

BOROUGH OF KETTERING

Committee	Full Planning Committee - 07/04/2015	Item No: 5.8
Report Originator	Andrew Smith Senior Development Officer	Application No: KET/2015/0106
Wards Affected	St. Peters	
Location	3 Garrard Way, Kettering	
Proposal	Full Application: Change of use from retail warehouse to gymnasium with new pedestrian access from Rothwell Road	
Applicant	Mr P Taylor Simply Gym Ltd,	

1. PURPOSE OF REPORT

- To describe the above proposals
- To identify and report on the issues arising from it
- To state a recommendation on the application

2. RECOMMENDATION

THE DEVELOPMENT CONTROL MANAGER RECOMMENDS that this application be APPROVED subject to the following Condition(s):-

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as referenced as follows: A100.a; A101.b; A102; A103.a.

REASON: In the interest of securing an appropriate form of development in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

3. The new pedestrian access from Rothwell Road hereby approved shall be constructed of a hard bound material for at least the first 3m when measured from the highway boundary and shall be retained in a hard bound material at all times thereafter.

REASON: In the interests of providing a satisfactory means of access in compliance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

4. The use hereby permitted shall not be carried out before 06:30 hours or remain open after 21:00 hours on Mondays to Fridays, nor before 08:00 hours or remain open after 20:00 hours on Saturdays, Sundays or any recognised public holidays.

REASON: To protect the amenities of the occupiers of nearby properties in the interests of amenity in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

5. Prior to the first occupation of the development full details of the approved cycle parking (as depicted upon approved plan A101.b) shall be submitted to and approved in writing by the Local Planning Authority; development shall be implemented in accordance with the approved details and retained at all times thereafter.

REASON: To promote modal shift and sustainable development in compliance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

Officers Report for KET/2015/0106

This application is reported for Committee decision because there are unresolved, material objections to the proposal.

3.0 Information

Relevant Planning History

KET/2015/0107 - 5no. non-illuminated fascia signs and 2no. non-illuminated free-standing signs (Pending)

KET/1997/0279 - Illuminated various elevation signs (Approved subject to conditions)

KET/1988/0021 - Erection of retail warehouse and car parking (Approved subject to conditions)

Site Description

Officer's site inspection was carried out on 6th March 2015.

The site constitutes a single-storey retail warehouse located outside of Kettering Town Centre opposite Kettering General Hospital. It is constructed of brickwork at low level with metal cladding above and provides for 1,333 sq. m. of gross internal floor space. The site is roughly rectangular in shape; Rothwell Road runs the southern boundary of the site and affords pedestrian access to the site whilst Garrard Way runs the northern boundary and affords vehicular access. Within the site a service yard is located to the eastern side of the main building whilst car parking areas are located to the north and west.

Proposed Development

It is proposed that the use of the site is changed from a retail warehouse that is currently vacant (Use Class A1) to a gym (Use Class D2). No external alterations are proposed as part of the conversion works, although a formalised pedestrian access route is proposed from Rothwell Road to the southern frontage of the building. Minor reconfigurations to the car parking layout are also proposed.

Any Constraints Affecting the Site

Classified Road (Rothwell Road)

4.0 Consultation and Customer Impact

KBC Environmental Health: No comment or objection.

Highway Authority: No objection subject to details of the connection between the upgraded footway and existing highway footway being provided prior to the

commencement of development. The first 3m from the highway edge should be laid in a hard-bound material. No works may commence within the existing highway without the express written permission of the local highway authority.

Northants Police: No formal objection.

Neighbours: Notification letters were sent out to close proximity neighbours and a site notice erected at the property. 3no. responses have been received (from 16 Jasmine Road, Kettering; 211G Regent Street, Kettering; 1 Aspen House, Station Road, Kettering)) and can be summarised as follows:

- A further gym within the town would be too much.
- The town needs to retain retail units.
- A use to serve the local community would be more beneficial.

5.0 Planning Policy

National Planning Policy Framework

Section 1: Building a strong, competitive economy

Section 2: Ensuring the vitality of town centres

Development Plan Policies

North Northamptonshire Core Spatial Strategy

Policy 1: Strengthening the Network of Settlements

Policy 9: Distribution & Location of Development

Policy 13: General Sustainable Development Principles

Local Plan

Policy 58: Employment: Within Towns

6.0 Financial/Resource Implications

None

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle of Development
2. Design & Visual Appearance
3. Residential Amenity
4. Access & Parking

1. Principle of Development

The proposed change of use would result in the loss of 1,333 sq. m of vacant

retail floor space (Use Class A1) on an unallocated out-of-town site and would result in the introduction of a gymnasium (Use Class D2). In accordance with the definition contained within Annex 2 of the National Planning Policy Framework, a gymnasium (leisure use) is classified as a main town centre use and is therefore subject to a sequential test being applied (requiring main town centre uses to be located in town centres, then in edge of centre and out of centre locations).

In this instance the site is afforded an open retail consent (granted in 1988) and was last used as a retail warehouse outlet. Retail is also classified as a main town centre use. The proposed change of use would not therefore result in additional out-of-town floor space being occupied in a main town centre use capacity to the potential detriment of the vitality and viability of Kettering Town Centre. The retail use that would be lost is not suitably located (i.e. out-of-town) in terms of supporting the role of Kettering Town Centre as a competitive retail centre. Furthermore, the applicant has referenced within their Design & Access Statement the difficulties that were encountered in finding centrally located premises that are suitably able to accommodate their proposed business model.

Consultation responses have stated that the scheme would provide a form of use (i.e. gymnasium) that is already well catered for within the town. This is not a material planning consideration, it is not the planning system's role to restrict or control commercial competition.

It is considered that the proposed change of use, which would provide 4no. full time and 12no. part time employment opportunities, would deliver economic prosperity and strengthen the role of Kettering as a Growth Town in compliance with Policy 1 of the North Northamptonshire Core Spatial Strategy.

2. Design & Visual Appearance

The proposals are for the change of use of the premises and do not necessitate any physical alterations to the built form on site, as well as existing landscaping and boundary treatments. A separate application for advertisement consent has been submitted for newly proposed signage on-site.

3. Residential Amenity

The site's surroundings are characterised by a mix of commercial and industrial sites, as well as Kettering General Hospital located on the opposing southern side of Rothwell Road. There are however residential properties facing Rothwell Road that are positioned in close proximity to the site. The closest of which (No.156 Rothwell Road) is sited some 30m away from the

footprint of the building on the application site. It is not considered that the proposed use raises any particular concerns in terms of potential noise disturbance to the detriment of surrounding amenity. The proposed hours of operation are between 6:30 am and 9pm on Mondays to Fridays and 8am to 8pm on Saturdays, Sundays and Bank Holidays. In the interests of prudence a planning condition should be applied to any consent to restrict hours of operation to those stated. The scheme is compliant with Policy 13 (l) of the Core Spatial Strategy.

4. Access & Parking

The existing car parking and service areas are proposed to be retained as existing, with the exception of re-ordered disabled car parking arrangements to the Rothwell Road frontage of the building (6no. such spaces would be provided). Furthermore, secure cycle parking would be provided to the Rothwell Road frontage (with details being secured via condition) as well as a new formalised pedestrian access from Rothwell Road. This link would be hard-surfaced and would represent a clear improvement in accessibility terms when compared to the existing dirt pathway that is in place. In accordance with the requirements of the Local Highway Authority, a condition should be attached to ensure that the pathway is indeed constructed of a hard-bound material for the first 3m from the Rothwell Road highway boundary. The scheme would not prejudice highway safety and promote pedestrian accessibility in compliance with Policy 13 (d & n) of the Core Spatial Strategy.

Conclusion

The proposed development would not be to the detriment of the vitality and viability of Kettering Town Centre, would deliver economic prosperity, would safeguard residential amenity and would not prejudice highway safety in compliance with Policies 1, 9 and 13 of the North Northamptonshire Core Spatial Strategy and the policy guidance contained within the National Planning Policy Framework.

Background Papers

Title of Document:

Date:

Contact Officer:

Andrew Smith, Senior Development Officer on 01536
534316

Previous Reports/Minutes

Ref:

Date: