

Application Reference	DC/071678
Location:	Unit UG56 Broadstone Mill Broadstone Road Reddish Stockport SK5 7DL
PROPOSAL:	Change of use from vacant warehousing unit (Use Class B8) to dance studio (Use Class D2)
Type Of Application:	Full Application
Registration Date:	22/11/2018
Expiry Date:	17/01/2019
Case Officer:	Mark Burgess
Applicant:	Campey
Agent:	Iceni Projects

DELEGATION/COMMITTEE STATUS

Departure from the Development Plan. Application to be determined by the Planning and Highways Regulation Committee should Members of Heaton and Reddish agree to the Officer recommendation to grant.

DESCRIPTION OF DEVELOPMENT

Planning permission is sought for the change of use from a vacant warehousing unit (Use Class B8) to a dance studio (Use Class D2) at Unit UG56, Broadstone Mill, Broadstone Road, Reddish. The unit to which the proposal relates has been vacant since March 2018.

Information submitted in support of the application states that the applicant (Blush Dance Ltd) runs classes in aerial arts and dance fitness. They are currently operating from a mill close to Stockport town centre, however are being required to vacate the premises in the near future as the mill is being redeveloped for residential use. The applicant has been searching for alternative premises for over a year.

The nature of the aerial arts taught is such that the premises must have strong, 4.0 metre high ceilings which can accommodate the necessary ropes, fittings and harnesses. Strong, I-beams or apex roofs are required, to which ceiling mounts or temporary clamps can be attached. Many premises have suspended ceilings which are not safe for securing equipment. The only physical intervention to facilitate the proposed new use would be the attachment of temporary clamps and mounts.

The proposed hours of opening of the premises would be between 07:00 and 22:00 on Mondays to Fridays and between 09:00 and 17:00 on Saturdays, Sundays and Bank Holidays. It is envisaged that the use of the studio during the daytime would be for administrative tasks and rehearsal sessions. As such, timed classes open to members of the public would be held between 18:00 and 22:00 on Mondays to Fridays and between 10:00 and 12:00 on Saturdays and Sundays.

The application is accompanied by the following supporting documents :-

- Planning Statement.
- Sequential Assessment.

SITE AND SURROUNDINGS

The application site comprises a currently vacant upper ground floor unit of 196 square metres within Broadstone Mill, a six-storey traditional red brick former mill building. Access to the unit is gained via a ramp to the East of the main mill building. Information submitted in support of the application confirms that 6 of the 24 spaces within an adjacent car park are dedicated to the unit.

Broadstone Mill itself is accessed from Broadstone Road to the West and accommodates a variety of uses, including an outlet retail shopping centre on the ground floor and flexible business and office units on the upper floors. The building is served by a large car park to the South West.

The Broadstone Mill site is adjoined by the Grey Horse Public House to the North West, residential uses to the North East, a sports/leisure centre to the South East and an industrial/warehousing unit to the South West.

POLICY BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications and appeals to be determined in accordance with the Statutory Development Plan unless material considerations indicate otherwise.

The Statutory Development Plan for Stockport comprises :-

- Policies set out in the Stockport Unitary Development Plan Review (saved UDP) adopted on the 31st May 2006 which have been saved by direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004; and
- Policies set out in the Stockport Local Development Framework Core Strategy Development Plan Document (Core Strategy DPD) adopted on the 17th March 2011.

The application site is allocated within an Employment Area, as defined on the UDP Proposals Map. Broadstone Mill is a Grade II Listed Building and the site is located within the Houldsworth Conservation Area. The following policies are therefore relevant in consideration of the proposal :-

Saved UDP policies

- HC1.3 : SPECIAL CONTROL OF DEVELOPMENT IN CONSERVATION AREAS
- HC1.4 : NEW USES FOR BUILDINGS IN CONSERVATION AREAS
- E1.2 : LOCATION OF NEW BUSINESS PREMISES AND OFFICES
- E3.1 : PROTECTION OF EMPLOYMENT AREAS
- E3.2 : REFURBISHMENT OF OLDER BUILDINGS IN EMPLOYMENT AREAS

Core Strategy DPD policies

- CS1 : OVERARCHING PRINCIPLES : SUSTAINABLE DEVELOPMENT - ADDRESSING INEQUALITIES AND CLIMATE CHANGES
- SD-1 : CREATING SUSTAINABLE COMMUNITIES
- CS5 : ACCESS TO SERVICES
- CS6 : SAFEGUARDING AND STRENGTHENING THE SERVICE CENTRE HIERARCHY
- AS-2 : IMPROVING INDOOR SPORTS, COMMUNITY AND EDUCATION FACILITIES AND THEIR ACCESSIBILITY
- CS7 : ACCOMMODATING ECONOMIC DEVELOPMENT
- AED-3 : EMPLOYMENT DEVELOPMENT IN EMPLOYMENT AREAS
- CS8 : SAFEGUARDING AND IMPROVING THE ENVIRONMENT
- SIE-1 : QUALITY PLACES
- SIE-3 : PROTECTING, SAFEGUARDING AND ENHANCING THE ENVIRONMENT
- CS9 : TRANSPORT AND DEVELOPMENT
- T-1 : TRANSPORT AND DEVELOPMENT
- T-2 : PARKING IN DEVELOPMENTS
- T-3 : SAFETY AND CAPACITY ON THE HIGHWAY NETWORK

Supplementary Planning Guidance and Documents

Supplementary Planning Guidance and Documents (SPG's and SPD's) do not form part of the Statutory Development Plan. Nevertheless, they do provide non-statutory Council approved guidance that is a material consideration when determining planning applications. Relevant SPG's and SPD's include :-

- SUSTAINABLE TRANSPORT SPD

National Planning Policy Framework (NPPF)

The NPPF, initially published on 27th March 2012 and subsequently revised and published on 24th July 2018 by the Ministry of Housing, Communities and Local Government, sets out the Government's planning policies for England and how these are expected to be applied. The NPPF will be a vital tool in ensuring that we get planning for the right homes built in the right places of the right quality at the same time as protecting our environment.

In respect of decision-taking, the revised NPPF constitutes a 'material consideration'.

Paragraph 1 states '*The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied*'.

Paragraph 2 states '*Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise*'.

Paragraph 7 states '*The purpose of the planning system is to contribute to the achievement of sustainable development*'.

Paragraph 8 states '*Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives)* :-

- a) An economic objective
- b) A social objective
- c) An environmental objective'

Paragraph 11 states '*Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means :-*

c) Approving development proposals that accord with an up-to-date development plan without delay; or

d) Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless :-

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. 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'.

Paragraph 12 states '*.....Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local Planning Authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed'.*

Paragraph 38 states '*Local Planning Authorities should approach decisions on proposed development in a positive and creative way..... Decision-makers at every level should seek to approve applications for sustainable development where possible'.*

Paragraph 47 states '*Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing'.*

Paragraph 213 states '*existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)'.*

Planning Practice Guidance (PPG)

The PPG is a web-based resource which brings together planning guidance on various topics into one place (launched in March 2014) and coincided with the cancelling of the majority of Government Circulars which had previously given guidance on many aspects of planning.

RELEVANT PLANNING HISTORY

- DC070839 : Change of use from office accommodation to private hire taxi operator office - the business will be operated via online portals i.e. website and mobile App and telephone lines. The office will not serve as a base for walk in customers : Granted – 26/11/18.
- DC029372 : Screening Opinion for redevelopment of site : No objections – 12/01/11.
- DC027712 : Redevelopment of the upper ground floor of to create a mix of uses comprising workshop units/studio incubator (B1), museum (D1), gallery (D1) and restaurant (A3); additional car parking provision and improved access arrangements : Withdrawn - 17/02/14.
- DC027708 : Redevelopment of the upper ground floor of Broadstone House to create a mix of uses comprising workshop units/studio incubator (B1), museum (D1), gallery (D1) and restaurant (A3), additional car parking provision and improved access arrangements (Listed Building Consent) : Withdrawn – 17/02/14.
- DC025181 : Redevelopment of upper ground floor to create a mix of uses including; workshop units/studio incubator (B1), museum (D1), gallery (A1) and restaurant (A3) : Withdrawn – 23/02/07.
- DC025180 : Proposed internal alterations including replacement of existing mezzanine floor to facilitate change of use to various uses : Withdrawn – 23/02/07.
- DC005700 : Infilling of former canal sluice area and replacement landscaping scheme : Granted – 15/11/01.
- DC000263 : Subdivision and internal partitioning of third floor to facilitate service office accommodation : Granted – 19/06/00.
- DC000236 : Change of use of part of lower ground floor to factory retail outlet, and change of use of third floor to service offices (Class B1), including associated car parking, covered cycle parking and landscaping : Granted – 19/06/00.
- J.71883 : Change of use of part of lower ground floor to factory retail outlet : Granted – 06/09/99.
- J.64332 : Change one window to a roller shutter door at lower ground level : Granted – 19/09/96.
- J.44096 : Extension for Fire Escape Lobby (Listed Building Consent) : Granted – 06/01/89.
- J.44095 : Porch to form Fire Escape Lobby : Granted – 06/01/89.
- J.40551 : Permanent approval of temporary permission for continuous 24 hour shift work from Monday to Friday, with Saturday and Sunday from 8.00 am to 5.00 pm : Granted – 08/12/87.

- J.37586 : Alterations of existing window opening to form exit/entrance with external landing steps and canopy over : Granted – 13/11/86.
- J.37585 : Alteration of existing window opening to form new exit/entrance with canopy over external landing and steps : Granted – 20/11/86.
- J.29815 : Extension to an existing wholesale groceries warehouse : Granted – 07/02/84.
- J.25468 : Extension to club premises : Granted – 05/05/82.
- J.20583 : Retail and wholesale of carpets, ancillary goods and durable goods : Refused – 12/08/80.
- J.6369 : Formation of canopy to existing loading doorway : Granted – 21/07/76.
- J.4476 : Installation of 3676 gallon oil storage tank complete with base and catch pit : Granted – 22/12/75.

NEIGHBOUR'S VIEWS

The owners/occupiers of surrounding units and properties were notified in writing of the application and the application was advertised by way of site and press notices.

No letters of representation have been received to the application.

CONSULTEE RESPONSES

Highway Engineer

The scale and nature of the proposed development is not expected to result in any significant detrimental impact on the safety or operation of the highway network. The site is considered accessible given its proximity to public transport links and the district centre. The use of sustainable transport modes should be promoted as a part of the development; relevant conditions to be attached.

The nature of the development is itself likely to include shower/changing facilities which would support use of cycles/walking to access the development.

I therefore have no objection in principle to the proposed development subject to the inclusion of appropriate conditions.

- Recommendation : No objection subject to the following conditions :-

Details of proposals to provide shower, changing, locker and drying facilities within the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the facilities have been provided in accordance with the approved details. The facilities shall then be retained and shall remain available for use at all times thereafter.

Reason: To ensure that suitable facilities are provided that will permit and encourage the use of sustainable modes of transport in accordance with Policies SIE-1 'Quality Places', CS9 'Transport and Development', T-1 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.

No work shall take place in respect to the provision of cycle parking within the site until details of proposals to provide the following cycle parking facilities within the site have been submitted to and approved in writing by the Local Planning Authority :-

- 1) Long-stay cycle parking (a covered and secure cycle store/s) for a minimum of 2 cycles
- 2) Short-stay cycle parking (Sheffield stands, or similar) for a minimum of 4 cycles

The development shall not be occupied until the cycle parking facilities have been provided in accordance with the approved details. The cycle parking facilities shall then be retained and shall remain available for use at all times thereafter.

Reason: To ensure that safe and practical cycle parking facilities are provided so as to ensure that the site is fully accessible by all modes of transport in accordance with Policies CS9 'Transport and Development', T-1 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD and the cycle parking facilities are appropriately designed and located in accordance with Policies SIE-1 'Quality Places' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by paragraphs 10.9-10.12 'Bicycle Long and Short Stay Parking', of the SMBC Sustainable Transport SPD

Environment Team (Noise)

I do not object to the application.

Conservation Officer

On the basis of the information provided within the application, the proposal will not involve any removal, alteration, physical intervention or impact on any historic building fabric of the Grade II listed Broadstone Mill. As such I raise no objections to the proposed change of use.

ANALYSIS

Policy Principle : Loss of Employment Land

The application site is located within an allocated Employment Area, as defined on the UDP Proposals Map. Within such areas, saved UDP policies E1.2 and E3.1 and Core Strategy DPD policies CS5 and AED-6 seek to protect such sites and areas for employment generating uses. Nevertheless, Core Strategy DPD policy AED-3 states that regard should be had to the requirement for flexibility for employment generating uses beyond the traditional employment 'B-Uses' of B1, B2 and B8.

The proposal would result in the loss of 196 square metres of B8 use and the provision of 196 square metres of D2 use at the site. Whilst it is acknowledged that the proposed D2 use does not fall within one of the traditional employment generating 'B-Uses', consideration must be had of the fact that the proposal would result in the provision of some employment, in the form of one full-time member of staff (business owner) and 10 part-time members of staff (freelance instructors).

The applicant runs classes in aerial arts and dance fitness. They are currently successfully operating at a mill close to Stockport Town Centre but are being required by the landlord to vacate, as the mill is being redeveloped for residential use. The applicant has been searching for an alternative site for over a year. The nature of the aerial arts taught is such that a specific type of premises is required. Premises must have strong, 4.0 metre high ceilings which can accommodate the

necessary ropes, fittings and harnesses. Strong I-beams or apex roofs are required, to which ceiling mounts or temporary clamps can be attached.

Broadstone Mill is an unusual employment site, as it includes a sizeable ground floor retail use, granted as part of planning permission J.71883 in 1999 and planning permission DC000236 in 2000. As such, the proposed D2 use would sit comfortably alongside the existing range of operations within the mill, which include retail, leisure and office use. These varieties of uses within the mill have been successfully operating for a number of years and have not had a negative impact on the employment role of the area. It is considered that the introduction of a proposed D2 use, of limited size, which operates primarily in the evenings and at weekends, would not have a negative impact on the successful employment function of the site.

Information submitted in support of the application confirms that the unit has been on the market since March 2018 and has not been proved possible to let. The applicant has confirmed that prospective 'B-Use' users have not found it to be a desirable workspace, as there are other units within the mill and the wider area that are more suitable for industrial and warehousing uses. The proposal would therefore provide a viable use for a unit that has been vacant for ten months with no market interest. As such, the proposal would result in economic benefits from bringing a vacant unit that is not attractive to the 'B-Use' market back into a viable use.

Saved UDP policy E3.1 identifies that complimentary leisure uses, such as indoor sports facilities, will be considered on their merits within allocated Employment Areas. Such development will only be permitted if the extent to which the area can function as an employment area will be maintained or enhanced. Relevant factors include job creation, the availability of land for employment and the compatibility of the proposed use of the adjacent land for employment purposes.

Additional weight in favour of the proposal is provided by Core Strategy DPD policies CS4 and AS-2, which seek to promote a broad range and distribution of quality indoor sports facilities within the Borough. Furthermore, saved UDP policy E3.2 positively considers proposed non-employment uses for buildings that are Listed and within Conservation Areas, noting that mills pose a particular issue and that alternative, non-employment uses may be necessary, particularly on vacant upper floors.

In view of the above, it is acknowledged that the proposed D2 use would result in the loss of a small quantum of 'B-Use' employment generating floorspace within a designated Employment Area, which saved UDP and Core Strategy DPD policies seek to protect. However, the applicant has clearly justified the requirement for the type of premises as proposed and demonstrated that the unit is not viable for prospective 'B-Use' users, being vacant for a period of ten months with no market interest. Rather than the unit remaining vacant, it is considered to be better served by the proposed D2 use which would provide some, albeit limited, employment and a viable financial enterprise, without unduly impacting on the operation of the wider Employment Area or unacceptably reducing the level of employment space within the Borough. On this basis, the use of the unit for D2 purposes is considered acceptable as a departure from the Development Plan in this particular case.

Policy Principle : Proposed Main Town Centre Use

The NPPF identifies leisure and recreation (D2) uses, including health and fitness, as main town centre uses. Core Strategy DPD policies CS5 and CS6 seek to safeguard and strengthen the service centre hierarchy, with Stockport Town Centre

identified as a sequentially preferable location for main town centre uses. It is acknowledged that the application site is not located within an existing centre, nor is it allocated for town centre use and is therefore considered to be 'out of centre' in terms of the NPPF definition. As such, the NPPF requires a Sequential Assessment to be undertaken, as it states that main town centre uses should be located in town centres, then edge of centre locations and only if suitable sites are not available or not expected to become available within a reasonable period, should out of centre sites be considered for such uses. Preference should be given to accessible sites which are well connected to the town centre.

As previously stated, the applicant runs classes in aerial arts and dance fitness. They are currently successfully operating at a mill close to Stockport Town Centre but are being required by the landlord to vacate, as the mill is being redeveloped for residential use. The applicant has been searching for an alternative site for over a year.

In accordance with the requirements of the NPPF, a Sequential Assessment has been submitted in support of the application. The Sequential Assessment sets out the requirements of the business and the parameters which have been put in place to guide the search for alternative premises. The search, parameters and requirements are shaped by the particular requirement for the safe and effective operation of the business, which include :-

- A minimum quantum of floorspace of 150 square metres and a maximum of 250 square metres.
- A ceiling height of 4.0 metres, with strong exposed I-beams and apex roofs to ensure that the required ropes, fittings and/or harnesses can be suspended from the ceiling to support the weight of dancers and other equipment.
- An open, single room where all participants can be appropriately supervised.
- Within an existing building.

The Sequential Assessment has been undertaken within 8km of the applicants existing premises, encompassing Stockport Town Centre, Marple, Romiley, Hazel Grove, Bramhall, Cheadle Hulme and Cheadle Hulme within the Borough of Stockport and Levenshulme, Denton and Hyde outside of the Borough. The company has been searching for new premises for the past 12 months, when they were advised that their current site close to Stockport Town Centre would be redeveloped for residential use. No suitable sites have been identified as part of the Sequential Assessment, principally due to the fact that the premises do not have the ceiling strength to support the necessary equipment for aerial arts. With the exception of the application site within Broadstone Mill, the only properties which have been found and considered suitable have not had a landlord willing to rent to a dance studio.

Further weight is provided to justify approval of the proposal due to the accessible location of the site. It is noted that the site is located 400 metres from the nearest local centre, a 0.8km walk from Reddish South railway station and there are bus stops on Broadstone Road near to the site entrance providing services to Stockport Town Centre and other local destinations. The site is therefore considered to be in a location which is accessible by walking, cycling and public transport.

In view of the above, it is acknowledged that the proposal would comprise the provision of a proposed main town centre (D2) use on a site which is located outside a town centre. However, in accordance with the requirements of the NPPF, the Sequential Assessment submitted in support of the application, clearly demonstrates that there are no sequentially preferable sites within the area of search which could accommodate the particular requirements of the business. On this basis, the provision of the proposed D2 use 'out of centre' is considered to be justified in this particular case.

Traffic Generation, Access and Parking

The detailed comments received to the application from the Council Highway Engineer are contained within the Consultee Responses section above.

In raising no objections to the proposal, the Highway Engineer notes that the scale and nature of the proposed use is not expected to result in any significant impact on the safety or operation of the highway network and the site is considered to be accessible, given its proximity to public transport links and the district centre. As such, subject to the imposition of conditions to secure appropriate shower/changing facilities and cycle parking facilities, the proposal is considered acceptable from a traffic generation, parking, access and highways perspective, in accordance with Core Strategy DPD policies SIE-1, CS9, T-1, T-2 and T-3 and the Sustainable Transport SPD.

Impact on Residential Amenity

Although the application site is located within an Employment Area, with a variety of business uses evident within Broadstone Mill, the existence of residential properties on Springfield Avenue and Paignton Grove to the North East and South East of the site is noted. Nevertheless, due to the nature of the proposed dance studio use, the fact that music is only played at background level and in the absence of objections from the Council Environment Team, it is considered that the proposed use and hours of operation (specified as between 07:00 and 22:00 on Mondays to Fridays and between 09:00 and 17:00 on Saturdays, Sundays and Bank Holidays) would not result in undue harm to residential amenity, by reason of noise and disturbance. As such, the proposal complies with Core Strategy DPD policies SIE-1 and SIE-3.

Impact on Heritage Asset

Broadstone Mill is a Grade II Listed Building, located within the Houldsworth Conservation Area. In raising no objections to the proposal, the Council Conservation Officer notes that the proposal would not involve any removal, alteration, physical intervention or impact on the historic fabric of the building. As such, the proposal is considered acceptable in terms of its impact on the designated heritage asset, in accordance with saved UDP policies HC1.3 and HC1.4 and Core Strategy DPD policy SIE-3.

SUMMARY

At the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 8 of the NPPF establishes three dimensions to sustainable development – economic, social and environmental and Paragraph 8 of the NPPF indicates that these should be sought jointly and simultaneously through the planning system.

In the absence of objections from relevant consultees and subject to the imposition of suitably worded planning conditions, the proposal is considered acceptable with regard to the issues of traffic generation, access and parking; impact on the amenity of surrounding residential properties; and impact on the designated heritage asset, in the form a Grade II Listed Building within a Conservation Area. The proposal is therefore considered to comply with relevant saved UDP and Core Strategy DPD policies with respect to these issues.

It is acknowledged that the proposed D2 use would result in a small loss of employment generating 'B-Use' floorspace within a designated Employment Area. However, the applicant has clearly justified the requirement for the type of premises as proposed and demonstrated that the unit is not viable for prospective 'B-Use' users, being vacant for a period of ten months with no market interest. It is also acknowledged that the proposal would comprise the provision of a proposed main town centre (D2) use on a site which is located outside a town centre. Nevertheless, the Sequential Assessment submitted in support of the application, clearly demonstrates that there are no sequentially preferable sites within the area of search which could accommodate the particular requirements of the business.

In view of the above, the proposed D2 use, within a designated Employment Area and 'out of centre' is considered to be clearly justified and acceptable as a departure from the Development Plan in this particular case. In considering the planning merits of the proposal against the requirements of the NPPF, the proposal is considered to represent sustainable development. On this basis, in accordance with the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the application is recommended for approval.

RECOMMENDATION

Grant.

HEATONS AND REDDISH AREA COMMITTEE (28/01/19)

The Planning Officer introduced the application and highlighted the pertinent issues of the proposal.

There were no requests to speak in support or objection of the proposal.

Members debated the proposal. The proposed use was considered to represent a good use of an appropriate space.

Following the debate, Members resolved to refer the application to the Planning and Highways Regulation for determination, with a recommendation to grant.