and Amenity Implications;
- Flood Risk; and
- Other Health Benefits.

The principle of the development:

Paragraphs 12 and 13 of The Framework states that the development plan is the starting point for decision making. *“Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.”* The: *“NPPF constitutes guidance for local planning authorities and decision-takers”... and is: “a material consideration in determining applications”.*

Paragraph 14 states: *“At the heart of the NPPF is a presumption in favour of sustainable development”...“For decision-taking this means” (unless material considerations indicate otherwise)... “where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*

- *Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole: or*
- *Specific policies in this Framework indicate development should be restricted”*

The National Planning Policy Framework marks a shift in emphasis of the planning system towards a more positive approach to development. As the minister says: *“The Government's top priority in reforming the planning system is to promote sustainable economic growth and jobs. Government's clear expectation is that the answer to development and growth should wherever possible be 'yes', except where this would compromise the key sustainable development principles set out in national planning policy”.*

The site is allocated as an existing employment area where policies E3 and E4 (which, normally permits Use Classes B1(a), B1(b), B1(c), B2, B8, B1b and B1c) apply. Furthermore, Policy E1 seeks to normally retain both existing and proposed employment areas for employment purposes to provide a choice of employment land in the Borough. As such, there is a presumption that the site will be retained for employment purposes.

LOSS OF AN EMPLOYMENT SITE:

The application site is designated for employment uses within the Macclesfield Local Plan. Policy E1 seeks to retain employment land for employment purposes.

However, the National Planning Policy Framework at Section 1, paragraph 20 states that, to help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century. Further, paragraph 21 continues that, in drawing up Local Plans, local planning authorities should:

- Set out a clear economic vision and strategy for their area which positively and proactively encourages sustainable economic growth;
- Set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period;
- Support existing business sectors, taking account of whether they are expanding or contracting and, where possible, identify and plan for new or emerging sectors likely to locate in their area. Policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances;
- Plan positively for the location, promotion and expansion of clusters or networks of knowledge driven, creative or high technology industries; and
- Identify priority areas for economic regeneration, infrastructure provision and environmental enhancement.

Of particular relevance to this application is paragraph 22, which states that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed.

Developing the site for a leisure use would not accord with the Adopted Plan allocation for the site. However, Policy EG3 of the Submission Version of the Local Plan also relates to existing and allocated employment sites, and recognises that a more flexible approach may be required in certain circumstances. It states that:

1. Existing employment sites will be protected for employment use unless:
 - i. Premises are causing significant nuisance or environmental problems that could not be mitigated; or
 - ii. The site is no longer suitable or viable for employment use; and
 - a. There is no potential for modernisation or alternate employment uses; and
 - b. No other occupiers can be found.

Footnote 42 relating to planning policy EG3 of the core strategy states that the site should be marketed at a realistic price reflecting its employment status for a period of not less than 12 months.

MARKETING/VACANT UNIT:

The marketing report submitted with the applications shows that no. 4 Brooke Park (the application site) has been empty for over 2.5 years, since September 2011. The site has been actively marketed during that time by both CBRE and DTZ.

On review of the marketing report it seems that whilst there has been a steady flow of viewings of the application premises during the marketing process, the site has been discounted for various reasons including location, the shared service yard and insufficient offices and loading.

It is considered that the application site is likely to lie vacant for the short to medium term due to the reasons stated above. There is not sufficient industrial warehouse demand locally for a unit of this size and configuration and there is more demand from leisure users due to the mixed demographic profile of the nearby surrounding area.

SEQUENTIAL ANALYSIS:

The applicant chose this site as within the region of 6,600 people live in Handforth and the town provides significant demand from local residents as well as being located within close proximity to Wilmslow, Heald Green, Stockport and Styal and is within just a 20 minute drive from Manchester.

The applicant has considered many alternative sites for the indoor Trampoline Park in the area, notably in and around Trafford Park, all of which have been discounted for various reasons, as described in the paragraphs below.

Longwood Park: the warehouse unit considered here was a vacant detached property that would have been ideal for this use. However another tenant obtained the lease to the space before the applicant was able to secure the unit, so it had become unavailable and therefore discounted.

Central Park Trading Estate: An empty industrial unit was considered in this location, but the price was too high and parking provision was not suitable. The unit was therefore unviable and unsuitable for the purposes of this use.

14 First Avenue, Trafford Park: This unit was in a good location with sufficient and suitable parking, but its internal layout did not work for the trampoline park and was therefore discounted as being unsuitable for the use.

EMPLOYMENT LEVELS:

If the application site were fully occupied as a B8 unit, it could accommodate in the region of 26 staff (2061 / 80 sq m).

PLEASE NOTE that a calculation for potential employees for the site based on a B1 use has not been entertained as it is considered very unlikely that it would be occupied by a B1 operator, when there are other units specifically designed as offices nearby.

The applicant expects to employ in the region of 30 full time employees (FTE), although there will only be 15 employees working at any one time due to the nature of the business, which will employ staff on a shift basis.

Based on these calculations, it can be seen that there would be a slight increase of approximately 4 employees on the baseline position; assuming the current site was utilised as a B8 Warehouse unit. In fact, the application site has been vacant for over 2.5 years and therefore has not provided any employment and no economic benefit either locally or further afield and therefore detracts from the business park's vitality.

In addition to those noted in the above, additional employment generated as a result of the proposals would include cleaners, personal trainers etc. that would not be directly employed by the applicant, but may be either freelance or be employed through an agency. The opening hours proposed by the applicant will also be longer than a B8 use providing more flexible working patterns and greater employment opportunities.

EMPLOYMENT LAND:

As part of the LDF process, Cheshire East Council produced an Employment Land Review (ELR) for the Borough. This most recent ELR, completed in March 2012, assesses the land demand for employment land and premises in Cheshire East up to 2030. The study considers all employment land uses, which fall within the 'B' Use Class of the Use Classes Orders.

The ELR states that following a review of the Cheshire East property database, there is currently in excess of 550,000m² of available employment space. There is circa 394,275 m² of industrial accommodation and 156,663 m² of office space. In addition, there is also 44 acres of land for sale.

In terms of land supply, the document states that there is a total land supply of 272.38ha identified in Cheshire East as potential employment sites up to 2030. This is made up of 109.48ha from potential mixed use allocation sites combined with the 162.90ha from sites categorised as being considered for employment allocations.

CONCLUSIONS:

It is considered that as there is no reasonable prospect of the application site being used for its current, protected use. Therefore, in accordance with the provisions of the NPPF, the proposals that form this application can be considered acceptable as an appropriate development that provides employment whilst providing a new high quality leisure use.

Highways, access, serving and parking issues:

EXISTING SITUATION:

The site currently has an overall floor area of 2,601m² and benefits from extant planning permission for an open B class use. A total of 50 parking spaces are provided, none of which are to disabled standard, and there is no formal cycle storage facility.

As the site benefits from an extant planning permission a baseline level of traffic generation has been calculated using the TRICS database which indicates a total of 254 daily two-way vehicle movements on the surrounding highway network. AM and PM peak hour traffic flows from the extant permission are 39 vehicles per hour (vph) and 37vph respectively

ACCESSIBILITY & LOCAL FACILITIES:

The site is located approximately less than two minutes walk from the closest bus stop on Epsom Avenue. Buses run between Handforth Dean and Stockport via Heald Green and Cheadle as well as between Wilmslow and Stockport at a frequency of approximately one an hour Monday to Friday and also on Saturdays.

Handforth railway station is located less than 10 minutes' walk from the site and provides regular services to and from Manchester Piccadilly, Stockport and local stations en-route to the north as well as to Crewe, Alderley Edge and local stations to the south.

Epsom Avenue is designated as being a suggested cycle route on a quiet road and has a dedicated off road cycle link running to the west connecting it with Handforth and making a connection to the on-road designated cycle lanes along Manchester Road which lead to Finney Green and Lacey Green.

The site is also located close to a large retail shopping outlet on Long Marl Drive which currently has both food and non-food stores in the form of Tesco, Marks and Spencer and British Home Stores. Planning permission has also been granted, subject to s106 Agreement, for a new Next store adjacent to these stores meaning that there is considerable opportunity for linked and multi-purpose trips.

ACCESS & PARKING:

Access to the site will remain from Epsom Avenue. Car parking provision will be 45 ordinary spaces and 3 additional disabled bays have been provided. Assessment of parking demand has shown that the proposed number of spaces will accommodate anticipated demand without being so excessive as to encourage unnecessary car travel. The development will provide 10 cycle storage spaces located at the front of the building where they are overlooked and within a very short distance of the main access.

TRANSPORT IMPACT:

A worst case assessment has been made of the impact of the development. Whilst the site is well located in terms of accessibility by walking, cycling, bus and train travel the only mode share discount applied has been for multiple occupancy car trips. The reality is that these trips would be lower than assessed due to the sites accessibility by sustainable travel options.

Comparison of the existing vehicle movements with the traffic generation anticipated from the proposed development have been shown in the submitted Transport Statement and it is considered that the application would produce a net reduction in two-way traffic flows of 18vph for the PM peak and 134 in the 12 hour daily period respectively.

Because the proposed development will not open to visitors until 09:00 hours on weekdays there will also be a net reduction of 39vph in the AM peak period.

No objections are raised to the proposal by the Strategic Highways Manager.

Design and Amenity Implications:

The proposed change of use does not seek any significant alteration to the fabric of the building and minimal physical changes will be made to the building. There are no changes proposed to any external elevation. Signage would be secured under a separate application in due course.

The application site is within an employment area, with predominantly industrial and office units. It is considered that the application proposals would bring an empty building back into use, retaining the local character of the environment and enhancing the internal fabric of the building.

The proposed opening hours are; 9am to 9pm on Mondays to Thursdays, 10am to midnight on Fridays and Saturdays and 10am to 9pm on Sundays and Bank Holidays. As noted above, Friday and Saturday nights are proposed to open until midnight. Between 9pm and midnight on these two nights, the applicant intends to open the venue for "Club High Heaven" nights for younger people aged 15+. The purpose of these evenings will be to give young people somewhere different to go out and be active on a Friday and Saturday evening with

DJs, live music, laser shows etc. Members please note that NO alcohol will be served at any time and will not be available to people coming to the trampoline park.

The application property is a detached building and there are no residential properties within close proximity. Notwithstanding this, there is not expected to be any significant noise generated within the property as a result of the proposed use, nor would the proposed use result in odours being emanated from the site and therefore there will be no impact on local amenity

The applicant has confirmed that the collection of waste will be via the Council's waste collection and the storage of waste will be dealt with in agreement with the relevant department in the Council. A condition is suggested to control these details.

Flood Risk:

The application site is in a flood zone 1, being an area where flooding from rivers and the sea is very unlikely. There is less than a 0.1 per cent (1 in 1000) chance of flooding occurring each year. The Environment Agency (EA) has been consulted and has raised no objections to the application proposals. They have requested that an informative is placed on any decision that makes the applicant aware of their responsibilities to Handforth Brook.

Other Health Benefits

The proposed trampoline leisure centre will provide a unique way of keeping active. The health benefits of this park are important to highlight due to the growing rise in obesity. Granting consent for this application proposal will not only provide a new way to keep active and exercise for children, but will have areas and classes for adults. It could provide an innovative leisure use that will be one of the first of its kind in the UK. The proposed use could contribute towards the Council's objectives toward a more health and active community whilst providing an opportunity for a positive and forward thinking approach to health and leisure.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The proposed use is appropriate given the location of the site. It is not considered the use proposed would result in significant and detrimental parking and highway safety issues over and above an industrial use. The use proposed would also not raise any concerns in respect of the character of the area or neighbouring amenity. Whilst the loss of the unit for employment purposes would be contrary to policies E1 and E4 this is acceptable in the context of the advice contained in the NPPF. On that basis, the proposals are in accordance with policies BE1 (Design principles for new developments), DC3 (Amenity) and DC6 (Circulation and Access) of the Macclesfield Borough Local Plan 2004 and guidance within the National Planning Policy Framework. The application is recommended for approval subject to conditions.

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for

approval/refusal) prior to the decision being issued, the Planning and Enforcement Manager has delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A13GR - Hours of operation
4. A04HP - Provision of cycle parking
5. A19MC - Refuse storage facilities to be approved
6. A20MC - Travel Plan
7. A25GR - Car Parking Provided

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