

DELEGATED DECISION REPORT

HPK/2022/0427 VALID 21/09/2022	UNIT 3, WATERSIDE BUSINESS PARK, WATERSIDE, HADFIELD, GLOSSOP, DERBYSHIRE, SK13 1BE	PROPOSED PARTIAL CHANGE OF USE OF GROUND FLOOR FROM GENERAL INDUSTRIAL (B2) TO INDOOR SPORT, RECREATION OR FITNESS (E(D)) (FULL - MINOR)
-----------------------------------	---	--

MAIN ISSUES

- Principle of Development
- Design Considerations
- Impact upon Residential Amenity
- Highway Safety

DESCRIPTION OF SITE

The application site lies within the settlement boundary for Hadfield, which lies within the Glossopdale Sub Area as defined by the Local Plan policies map. The site relates to an industrial unit and associated hardstanding on the eastern side of Waterside Business Park and is adjacent to other units predominantly within employment use. The site is within a designated Primary Employment Zone, 'Waterside, Hadfield'. The site is also on the site of an historic cotton mill (Waterside Mills). The surrounding area is mainly in employment use although there are residential properties on the eastern side of Waterside.

PROPOSAL

Planning permission is sought for the partial change of use of the existing B2 unit to allow for indoor sport, recreation or fitness, (Class E(d)) to be carried out within the unit. The proposal would include elements of shared space in use for both operations. The premises would therefore be in mixed use.

It is proposed that the use would operate between the hours of 06:00 and 20:00 Monday to Friday, and 08:00 and 18:00 on Saturdays.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan (Adopted 2016)

- S1 Sustainable Development Principles
- S1a Presumption in Favour of Sustainable Development
- S2 Settlement Hierarchy
- S4 Maintaining and Enhancing an Economic Base

S5 Glossopdale Sub-area Strategy
EQ1 Climate Change
EQ6 Design and Place Making
E1 New Employment Development
E3 Primary Employment Zones
E4 Change of Use of Existing Business Land and Premises
CF6 Accessibility and Transport

Supplementary Planning Guidance/Documents

Residential Design (2005)
High Peak Design Guide (2018)

National Planning Policy Framework

Section 6: Building a strong and competitive economy
Section 8: Promoting healthy and safe communities
Section 9: Promoting sustainable transport
Section 12: Achieving Well-designed Places

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/0003/6968 – Erection of 15 General Industrial Units (Class B2) – Approved 16/06/1998.

CONSULTATIONS

Publicity

Site Notice expiry date: 28/10/22
Neighbour consultation period ends: 20/10/22
Press Advert: N/A

Public Comments

None received

Town / Parish Comments

None received

Councillor Comments

Cllr Rob Baker - Support

Derbyshire County Council Highways

No objection subject to condition relating to retention of parking

High Peak Borough Council – Environmental Health

No objection subject to a condition relating to protecting residents from amplified music.

OFFICER COMMENTS

Principle of Development

The application proposes the partial change of use of a premises which is currently in employment use (B2). The change of use seeks to provide a Class E(d) use, which relates to indoor sports, recreation and fitness.

Policy S5 seeks to encourage the growth of local employment opportunities and supporting the diversification and growth of local business which will be achieved by, inter alia, safeguarding existing employment sites for industrial and business use unless specifically allocated for an alternative use.

The site is within a Primary Employment Zone (PEZ). The lawful use of the unit is for light industry which falls within Use Class B2. Local Plan Policy E3 states that PEZs will generally be retained for business, industry and other economic development and that applications for other uses should accord with Policy E4.

Policy E4 (Change of use of existing business land and premises) relates to proposals involving the redevelopment or change of use of existing business or industrial land or premises. This policy states that the change of use to non-employment uses will only be permitted where, *"1. The continuation of the land or premises in industrial or business use is constrained to the extent that it is no longer suitable or commercially viable for industrial or business use as demonstrated by marketing evidence commensurate with the size and scale of development; and the proposed use is compatible with neighbouring uses, or 2. An appropriate level of enabling development is required to support improvements to employment premises or supporting infrastructure. In such cases, a viability appraisal should be submitted to demonstrate that a change of use or redevelopment of the site is required to fund the improvements. Mixed-use proposals should not create any environmental, amenity or safety issues"*.

The policy goes on to state that proposals which would result in an under-supply of suitable employment land in relation to identified needs will not be permitted.

The proposed application has not been supported by any form of marketing exercise to suggest that industrial or business use of the premises is unviable. Further, the proposals do not represent such enabling development identified within criterion 2 of Policy E4.

In this instance, it is not proposed that the employment use would be lost in its entirety and that an element of employment use would be retained. The applicant advises that there is 1 existing employee and that the proposed use would generate a further part time position. Therefore, the proposals would not result in the complete loss of an employment premises.

It is evident that there has been a recent trend for such uses being provided in similar industrial estate locations, generally due to the nature of the use and the space required for such activities. Indeed, consent has been granted, under the current Local Plan, for the change of use of Unit 4, and Unit 16 at Waterside. The use is considered to be compatible with its surroundings.

There is no evidence to suggest that the proposed use, when considered cumulatively with other indoor recreation uses which have been permitted in the locality, would undermine the economic function of the employment site. Although, it is likely that further applications for change of use may require closer scrutiny in this regard.

It is also considered that the proposed use would contribute towards the Local Economy and would be compliant with Policy E1, which states that new business and industrial developments in sustainable locations that contribute towards the creation and retention of a wide range of jobs, education and training opportunities will be supported.

The principle of development, in this instance, is therefore considered to be acceptable.

Design Considerations

Policy EQ 6 requires that all development should be well designed and be of high quality which responds positively to its environment while contributing to local distinctiveness and sense of place.

No changes to the external parameters of appearance of the building are proposed. The development therefore would have no impact on the character and appearance of the local area or host building.

Amenity

Policy EQ6 requires development achieve a satisfactory relationship to adjacent development and not cause unacceptable effects by reason of visual intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity.

To the rear of the building are residential properties. The closest of which would be approximately 27m away (façade to façade). Within the rear elevation of the unit is an emergency exit. Environmental Health have considered the development in the context of nearby noise sensitive receptors and advised that a condition will be necessary to ensure that the door is only used in the event of emergency to prevent properties being affected by amplified music.

Highway Safety

Policy CF 6 seeks to ensure that development can be safely accessed in a sustainable manner. Proposals should aim to minimise the need to travel through

unsustainable modes. Proposals should also ensure that development does not lead to an increase in on street parking to the detriment of the free and safe flow of traffic.

The application has been supported by a plan indicating the provision of 4 parking spaces to the front of the unit. DCC Highways have reviewed the application proposals and have raised no objection subject to a condition ensuring that the proposed parking be retained. It is also noted that there are also parking spaces available elsewhere in the employment area. Additionally, the site is within a sustainable and accessible location close to different modes of public transport. It is considered that the application complies with Policy CF6 of the Local Plan.

CONCLUSION / PLANNING BALANCE

It is considered that the proposals would comply with the policies contained within the Development Plan and guidance within the NPPF, as conditioned, and as such it is recommended that the application be approved.

OFFICER RECOMMENDATION: APPROVE

Case Officer: Declan Cleary

Recommendation Date: 15/11/2022

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council