

The application seeks planning permission for the change of use of the lower ground floor of the premises from a garage/warehouse to offices.

The application involves 1288 m² of new office floor space.

The site is situated within the Urban Area of Newcastle as specified on the Local Development Framework Proposals Map. In addition the site is within the Pool Dam Quarter as defined in the Councils Newcastle Town Centre Supplementary Document.

The 13 week period for the determination of this application expires on 22nd July 2016.

RECOMMENDATION

PERMIT subject to conditions relating to the following:-

- 1. Time limit**
- 2. Approved plan/documents.**

Reason for Recommendation

The proposed change of use of the building has to be considered in the context of policies which seek to enhance the vitality and viability of the town centre. The proposal entails a 'main town centre use' in an 'edge of town centre' location on the lower ground floor of a building which is already used for office purposes. There are also clear economic and operational benefits in allowing additional office space to support an existing commercial enterprise which is looking to expand on the same site. There are no highway safety objections to the proposal which enjoys ample surface car parking and is also well served by public transport, a cycle route and public car parks.

Statement as to how the Local Planning Authority has worked in a positive and proactive manner in dealing with the planning application

The proposal is considered to be a sustainable form of development in compliance with the provisions of the National Planning Policy Framework.

Key Issues

The application seeks planning permission for the change of use of the lower ground floor of the premises from a garage/warehouse to offices. The application involves 1288 m² of new office floor space. The business involved, an online gaming company, is looking to expand its existing office capacity. Planning permission has already been granted in 2013 for change of use of the ground floor of the building from a furniture showroom to offices. That application involved about 1100m² of new office space also including a very small mezzanine level.

An additional 40 full time and 20 part time employees are to be employed by the business in the office area proposed. No external changes are proposed to the building.

The site is situated within the Urban Area of Newcastle as specified on the Local Development Framework Proposals Map. In addition the site is within the Pool Dam Waterside Quarter as defined in the Councils Newcastle Town Centre Supplementary Document.

The key issues to consider are:-

1. Is the principle of office development in this location acceptable?
2. Is the impact to highway safety acceptable?

1. Is the principle of office development in this location acceptable?

The Local Plan, the Town Centre Supplementary Planning Document and National Planning Policy

Core Strategy Policy ASP4 (the Newcastle Town Centre Area Spatial Strategy) sets out a number of planning considerations which are designed to enhance the vitality and viability of the Town Centre. Amongst those considerations is the formulation of a spatial framework identifying distinct zones both within the primary shopping area and beyond, aimed at maintaining their distinctive characters and helping break through the perceived barrier of the ring road. It indicates that in the plan period proposals will provide for 60,000 m² of additional gross office floor space within, or on the edge of the town centre, to accommodate new employment of a type in keeping with the role of the Town Centre.

The Councils Supplementary Planning Document (SPD) is the framework for the Newcastle Town Centre referred to by Policy ASP4. The application site is within the Pooldam Waterside Quarter as defined in the SPD. The SPD does not form part of the Development Plan but is a material consideration.

Paragraph 23 of the National Planning Policy Framework (the Framework) sets a broad aim to ensure the vitality and viability of town centres. The aims include allocating appropriate edge of centre sites for main town centre uses that are well connected to the town centre where suitable and viable town centre sites are not available.

The Framework defines 'edge of centre sites' for office development to include locations outside of the town centre primary shopping area but within 500 metres of a public transport interchange. The application site falls within this category.

Paragraph 24 indicates that Planning Authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up to date Local Plan. They should require applications for main town centre uses to be located in town centres, then in 'edge of centre' locations and only if suitable sites are not available should 'out of centre' sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and Local Planning Authorities are also required to demonstrate flexibility on issues such as format and scale.

When assessing applications for office development outside of town centres, which are not in accordance with an up-to-date Local Plan, local authorities should require an impact assessment but only if the proposal is over a proportionate, locally set floor space threshold (there is no threshold for the Borough) or the default threshold is 2,500m².

The proposal in addition to the existing office use already permitted does not exceed the 2,500m² threshold.

A sequential assessment has been prepared by the applicant in support of the proposal.

Sequential test

The applicant has submitted a sequential assessment. Guidance on how to adopt a sequential approach is set out in Planning Practice Guidance (PPG). It advises that the sequential test guides main town centre uses towards town centre locations first then, if no town centre locations are available, to edge of centre locations, and, if neither town centre locations nor edge of centre locations are available, to out of centre locations, with preference for accessible sites which are well connected to the town centre. It supports the viability and vitality of town centres by placing existing town centres foremost in both plan-making and decision-taking. It is for the applicant to demonstrate compliance with the test.

The following sites have been considered and discounted by the applicant:-

1. **Brunswick Court, 16 Brunswick Street, Newcastle under Lyme** – the applicant advises there is very limited car parking at the site and the building overall has been discounted for that reason.

2. **The Old Police Station, Water Street, Newcastle under Lyme** - the applicant advises that the building has been discounted because its internal layout does not meet the applicant's business layout needs.
3. **Unit 1 & 2, Lymedale Business Park, Brymbo Road, Newcastle under Lyme** - the applicant has been discounted due to diminished levels public transport and access compared to the Pool Dam site.

It is noted that the applicant has not identified any town centre sites as part of their sequential assessment and it is considered that there are vacant units within the town centre in addition to the partially cleared Ryecroft site that should have been assessed. Notwithstanding this it is considered that these town centre sites are either unsuitable (due to size) or unavailable at this time. The sites that have been identified by the applicant and sequentially assessed are either edge of, or out of, town centre sites and as such are not sequentially preferable to the application site.

Overall there are no other suitable buildings or sequentially preferable locations which have been identified. There are also clear practical operational advantages for the business enterprise to remain and expand onsite which need to be borne in mind. The fact that the proposal encourages economic development and is linked to job creation also carries significant weight. In light of such matters the proposal is considered to be acceptable in principle.

2. Is the impact to highway safety acceptable?

Saved Policy T16 of the Local Plan states that development which provides significantly less parking than the maximum specified levels will not be permitted if this would create or aggravate a local on-street parking or traffic problem, and furthermore that development may be permitted where local on-street problems can be overcome by measures to improve non-car modes of travel to the site and/or measures to control parking and waiting in nearby streets. Appendix 3 sets out maximum parking standards for different uses. For B1 office uses, as is proposed, it specifies a maximum of 1 space per 30m² which would equate to a maximum requirement of around 43 parking spaces for the additional office space and a maximum of 80 parking spaces in total taking into account the existing office floor space on site.

The most up to date planning advice on highway safety matters is contained within the Framework. The Framework advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe. In March 2015 the Secretary of State gave a statement on maximum parking standards indicating that the government is keen to ensure that there is adequate parking provision both in new residential developments and around town centres and high streets.

There is surface car parking availability on site for around 75 vehicles and existing facilities for cycle parking for 20 cycles. Given the position of the site on the edge of the town centre this is a highly sustainable location where there is a choice of modes of transport. Taking this into consideration in addition to the level of parking provided being very close to the maximum set out in policy, it could not be demonstrated that significantly less parking spaces than the maximum specified level are provided that would create or aggravate a local on-street parking or traffic problems in conflict with policy T16

The proposed development is acceptable in this regard.

APPENDIX

Policies and proposals in the approved development plan relevant to this decision:-

Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy (CSS) 2006-2026

Policy SP1: Spatial principles of Targeted Regeneration
Policy SP3: Spatial principles of Movement and Access
Policy ASP4: Newcastle Town Centre Area Spatial Policy

Newcastle-under-Lyme Local Plan (NLP) 2011

Policy T16: Development General Parking Requirements

Other Material Considerations include:

National Planning Policy Framework (NPPF) (2012)
National Planning Practice Guidance (PPG) (2014)

Supplementary Planning Documents

Newcastle under Lyme Town Centre SPD (adopted January 2009)
Developer Contributions SPD (September 2007)

Relevant Planning History

13/00581/COU	Change of use from furniture showroom (Class A1) to offices (Class B1) of existing ground floor accommodation and existing mezzanine area and erection of bollards	Permitted	2013
10/00473/COU	Retention of Change of use from car showroom to display and sale of furniture and furnishings.	Permitted	2010

Views of Consultees

The **Environmental Health Division** and the **Highway Authority** have no objections.

Newcastle South Locality Action Partnership and the **Waste Management Section** have been consulted. As no response has been received by the due date it is assumed that they have no comments.

Representations

None received by the due date.

Applicant's/Agent's submission

The application documents, which include a Sequential Assessment/ Design and Access Statement, are available for inspection at the Guildhall and via the following link <http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/16/00338/COU>

Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

4th July 2016