

## **Committee Report**

**Item 7E**

**Reference:** DC/19/04869  
**Case Officer:** Harry Goodrich

**Ward:** Stowmarket St. Peters

**Ward Members:** Cllr Paul Ekpenyong

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## **RECOMMENDATION – PLANNING PERMISSION WITH CONDITIONS**

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### **Details of Development**

#### **Description of Development**

Full planning application - Part change of use of A1 unit to gym (D2) including alterations to entrance door

#### **Location**

Poundland Gipping Way Stowmarket Suffolk IP14 1RA

**Expiry Date:** 20<sup>th</sup> November 2019

**Application Type:** Full Application

**Development Type:**

**Applicant:** Mr Elrington

**Agent:** Nineteen47 Ltd

**Parish:** Stowmarket

**Site Area:** 1145.5sqm

**Details of Previous Committee / Resolutions and any member site visit:** None

**Has a Committee Call In request been received from a Council Member (Appendix 1):** No

**Has the application been subject to Pre-Application Advice:** No

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## **PART ONE – REASON FOR REFERENCE TO COMMITTEE**

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The application is referred to committee for the following reason:

Mid Suffolk District Council is the land-owner

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## **PART TWO – POLICIES AND CONSULTATION SUMMARY**

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### **Summary of Policies**

SAAP - Stowmarket Area Action Plan 2013

Mid Suffolk Local Plan (1998)  
GP01 - Design and layout of development  
E09 - Location of new businesses  
E12 - General principles for location, design and layout  
T09 - Parking Standards  
T10 - Highway Considerations in Development

Mid Suffolk Core Focused Review (2012)  
FC1 Presumption in favour of sustainable development  
FC1.1 Mid Suffolk approach to delivering Sustainable Development

National Planning Policy Framework

Suffolk County Council Guidance for Parking (2019)

### **Neighbourhood Plan Status**

The application site is not within a Neighbourhood Plan Area.

### **Consultations and Representations**

During the course of the application consultation and representations from third parties have been received. These are summarised below.

#### **A: Summary of Consultations**

##### **Town/Parish Council (Appendix 3)**

###### **Stowmarket Town Council**

No objection.

##### **County Council Responses (Appendix 4)**

###### **SCC Highways**

No objection.

##### **Internal Consultee Responses (Appendix 5)**

###### **Economic Development**

The team supports the proposed change of use.

The Local Plan currently focuses on A1 frontage/units, but more up to date considerations around the role of town centres such as the Portas and Grimsey Reviews now encourage more leisure uses in the mix to create a broader offer, and encourage more linked uses of the town centre. The subject site lies off the main frontage areas and lacks passing footfall, making the unit more difficult to let to a retail operator - as evidenced by lengthy vacancy period and a regular churn of operator prior to that. However, a leisure use such as the proposed gym is more of a target destination and as such is less reliant on passing trade, yet is a viable, functional part of a broader leisure offer within the town centre. Accordingly, the use of the

building for the proposed gym is considered a better use for the town overall. It will also have longer opening hours, helping to make the town busier in the evening and in the morning, helping to boost vitality.

### **Heritage**

No objection.

### **Environmental Health**

If any sound amplification system for music or voices is to be installed I recommend the applicant submit a scheme for sound insulation works which should be agreed with Environmental Protection in writing prior to the development taking place.

### **Public Realm**

No objection.

### **Fire and Rescue**

Suffolk Fire and Rescue Service recommends that proper consideration be given to the potential life safety, economic, environmental and social benefits derived from the provision of an automatic fire sprinkler system.

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## **B: Representations**

At the time of writing this report one objection had been received, on the grounds that it is not an appropriate area for a gym and the proposal does not support the smaller businesses who all employ local people.

### **Planning History**

None relevant to the subject proposal.

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## **PART THREE – ASSESSMENT OF APPLICATION**

### **1.0 The Site and Surroundings**

- 1.1 The site is located on the northern part of Stowmarket town centre, accessed off Union Street West. The site is occupied by a large detached retail unit with a 76 space car park located on its southern side. Gipping Way bounds the site to the rear, and Union Street Long Stay Car Park is to the northwest. Commercial uses are south and west of the site. The unit was originally an Aldi and was most recently occupied by Poundland. The site is currently vacant.
- 1.2 The site is located in the Stowmarket Town Centre Conservation Area. The subject building is not listed.

### **2.0 The Proposal**

- 2.1 Full planning permission is sought for the change of use of part of the building from retail (A1) to a gymnasium (D2). The gymnasium will occupy 694sqm of the building. The balance of the building (446sqm) will remain retail, occupied by a new, yet to be determined, tenant.
- 2.2 External alterations are limited to the entrance to facilitate access, comprising the insertion of automated, bi-folding doors. Signage does not form part of the application.
- 2.3 The proposed gymnasium hours are 24/7. Up to 15 staff are anticipated.

### **3.0 Principle of Development**

- 3.1 The site is in the Stowmarket town centre but outside the Principal Shopping Area as designated in the Stowmarket Area Action Plan (SAAP). The site does not therefore front a designated primary or secondary shopping frontage.
- 3.2 SAAP Policy 5.1(8) states that the vitality and viability of the town centre will be assisted by promoting appropriately-located complementary uses, such as offices, residential, and leisure uses, which can increase the town's day and evening economy and activity, and can make it more attractive to residents, businesses and visitors. The policy states that in some areas it may also be appropriate to allow extended hours of operation through approved conditions in order to stimulate Stowmarket's evening economy. The policy concludes by stating that *'Ultimately, a balance of shops and other complementary uses in a safe and attractive environment is sought for Stowmarket'*.
- 3.3 The SAAP expressly contemplates the proposed use locating at the subject site. A gymnasium is a complementary leisure use. Patrons will frequent the gymnasium throughout the day, early in the mornings and into the evenings, animating the town centre and in turn enhancing the vitality and viability of it. Importantly, patron activity will offer good natural surveillance over the car park and broader locality. Planning officers agree with the Economic Development Officer's commentary, gymnasiums form a viable, functional part of a broader leisure offer within the town centre.
- 3.4 Extending the operating hours to allow evening use is justified given the contribution the activity will make to the local night-time economy. For this reason, a condition restricting operating hours is not recommended.
- 3.5 The town centre location benefits from a range of sustainable transport options and as a result the use will unlikely result in a level of high car dependency. Environmental harm in this regard will be slight.

### **4.0 Nearby Services and Connections Assessment of Proposal**

- 4.1 The site is well-served in this central location.

### **5.0 Site Access, Parking and Highway Safety Considerations**

- 5.1 Suffolk County Council Guidance for Parking (2019) states that for a gymnasium, one on-site vehicle parking space is to be provided for each 10 sqm of public area. This rate equates to an on-site parking requirement of 70 spaces for the proposed use. The southern car park comprises approximately 76 spaces, which will also serve the remaining retail unit, which itself generates an on-site parking requirement of 28 spaces (one space per 16sqm). Applying empirical rates therefore suggests an under-supply of on-site parking provision for the collective permitted and non-permitted uses.
- 5.2 However, the guidance makes it clear that a lower parking provision may be appropriate in urban areas (including town centre locations) where there is good access to alternative forms of transport and existing car parking facilities. Additionally, the guidance states that a relaxation of the parking standards may be acceptable in town centres where housing density is high, local services such as shops, healthcare and education are nearby and there are high quality facilities for walking and cycling. The application site exhibits all of these characteristics. There is little doubt that some target consumers will travel to the destination by means other than car. For these reasons, and

the fact the Highway Authority does not raise an objection, the proposed change of use will not unduly compromise the surrounding on-street parking network. The on-site parking arrangement for the proposed use is an acceptable planning outcome.

- 5.3 The Guidance specifies a minimum on-site cycle provision of 20 spaces plus one space per 10 vehicle spaces. Applying this rate to the proposed use equates to a total of 27 cycle spaces. The site falls well short of this number, with only a few cycle racks located to the front of the premises. It is reasonable to assume that a good percentage of the target gymnasium consumers are likely to cycle to the proposed destination. A condition is recommended to ensure the securing of the required on-site cycle spaces prior to the new use commencing.

## **6.0 Design and Layout [Impact on Street Scene]**

- 6.1 The external access changes are extremely modest and will have a negligible impact on the surrounding area.

## **7.0 Landscape Impact, Trees, Ecology, Biodiversity and Protected Species**

- 7.1 n/a

## **8.0 Land Contamination, Flood Risk, Drainage and Waste**

- 8.1 n/a

## **9.0 Heritage Issues [Including the Impact on the Character and Appearance of the Conservation Area and on the Setting of Neighbouring Listed Buildings]**

- 9.1 As above, the effect on the Stowmarket Conservation Area will be negligible. The subject building is not listed and makes no contribution to the heritage significance of the area. This position is affirmed by the absence of an objection from the Heritage team.

## **10.0 Residential Amenity**

- 10.1 Given the commercial context, separation distances to other buildings and absence of openings within the commercial unit, amenity interfaces are considered acceptable. The condition to control sound amplification as recommended by the Environmental Health Officer would offset any concerns about noise pollution, especially at night-time.

## **11.0 Planning Obligations/CIL**

- 11.1 n/a

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# **PART FOUR – CONCLUSION**

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## **12.0 Planning Balance and Conclusion**

- 12.1 Located outside of Stowmarket's Principal Shopping Area, the complementary leisure use will not compromise the vitality and viability of the town centre, in support of the SAAP. If anything, the complementary nature of the use will serve to enhance the local economy, particularly in the evenings. The use will re-animate this part of the town centre, contributing to a safe and attractive

local commercial environment. The use brings with it an added planning benefit, being the increase in natural surveillance day and night.

- 12.2 The external alterations to the entrance are extremely modest, barely visible from the public domain and affect a building of no historical or architectural significance. The Conservation Area will be unaffected by the proposal. The commercial location is not sensitive in amenity terms and therefore flexibility regarding operating hours is applied.
- 12.3 The highly sustainable location, with a range of alternative sustainable transport options available to target consumers, means any empirical short fall in on-site parking is considered acceptable.
- 12.4 The social and economic benefits outweigh any identified material environmental harm. The proposal delivers sustainable development and therefore permission is recommended.

## **RECOMMENDATION**

- (1) That the Corporate Manager - Planning for Growth be authorised to grant planning permission subject to the following conditions:

Standard time limit  
Approved plans  
Cycle provision  
D2 Gym purposes only

### **Informatives**

- Pro-active engagement
- Sprinklers