

Application No: 14/5122M

Location: 4, BROOKE DRIVE, HANDFORTH, CHESHIRE, SK9 3LL

Proposal: Change of use of existing vacant industrial warehouse unit to an indoor Trampoline Park (class D2 leisure use) (re-submission of withdrawn application 14/2083M)

Applicant: Erik Haugen, RYZE Manchester Limited

Expiry Date: 30-Jan-2015

### **REASON FOR REPORT:**

The proposal is a major development requiring a Committee decision.

### **SUMMARY**

Whilst the loss of the unit for employment purposes would be contrary to policy E1 of the Local Plan, it is considered to be acceptable in the context of paragraph 22 of the Framework. This paragraph advises against the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Adequate car parking can be provided within the site, and the site is accessible by a range of transport options. No significant highways issues are therefore raised. Furthermore, there is not considered to be any significant impact upon the character of the area, and subject to further clarification with Environmental Health, the amenity of neighbours will be safeguarded. No significant adverse impacts are identified, and as a sustainable form of development, planning permission should be granted.

### **SUMMARY RECOMMENDATION**

Approve subject to conditions

### **PROPOSAL**

The application seeks full planning permission to change the use of an existing industrial warehouse to an indoor trampoline park (class D2 leisure).

### **SITE DESCRIPTION**

The application site comprises a vacant industrial warehouse building with ancillary office accommodation and front and side parking areas. The site is located within an Existing Employment Area as identified in the Macclesfield Borough Local Plan.

### **RELEVANT HISTORY**

68939P – Mixed Development of B1, B2 AND B8 uses – Approved 06.01.1992

78163P – Industrial and/or warehousing development with related highway and other infrastructure works – Approved 11.07.1994

14/2083M - Change of use of existing vacant industrial warehouse unit to an indoor Trampoline Park (class D2 leisure use) – Withdrawn 07.08.2014

14/3194M - Part Change of Use to car showroom (Sui Generis) and motor vehicle service/repair garage (including MOT testing) (Use Class B2) with ancillary offices and extension to existing unit with associated works – Approved 05.09.2014

## **NATIONAL & LOCAL POLICY**

### **National Policy**

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Of particular relevance is paragraph 22 relating to avoiding the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose.

### **Development Plan**

The Development Plan for this area is the 2004 Macclesfield Local Plan. The relevant Saved Policies are:

- BE1: Design principles for new developments;
- E1: Employment land
- E3: B1 (Business)
- E4: General industrial development;
- DC1: Design – New Buildings
- DC2: Design - Extensions
- DC3: Amenity
- DC6: Circulation and Access.

The saved Local Plan policies are consistent with the NPPF and should be given full weight.

### **Cheshire East Local Plan Strategy – Submission Version (CELP)**

The following are considered relevant material considerations as indications of the emerging strategy:

- Policy SD 1 Sustainable Development in Cheshire East
- Policy SD 2 Sustainable Development Principles
- Policy SE 1 Design
- Policy SE 2 Efficient Use of Land
- Policy SE 12 Pollution, Land Contamination and Land Instability
- Policy PG 1 Overall Development Strategy
- Policy EG1 Economic Prosperity
- Policy EG3 Existing and proposed employment sites

## **CONSULTATIONS**

Highways – Comments not received at time of report preparation (no objections to previous application)

Environmental Health – No objections

United Utilities - Comments not received at time of report preparation (no comments on previous application)

Environment agency (EA) - Comments not received at time of report preparation (no objections to previous application)

Handforth Parish Council – Object on the grounds of limited provision of on site car parking and that an existing problem with on street parking in this area could be made worse should the development go ahead in its present form (Supported previous application)

## **REPRESENTATIONS**

Neighbour notification letters were sent to all adjoining occupants and a site notice erected. No representations have been received.

It should be noted that a press advert is also required to advertise the application. This has not yet been placed in a local newspaper. Therefore, it will be necessary to delegate the application back to the Planning & Enforcement Manager to allow the required level of publicity to take place.

## **APPRAISAL**

**The key issues are:**

- The principle of the development;
- Highways, access, servicing and parking issues;
- Design and Amenity Implications;

## **ECONOMIC SUSTAINABILITY**

**The principle of the development:**

The site is allocated as an existing employment area where policies E3 and E4 (which, normally permit 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.

The application site is designated for employment uses within the Macclesfield Local Plan. Policy E1 seeks to retain employment land for employment purposes. However, paragraph 20 of the Framework 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.

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 local 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:

*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 51 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 2 years.

## **Marketing**

The marketing report submitted with the applications shows that no. 4 Brooke Park (the application site) has been actively marketed since spring 2011 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).

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. The application site has been vacant for approximately 3 years and therefore has not provided any employment and no economic benefit either locally or further afield in recent times, which does detract 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.

### **Conclusions on economic sustainability**

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 Framework, the proposals that form this application can be considered acceptable as an appropriate development that provides employment whilst providing a new leisure use.

## **ENVIRONMENTAL SUSTAINABILITY**

### **Highways and parking issues**

The existing building has an overall floor area of 2,601m<sup>2</sup> and benefits an open B use class. A total of 50 parking spaces are currently provided, none of which are to disabled standard, and there is no formal cycle storage facility.

A baseline level of traffic generation has been calculated using the TRICS database which indicates a worst case total (for a B1(a) use) 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

The Strategic Highways Manager commented on the previous identical application noting that the existing level of traffic generation from the site will need to be taken into account when considering the traffic impact of this new proposal.

The trips generated by the proposed development have been derived from traffic generated by another similar development Surrey. They have assessed the likely footfall that the use would have and from this data looked at the potential car occupancy to then finally determined the number of trips to the site.

Based upon this information the applicant predicts that the site will generate between 20-25 weekday two-way trips. The Strategic Highways Manager does not agree with the assertion in the transport statement that there will be the level of linked trips to this site as the decision to visit such a leisure facility is a destination in its own right and visitors would make a separate trip to the site. Therefore, it is expected that the number of trips to the site will be higher than predicted although not to such a level that would constitute a traffic impact issue.

The level of highest peak hour traffic generation from this facility is likely to fall outside the traditional workday AM and PM peaks and busiest trip generation to the site would be during the weekend.

There is a considerable area of car parking fronting the site, with parking for 48 cars, which is considered to be a reasonable level of car parking provision for the proposed use. The net increase over and above the existing commercial use during the weekday peaks when the background traffic is at its highest is likely to be negligible. No highway objections are therefore raised

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. Alternatives to the private car are therefore available.

### **Design and Amenity Implications**

The proposed change of use does not seek any significant alteration to the external appearance of the building. 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 application property is a detached building with the nearest residential properties on the opposite side of the railway. 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+, which involves DJs, live music, laser shows etc. There is therefore the potential for some noise during these hours, however this needs to be considered in the context of the existing lawful use of the site. Environmental Health have not raised any objections to the proposal, however, further clarification will be sought on this matter, and reported to members in an update.

### **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 whilst no comments have been received in relation to this application, no objections were raised to the previous identical scheme. They had previously requested that an informative is placed on any decision that makes the applicant aware of their responsibilities to Handforth Brook.

### **SOCIAL SUSTAINABILITY**

Paragraph 73 of the Framework notes that access to high quality open space and opportunities for sport and recreation can make an important contribution to the health and well being of communities. The proposed trampoline park will contribute to this aim.

### **PLANNING BALANCE**

Whilst the loss of the unit for employment purposes would be contrary to policy E1 of the Local Plan, it is considered to be acceptable in the context of paragraph 22 of the Framework. This paragraph advises against the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. In addition, the proposed trampoline park will employ approximately 30 staff, which is comparable to the use of the site as a B8 warehouse unit. The site is located within a reasonably accessible location, and given that no external alterations are proposed, the impact upon the character of the area is acceptable. Subject to an acceptable outcome of further consultation with Environmental Health, the living conditions of neighbours will be protected. There are no significant adverse environmental implications. Finally, the proposal will represent an alternative opportunity for sport and recreation, which can make an important contribution to the health and well being of communities. The proposal is therefore considered to be a sustainable form of development.

### **RECOMMENDATION**

To allow a press advert to be placed in the local newspaper, it is recommended that the application is delegated to Planning and Enforcement Manager to approve subject to conditions.

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:

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A13GR - Business hours (including Sundays)
4. A04HP - Provision of cycle parking
5. A19MC - Refuse storage facilities to be approved
6. Travel plan to be submitted
7. Car parking to be provided



(c) Crown copyright and database rights 2014. Ordnance Survey 100049045, 100049046.

