

Meeting: Planning and Development Committee **Agenda Item: 5**

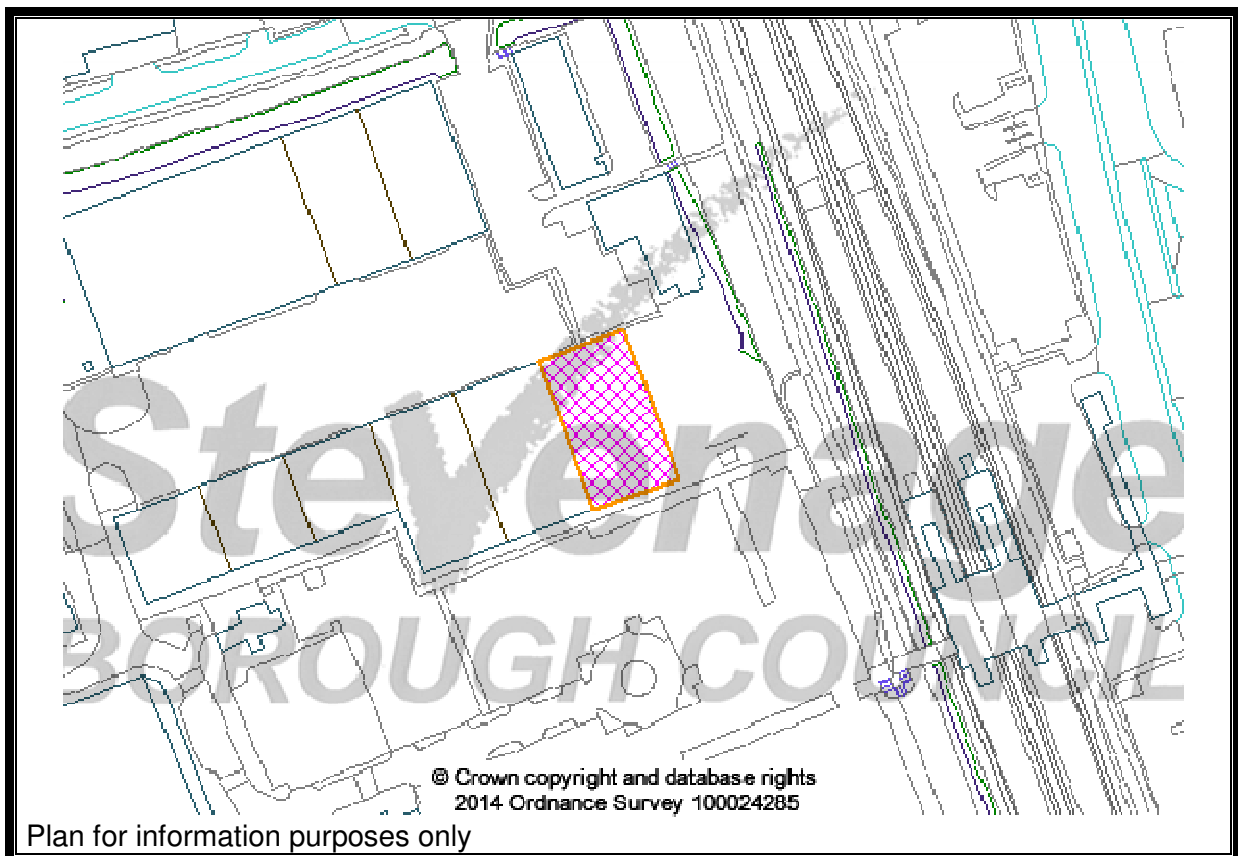
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Application No.:	15/00457/FPM
Location:	Unit 6 Fulton Close, Stevenage, Herts SG1 2AF
Proposal:	Change of use from Class B8 (Storage or Distribution) to Class D1 (Non-residential Institutions)
Drawing Nos.:	Site location plan.
Applicant:	North Hertfordshire College
Date Valid:	4 August 2015
Recommendation :	GRANT PLANNING PERMISSION.



1. SITE DESCRIPTION

- 1.1. The application site comprises Unit 6 Fulton Close which does not appear to be in use currently. The units in Fulton Close were all originally constructed as industrial premises to generally be used for warehouse/storage purposes. The units form part of the Argyle Way Trading Estate and other commercial and industrial premises are located immediately to the west of the application site. On the opposite, northern side of the industrial estate are Units 1-5 which are all in use as training and education centres for North Hertfordshire College. Further to the west are other industrial premises on Argyle Way, including a car parking area, with further industrial premises on Argyle Way to the north. Access to the site is taken from Argyle Way and Fulton Close and surface parking is provided to the fronts of the units. To the south of the application site Kingsway leads to the Stevenage Leisure Park. The unit has a gross internal floor area of 1,134m².
- 1.2. The application site is the end unit in a terrace of industrial units on the southern side of this industrial estate. The unit comprises a simple warehouse design with yellow sheet metal cladding at first floor level above dark brown brickwork at ground floor level and with a large loading bay door on the front elevation.

2. RELEVANT PLANNING HISTORY

- 2.1. 2/0190/76 11 warehouse units with car parking. Outline planning permission granted 29th June 1977.
- 2.2. 2/0184/77 Three storey office block, access road and car parking. Planning permission granted 26th October 1977.
- 2.3. 2/0185/77 Five warehouse units with car parking and access roads. Planning permission granted 26th October 1977.
- 2.4. 2/0241/77 Six warehouse units with car parking and access way. Planning permission granted 15th November 1977.
- 2.5. 07/00439/FP Change of use of warehouse units (use class B8) to training and educational use (use class D1) for a temporary period of 5 years. Planning permission granted 5th September 2007.
- 2.6. 09/00070/FP Change of use from Class B2 (General Industry) to Class B8 (Storage and Distribution). Planning permission granted 24th April 2009.
- 2.7. 09/00321/FP Change of use from warehouse (class B8) to training and educational use (class D1) for a temporary period of 5 years. Planning permission granted 16th November 2009.
- 2.8. 11/00283/CLPU Certificate of lawfulness for an MOT centre. Application withdrawn 14th June 2011.
- 2.9. 11/00368/FP Change of use from use class B8 storage and distribution to D1 non-residential institutions for a temporary period of 5 years. Planning permission granted 1st August 2011.
- 2.10. 12/00344/FPM Continued use of units as a training and educational facility (Use Class D1). Planning permission granted 19th September 2012.

3. THE CURRENT APPLICATION

- 3.1. The application seeks planning permission to change the use of the unit from a B8 use (storage or distribution) to a D1 use (non-residential institution which includes education and training). Specifically, the proposal seeks to change 690.5m² of warehousing and 452.3m² of ground floor and first floor office space to a D1 education and training facility to help meet the vocational educational needs of North Hertfordshire College.
- 3.2. No external alterations are proposed to the building and also no changes are proposed to the access and parking arrangements. The use is proposed to operate from 07.30 to 21.00 Mondays to Fridays and 08.30 to 16.30 on Saturdays, Sundays and Bank Holidays.

4. PUBLIC REPRESENTATIONS

- 4.1. The application has been publicised by a press notice, a site notice as well as letters to adjacent occupiers. At the time of drafting this report no responses had been received.

5. CONSULTATIONS

5.1. Hertfordshire County Council as Highway Authority

- 5.1.1 Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

5.2. Herts Fire and Rescue Service

- 5.2.1 The existing access for a fire appliance and the existing fire hydrants for fire-fighting are considered to be satisfactory.

6. RELEVANT PLANNING POLICIES

6.1. Background to the Development Plan

- 6.1.1 In the determination of planning applications development must be in accordance with the statutory development plan unless material considerations indicate otherwise. For Stevenage the statutory development plan comprises:

- Hertfordshire Waste Development Framework 2012 and Hertfordshire Waste Site Allocations Development Plan Document (adopted 2012 and 2014);
- Hertfordshire Minerals Local Plan 2002 – 2016 (adopted 2007); and
- The Stevenage District Plan Second Review 2004.

The former Stevenage Draft Core Strategy and Development Management Policies were withdrawn on 1st February 2012. However, the Site Specific Policies Plan, the Old Town Area Action Plan and the Gunnels Wood Area Action Plan have all been approved locally by the Council's executive as material considerations in the determination of planning applications and continue to be used for Development Management purposes. Additionally, the Council's Interim Planning Policy Statement adopted in April 2012 is a material consideration in the determination of planning applications registered on or after the 18 April 2012.

- 6.1.2 Where a Development Plan Document has been submitted for examination but no representations have been made in respect of relevant policies, then considerable weight may be attached to those policies because of the strong possibility that they will

be adopted. The converse may apply if there have been representations which oppose the policy. However, much will depend on the nature of those representations and whether there are representations in support of particular policies.

- 6.1.3 In considering the policy implications of any development proposal the Local Planning Authority will assess each case on its individual merits, however where there may be a conflict between policies in the existing Development Plan and policies in any emerging Development Plan Document, the adopted Development Plan policies currently continue to have greater weight.

6.2 Central Government Advice

- 6.2.1 In March 2012 the National Planning Policy Framework (NPPF) was published and in doing so it replaced many documents including all Planning Policy Guidance Notes and Planning Policy Statements. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. Annex 1 of the NPPF provides guidance on how existing local plan policies which have been prepared prior to the publication of the NPPF should be treated. Paragraph 215 of the NPPF applies which states that only due weight should be afforded to the relevant policies in the adopted local plan according to their degree of consistency with it.

- 6.2.2 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is itself a material consideration. Given that the advice that the weight to be given to relevant policies in the local plan will depend on their degree of consistency with the NPPF, it will be necessary in the determination of this application to assess the consistency of the relevant local plan policies with the NPPF. The NPPF applies a presumption in favour of sustainable development.

- 6.2.3 In addition to the NPPF advice in the National Planning Practice Guidance (March 2014) also needs to be taken into account. It states that, where the development plan is absent, silent or the relevant policies are out of date, paragraph 14 of the National Planning Policy Framework requires the application to be determined in accordance with the presumption in favour of sustainable development unless otherwise specified.

6.3. Adopted District Plan

TW1	Sustainable Development
TW8	Environmental Safeguards
E2	Employment Areas
E4	Acceptable Uses in Employment Areas
T6	Design Standards
T12	Bus Provision
T13	Cycleways
T14	Pedestrians
T15	Car Parking Strategy

6.4. Supplementary Planning Documents

Gunnels Wood Employment January 2006
Parking Provision January 2012

7. APPRAISAL

7.1 The main issue for consideration is whether the educational and training use of this unit is appropriate in this industrial location.

7.2. Land Use Policy Considerations

7.2.1 The application site is identified within the Gunnels Wood Employment Area in the Stevenage District Plan Second Review 1991-2011; as such policies E2 and E4 apply.

7.2.2 Policy E4 of the District Plan states that, within the designated Employment Areas, a range of employment uses within the B1 (business), B2 (general industrial) and B8 (storage or distribution) use classes will be encouraged. Proposals for employment generating uses that do not fall within the above use classes will be considered on their merits.

7.2.3 As the application site is within the designated Gunnels Wood Employment Area, it has to be demonstrated why the educational and training use of this unit would be appropriate.

7.2.4 Firstly, whilst the use of this unit for an educational and training use does not fall within the B1, B2 or B8 use classes as encouraged by policy E4 of the District Plan, it is considered that the type of vocational training proposed would be similar in character to those of an employment use and would be appropriately carried out in an employment area. The proposed use of this unit would allow an expansion of the existing Stevenage Skills Centre which currently occupies units 1-5 Fulton Close on the opposite side of the industrial estate. The Skills Centre focuses on construction and building trade services and teaches vocational courses such as carpentry, plumbing, electrical, brickwork, welding, engineering and painting and decorating. Additionally, policy E4 sets out that proposals for employment generating uses that do not fall within the use classes order will be considered on their merits. In this instance it is considered that the merits of the proposal outweigh the general presumption in favour of retaining the employment use of the building.

7.2.5 The merits of the proposal include the fact that it would allow for the expansion of a successful business. Despite the previously challenging economic conditions, the Skills Centre has been a success since opening in 2008, evidenced by its initial expansion into units 4 and 5. The proposal would therefore support this successful local education facility and allow it to grow sustainably, ensuring that it becomes increasingly established within Stevenage and across North Hertfordshire.

7.2.6 Secondly, whilst the proposal does not provide employment use in the 'B' use class categories, the proposal would both provide for full time employment for teachers and lecturers and would also provide essential training for the future workforce of the town and wider region which would improve the prospects for more students to access local employment opportunities. It should also be taken into account that the number of full time staff employed is likely to be more than employed in the current lawful warehouse use.

7.2.7 Thirdly, a site visit has confirmed that the unit is currently vacant and as such the proposal would bring a currently vacant unit back into economic use which is welcomed.

7.2.8 Fourthly, the National Planning Policy Framework March 2012 (NPPF) seeks to support existing business sectors, taking account of where they are expanding and also 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. The Framework also encourages the reuse of existing resources including the conversion of existing buildings and is committed to securing economic growth in order to create jobs and prosperity. The use of the unit for North Hertfordshire College is considered to be in accordance with the NPPF as it provides for both current employment and greater access to employment opportunities in the future. The site is also in a highly sustainable location being located close to the town centre and railway station and thus also accords with the requirement for sustainable development set out in the NPPF.

- 7.2.9 Finally, the applicant has stated that they would be happy to accept a condition restricting any planning permission to North Hertfordshire College only, which is known as a personal permission. Under this arrangement the D1 use could only be operated by North Hertfordshire College and should the building be vacated by the College in the future, the unit would revert back to its previous lawful B8 business use. As such the unit is not being taken out of permanent employment use. A condition attached to any planning permission can ensure that the permission remains personal to the College and that the unit can only be used as a D1 use by the College.
- 7.2.10 The factors set out above are considered to be sufficient to outweigh the general presumption of retaining the employment use of these buildings. The proposal is thus considered to be acceptable in land use policy terms having particular regard to policy E4 of the District Plan and the National Planning Policy Framework 2012.
- 7.2.11 Also material in the assessment of this application is that the Local Planning Authority has granted planning permission for units 1-5 Fulton Close (on the opposite side of the industrial estate) to be used as training and education facilities by the applicant, under reference number 12/00344/FP. Since the grant of this permission there have been no adverse impacts reported to the Local Planning Authority and rather previously vacant buildings have been brought back into economic use and the visual appearance of these units has been improved through the painting and tidying up of the frontages of the buildings. It is a material consideration that the Local Planning Authority has accepted the merits of the Stevenage Skills Centre in the Gunnels Wood Employment Area in the buildings opposite and this has had a positive impact without detriment to the employment area or the neighbouring occupiers. Given that these arguments have previously been accepted in the buildings opposite it would be perverse not to accept the same arguments for the current unit.
- 7.2.12 In relation to parking provision, the relevant standard is set out in the Council's Parking Provision Supplementary Planning Document January 2012. This sets out a requirement for 1 space per full-time member of staff and 1 space per 5 full-time students. Based on how the existing units at the Skills Centre operate, there are generally 50 students per unit and 10 full-time members of staff, which using the standard set out above would result in a requirement for 20 car parking spaces. 20 car parking spaces are available at Unit 6 and therefore there is considered to be sufficient parking provision. Whilst the application site falls within Zone 1, where the parking provision standards can be reduced to 0-25% of the usual requirement, the parking spaces are existing and simply form part of the hard standing in front of the unit. Given that the parking spaces are existing, it is not considered to be an issue that technically there is an over provision of parking in this instance.

- 7.2.13 To ensure that the site can be suitably accessed by bicycle and in accordance with policy T13 of the District Plan, it is considered that a condition should be attached requiring a scheme for cycle parking to serve the development.

8. CONCLUSIONS

- 8.1 In the light of the foregoing appraisal, the proposed use of Unit 6 Fulton Close for the educational and training D1 use is considered to be an acceptable alternative use of this building. The proposal also provides sufficient parking provision and a condition can be imposed requiring dedicated cycle parking. A planning permission personal to the College also allows the Local Planning Authority to retain control over this building should the College move out of these premises at some point in the future. Accordingly, it is recommended that planning permission is granted.

9. RECOMMENDATION

- 9.1 Planning permission be granted subject to the following conditions:-

1. The development hereby permitted shall be carried out in accordance with the following approved plan: site location plan.

REASON: - For the avoidance of doubt and in the interests of proper planning.

2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3. The use hereby permitted shall be carried on only by North Hertfordshire College or its successors in title. When the premises cease to be occupied by North Hertfordshire College or its successors in title, the use hereby permitted shall cease.

REASON: - The development has only been considered to be acceptable based on the specific educational and training use of these buildings by North Hertfordshire College.

4. Prior to the use of the building for an educational and training D1 use, details of secure cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The works, as agreed, shall be carried out prior to the first occupation of the building as an educational and training facility and permanently retained thereafter.

REASON: - To promote access to the development by cyclists.

Pro-active Statement

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

10. BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage District Plan Second Review 1991-2011.
3. Central Government Advice contained in the National Planning Policy Framework March 2012 and National Planning Policy Guidance March 2014.
4. Stevenage Borough Council Supplementary Planning Documents – Gunnels Wood Employment Area and Parking Provision January 2012.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Interim Planning Policy Statement for Stevenage April 2012.