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planning solutions

PLANNING STATEMENT

Units 4, 5 & 9 Longsight Business Park, Longsight, Manchester

Change of Use from B1 (Offices) to D1 (Training Centre)

Pendle Enterprise Haven,
138 Every Street,
Nelson,
Lancashire,
BB9 7EX

December 2013

1.0 Introduction

1.1 This application seeks planning permission for the change of use of a small amount of Class B1 units to a Class D1 educational establishment use, on Longsight Business Park in Longsight, Manchester. A change is proposed to approximately 130 square metres of floorspace to deliver training courses aimed at developing key employment related skills. The proposal will not involve any external changes.

1.2 Planning permission for this change of use was previously sought in 2013 (reference: 102277/FU/2013/N2), but was refused by Manchester City Council, with the reasons for refusal of the application relating to:

- The loss of employment generating premises in a predominantly commercial use was considered by the Council to be detrimental to the nature of the complex,
- This was also considered by the local planning authority to reduce the attractiveness of the site for future businesses, which would be detrimental to regeneration efforts,
- Specific reference was made to policies EC1, EC2, EC5 and DM1 of the Core Strategy in the decision notice.

1.3 It is acknowledged that the initial application was submitted without the benefit of documentation to support and explain the benefits of the development. As a result, this statement, as part of a resubmission, sets out the case for granting planning permission for the change of use, as the aims of the development plan and National Planning Policy Framework will not be prejudiced by granting planning permission.

2.0 Site and Surroundings

2.1 The application site comprises of Units 4, 5 and 9 of Longsight Business Park, which is within the centre of Longsight and around 3 miles south of Manchester City Centre. Longsight Business Park is a converted former industrial building, now in use as a business park, characterised by a mix of uses, including offices and light industrial units, other educational and training facilities, café/restaurants, as well as a number of currently vacant units.



Figure 1: Longsight Business Park (Entrance off Hamilton Rd)

2.2 In September 2013, Manchester City Council approved an application (reference 102939/FU/2013/N2) at Unit 40 of Longsight Business Park for a change of use from a B1 employment use to a circus training facility for what is predominantly a training facility aimed at recreational

visitors and beginner skills classes. This very recent decision demonstrates that training, educational and recreational uses are considered to be part of an appropriate mix of use within this business park and has been viewed by the Council to be an appropriate use of vacant employment land in Manchester. Another training college also operates within the business park as part of the mix of uses.

2.3 The site is within the defined Central Manchester area that has a specific economic policy. The proposals map has another site allocated for employment directly to the east (LL13) and a number of sites are allocated within a mile to the north, in East Manchester which is a particular strategic focus for employment land, rather than areas such as Longsight. The site also falls within the Longsight District Centre as defined on the Proposals Map (see Appendix 2).

3.0 Key Planning Policies

3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that development proposals should be determined in accordance with the plan unless material considerations indicate otherwise. The relevant local and national planning policies are summarised in this section.

Manchester Core Strategy Development Plan Document

3.2 Objective 2 of the Core Strategy aims to *"support a significant further improvement of the City's economic performance and spread the benefits of this growth across the City to reduce economic, environmental and social disparities, and to help create inclusive sustainable communities."*

3.3 **Policy EC 1 - Employment and Economic Growth in Manchester**

Policy EC1 looks predominantly at the provision of new employment and economic growth facilities in Manchester, focusing on the City Centre and airport areas. It states the need to improve access to jobs for all, improving the portfolio of employment premises and enhancing primary business use with ancillary commercial facilities.

3.4 This policy does also state that the Council will support other significant contributors to economic growth and productivity including, education facilities and other employment generating uses beyond B1, B2 and B8 uses.

3.5 **Policy EC 2 - Existing Employment Space**

The Council will seek to retain and enhance existing employment spaces and sites, although alternative uses will be considered if it can be demonstrated that the existing use is un-viable in terms of business operations, building age and format, or where proposals are able to offer greater benefits in terms of the Core Strategy's vision and spatial objectives than the existing use.

3.6 Supporting text to this policy in paragraph 8.13 states that although the Council values employment land, there are circumstances where it will be appropriate to support alternative uses, acknowledging situations in which it would be unproductive to protect the land for employment uses, either where employment is un-viable or the site has remained empty or vacant for a period of time, or where an alternative use would bring more benefits to the City, either because the employment use is not the optimum use for the site or because any harm is outweighed by the benefits of the new use.

3.7 **Policy EC 8 – Central Manchester**

This policy sets out the employment provision expectation within the area in which Longsight lies. Longsight is

considered to be an area suitable for employment, however a mix of uses are deemed to be appropriate and there is no specific guidance on the retention of employment units in Longsight. The Central Manchester area is expected to provide approximately 14ha of employment land, however the majority of this provision will be provided within 'The Corridor' (Manchester) within the Central Manchester Regeneration Area, which is suitable for office, research and development, light industrial, general industrial, education and health. Areas along Stockport Road and in Longsight are seen as suitable for employment as part of a mix of uses.

3.8 **Policy DM 1 – Development Management**

Policy DM1 states that proposals should have regard to a range of specific issues. The most relevant issues for a change of use application of this nature are any impacts upon neighbouring residential amenity, accessibility, highway safety, access and car parking provision.

National Policy Planning Policy Framework

3.9 The National Planning Policy Framework (NPPF) is an important material consideration in all planning decisions. Paragraph 14 of NPPF outlines a presumption in favour of sustainable development (defined in the NPPF as meeting the needs of the present without compromising the ability of future generations to meet their own needs). For decision-taking this means

approving development proposals that accord with the development plan without delay.

3.10 Paragraphs 18-22 of the National Planning Policy Framework (NPPF) deals with building a strong, competitive local economy. This section notes the need to support sustainable economic growth through the planning system and avoid the long term protection of employment sites where there is no realistic prospect of the site being used for that purpose. Applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.

3.11 NPPF's Core Planning Principles seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

4.0 Planning Assessment

4.1 Following the previous refusal and the above policy assessment, the key issue for consideration relates to the release of 'employment land' and more broadly the principle of development. This section gives consideration to this issue as well as issues relating to amenity, parking and accessibility.

Principle of Development

Employment Space Not Viable

4.2 The application currently has a lawful use falling within Use Class B1 and Policy EC2 of the Core Strategy is therefore of relevance. Whilst this seeks to retain and enhance existing employment sites and spaces, it does make provision for alternative uses, subject to a number of exception criteria.

4.3 One of the criteria allows for alternative uses where the existing use in un-viable in terms of business operations, building age and format. The supporting text to the policy (paragraph 8.13) goes on to state that the viability of a employment use could be in question if the site has remained empty or vacant for a period of time despite marketing, although it is not prescriptive over further details. The NPPF also notes the need to support sustainable economic growth through the planning system

and avoid the long-term protection of employment sites use where there is no realistic prospect of the site being used for that purpose.

4.4 As of 20th November 2013 there were a number of vacant and available units within the business park, with at least three office units available[1], demonstrating that it is proving very difficult to fill all of the office and industrial units, even with an existing mix of uses.

4.5 The units subject to this application did not also find an (Class B1, B2, B8) employment use, despite extensive periods of marketing over a period of time. If these units were to be included in vacancy figures due to the applicant's business not being able to operate, then six units would be free. There are a total of 20 studios in the three storey western part of the building which faces Hamilton Road. This level of vacancy therefore amounts to 30% and clearly indicates that there is not the demand to sustain this level of Class B1 floorspace. This vacancy would clearly not be in the economic interests of the area. Keeping these units vacant would be far more detrimental to the nature of the complex than allowing this development to proceed and for this reason, the Core Strategy (paragraph 8.12) recognises that leaving land vacant is inefficient and should be avoided.

[1] See Appendix 3

4.6 In addition to vacancy levels, the buildings condition, age, layout and location also demonstrate that it is not suitable for Class B1 Office use. The recent Core Strategy (paragraph 8.12) identifies changes in employment demand and the increase in offices in certain locations which has resulted in an increase in older industrial sites with underused land. This is precisely the situation which affects the offices at Longsight Business Park. The site comprises of an old industrial building which requires significant investment in the building's fabric to bring it to a reasonable standard . Even with such investment, it would not overcome factors such as the poor quality reception facilities owing to the sites layout.

4.7 In any event we have seen that the location of the site - on the periphery of Longsight District Centre, facing residential properties is no longer a location which generates office demand. In addition to Policy EC2, other Core Strategy Policies, including Policy EC8 which relates to the Central Manchester area (and not EC5 which was erroneously referred to in the previous decision notice which related to East Manchester) states that the majority of new employment provision in this area will be in 'The Corridor' area and existing employment and economic development areas (such as those along Stockport Road) will be suitable for employment as part of a mix of uses. This application site, which is located a short distance from Stockport Road and the proposal which as this Statement will show, involves a use which complements the traditional employment uses, full meets the requirements of Part 2 of Policy EC8. It also meets the

requirements of Policy EC1 as it improves access to jobs by sustainable travel modes and it assists in creating business destinations by enhancing the primary business use with a related ancillary commercial facility.

4.8 This section of this Statement has demonstrated that the level of office provision at Longsight Business Park is unviable having regard to a number of factors and thid development proposes an appropriate use which complements the business function of the Business Park. The application proposal does not therefore conflict with including Policies EC1, EC2 and EC8. If however, an office user or tradesman were to relocate or desire to open a business on this site, there are there is plenty of current availability. This development therefore clearly does not prevent new employment users establishing on the site, should some demand arise and is further supply side evidence that the change of use sought by this application will not result in harm to the level of employment provision on the Park.

Greater Benefits - Core Strategy Vision and Objectives

4.9 Core Strategy Policy EC2 also states that the loss of employment land will be allowed, where this offers greater benefits in terms of the Core Strategy's vision and spatial objectives than the existing use. Objective 2 of the Core Strategy seeks to *"support a significant further improvement of the City's economic performance and spread the benefits of this growth across the City to reduce*

economic, environmental and social disparities and to help create inclusive sustainable communities". In addition to meeting this objective through job creation, this proposal would also contribute to tackling worklessness, another key aim within the Core Strategy (e.g. paragraph 2.28), particularly within areas such as Longsight which are included within the 10% most deprived in the country.

4.10 This development will directly create around 5 jobs which is similar or greater in number to an office use. This supports the Core Strategy's objective of improving the economic performance of the City through job creation. This benefit is also acknowledged by the NPPF (paragraph's 18-22) which states that employment generating uses are not limited to B Class uses and instead places an emphasis on generating sustainable economic growth and new jobs and investment.

4.11 The nature of the use - a training centre with a focus on providing life and other basic skills to access employment will allow local residents to get into work. Longsight is one of the areas which contains the most deprived residents and worklessness is identified as a Citywide challenge within the Core Strategy. This proposal therefore will contribute strongly towards enabling residents to access jobs and providing pool of skilled resources for business.

4.12 It is therefore concluded, that in addition to the application site not being viable for business operations

(Policy EC2, bullet point 1), there are other greater benefits of the proposal which help meet the Core Strategy's vision and spatial objectives, namely improving City's economic performance through the creation of jobs and reducing worklessness through upskilling (Policy EC2, bullet point 4). Even if the site is still considered to be viable for ongoing business operations, the harm of losing only 130m2 of B1 Office space is more than outweighed by these benefit.

Character and Nature of Longsight Business Park

4.13 The Council's decision notice on the previous application stated that the change of use to D1 would be detrimental to the nature of the use of the complex as a business premises. In terms of employment, we have already clarified that the proposed use would offer as much, if not more potential for jobs than retaining the units the subject of this application within the B1 Use Class.

4.14 Although the proposed use falls with Class D1, it still has strong links to employment provision. The courses and skills provided by the training centre are directly geared towards training people for work. Whilst there are other training centres and colleges in the surrounding area, the range of courses provided by the proposal - including in English and numeracy, as well as first aid, food hygiene and security training, look to enhance the employability of local people. The siting of the proposal within the Business Park is therefore a complimentary use which far

from detracting from it being an employment destination, would enhance the mix of uses and would be perceived as a related office-type business use by other business operators and establishments. This is precisely the mix of uses sought by various Core Strategy policies (e.g. Policy EC1, Priorities for Continued Economic Growth, Fifth Bullet).

4.15 If anything, the long term vacancy of a number of office studios has far more potential to do harm to the attractiveness and perception of the Business Park than allowing occupancy by a related employment use.

Consistency of Decision-Making

4.16 The principal of determining each application on its own merits is well understood and accepted part of the planning system. At the same time, there is a need for consistency in decision-making - given a specific set of circumstances, the application of policy and views should be the same on one application as the next.

4.17 Comments received by the Regeneration Body raise a number of concerns including:

- use of 3 studios for educational purposes would change the nature of a predominately commercial focused building,

- precedence this would set for more similar applications,
- large number of other similar college establishments offering similar courses in the area on a commercial basis.

4.18 This Statement has addressed at length the concerns raised in relation to the loss of employment space and issues relating to the change in character. It is however important to emphasis that the three studios in total amount to around 130m2 which falls into insignificance when the overall Business Park amounts to over 8000m2. The small scale of the development, even when considered alongside another similar establishment in the building, would not change the nature or character of a large Business Park.

4.19 The contradiction in the comments by the Regeneration Body and the approach by the City Council are evident when considering the planning history of the site. A application earlier in 2013 at Unit 40, which was being considered (at the same time as the earlier application on this site), was approved by the Council. As referred to in section 2, this recreationally focused training use, falling within a sui generis use class, for circus skills training, was granted permission following support from the local regeneration body. The site in question (Longsight Business Park) is the same, as is the policy context.

4.20 On almost every consideration - the number of jobs created (Unit 40 - 1 full time job, this application proposal - 5 jobs), the links between the respective uses and the traditional employment uses on the Business Park (Circus training being very specialised compared to general 'life' skills provided by the proposal) and the amount of floorspace 'lost' (204sqm vs. 130sqm), this proposal performs better than the consented circus application.

4.21 Even the opening hours of the circus training facility (limited to 3pm-9pm by condition) is at complete odds with the surrounding Business Park unlike the proposal which will operate largely office hours Monday to Friday and its characteristics, are also divergent from the type of surrounding business uses.

4.22 If therefore, the Circus training proposal at Unit 40 was deemed to be acceptable having regard to its status as a protected employment site and the nature of the use in an employment area, it follows, having regard to the similarities between the cases that this application proposal, should also be deemed to be acceptable. Although there are differences between the two cases, these differences weigh in favour not against the proposal as shown at paragraph 4.20.

4.23 The regeneration body accepts in their comments on the refused application that this college venture would be commercially orientated, as are some others in the area, which suggests that this will complement the existing

commercial employment and training uses. However, the regeneration body seems to have raised an issue relating to residents being charged to gain qualifications, which is not a material planning consideration. It is also noted that a circus training facility at Unit 40 was approved, with support from the regeneration body, gaining support in part due to the fact it was described as a community facility rather than a commercially oriented one. Given the objection to this proposal relates to the loss of commercial units, it seems illogical that a commercially orientated training facility would be not be suitable on Longsight Business Park whereas a community related facility is! This highlights the apparent contradiction in the approach to these similar applications. In any event, the principle of related uses, such as training and educational facilities as part of a mix of uses within the site have already been shown to be acceptable.

4.24 Significant weight should be given to these factors which are material considerations. The application proposal will have positive impacts in terms of job creation and skills development, to a much greater extent than this recent approval within the same Business Park.

4.25 Allowing this development would not set a precedent that would make it impossible to refuse other D1 uses as suggested by the regeneration body in response to the previous application. Where schemes are considered to be inappropriate when assessed against the Council's adopted planning policies, they may be refused even if this

application is approved. Each case would need to be determined on its own merits and this is not an adequate planning reason to refuse this planning application.

Mix of Uses

4.26 Longsight has a defined district centre which includes the application site. This affords considerable flexibility in respect of both local and national policy to the range of uses acceptable in these locations. Policy C1 of the Core Strategy states that district centres have an essential role in providing for a range of shopping, commercial, leisure, public and community functions whereas the NPPF identifies training facilities as main town centre uses which according to paragraph 24, should be located within an existing centre.

4.27 To this end, the proposal is located in an accessible location, serving the local community and would strongly support the vitality of the existing centre. Given the general lack of other available properties within the Centre given the competition with other higher value uses such as a retail, this conformance with important elements of local and national policy should in itself be afforded considerable weight.

Clarification on Policy E5

4.28 The previous application for a D1 use at this site was refused due to a conflict with Policy E5, which relates to the East Manchester area. The application site lies comfortably outside this area and it is very confusing as to why this forms a reason for refusal. A significant number of available employment units are allocated within East Manchester within a mile to the north, which will provide ample opportunities for new and expanding businesses to locate to, enhancing the regeneration of the wider area.

Central Manchester

Figure 2.4 Central Manchester Regeneration Area

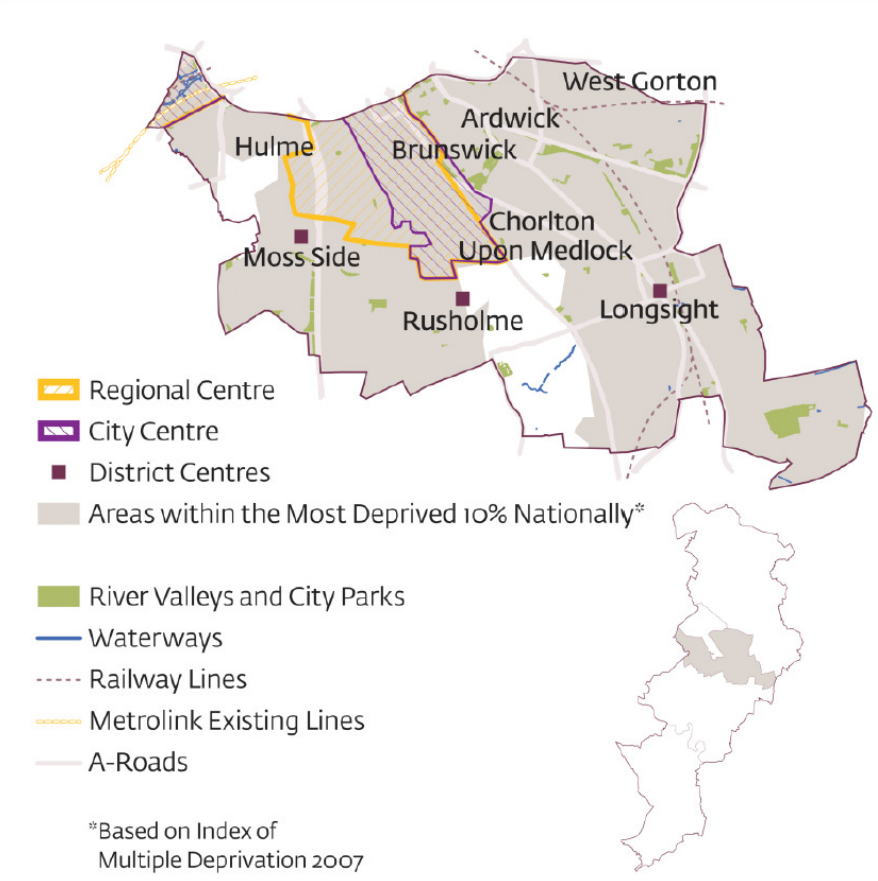


Figure 2: Central Manchester Area, Source: Manchester Core Strategy

Residential Amenity

4.29 The units will be used between normal daytime hours of 9am to 6pm, when other units will be in use and when units on a business park would ordinarily be expected to be in use. The residential amenity of the occupiers would not suffer any detrimental impact through additional noise or any other means. No concern was raised by the Council about any potential impact on residential amenity, when the previous application was submitted earlier in 2013. The development accords with Core Strategy Policy DM1.

Site Accessibility

4.30 The site is located close to public transport links and is also easily accessible for motorists. The building is equipped with suitable access and circulation space inside for all users, in accordance with Policy DM 1 and NPPF.

Vehicular Access and Parking

4.31 The unit will be within a well-established site that includes a mix of commercial uses, utilising an existing safe access and existing parking facilities. The proposal would not create any impact that would materially alter the use of and access to the car park. The existing car park for Longsight Business Park caters for 120 vehicles which is currently ample and this will not change as part

of this proposal. It is considered that the proposal accords with Core Strategy Policy DM1 in this respect. Again, no concerns were raised by the Council about any potential impact in terms of parking or highway safety considerations when the previous application was submitted earlier in 2013.

5.0 Conclusion

5.1 The need to safeguard employment land is a well established tenet of planning policy. However, this Statement has shown with reference to vacancy figures and the application buildings condition, as well as wider trends in the office sector that the current level of employment provision at Longsight Business Park is unviable.

5.2 Despite this, the scale of the change of use is small in comparison to the overall floorspace on the Business Park and it will not have an unacceptable effect on the level of employment land in the area or City as a whole. The nature of the proposed use – similar to an office based business, is specifically focused on training people for work and tackling worklessness. Furthermore, this proposal will create more jobs than a development recently approved by the Council in the same building, whilst changing around half the amount of floorspace. These factors alongside securing the retention of an otherwise vacant part of the building have been shown to represent benefits which help meet the Core Strategy's vision and spatial objectives including maintaining a healthy buoyant district centre.

5.3 The Council have on the same Business Park, in comparable circumstances granted permission for a non-B Class Use on the basis it would make a positive contribution to the vibrancy of the local economy.

Consistency of decision-making is important and if regard is had to a range of factors from the size of the application site through to the number of jobs being created, this application proposal like the Circus training example quoted should also be approved. There will no adverse impacts on the attractiveness of the Business Park to companies and to the contrary, maintaining occupancy in a related employment generating use will assist in building an image of the Business Park as a buoyant hub and wider regeneration efforts.

5.3 The proposal therefore complies with Development Plan policies relating to employment provision. This development also has no conflict with policy EC 8, which supports a mix of uses within the Longsight area and is supported by policy EC 1, which recognises the benefits of educational facilities in achieving employment and economic growth.

5.4 The proposal raises no detrimental impacts on surrounding land uses, highway safety, parking or local amenity.

5.5 It is therefore respectfully requested that this application is approved, in accordance with the presumption in favour of sustainable development outlined in NPPF.

Appendix 1 – Previous Decision Notice

MANCHESTER CITY COUNCIL

Town & Country Planning Act 1990 (as amended)

Refusal of Planning Permission

Applicant

Mr Junaid Naeem
The Roses College Ltd
Studio 4 1st Floor
Longsight Business Park
Hamilton Road
Manchester
M13 0PD

Agent (if used)

Part 1 – Particulars of the application/development

Proposal: Change of use of Class B1 offices to Class D1 educational establishment

Location: Studios 4, 5 & 9, Longsight Business Park, Hamilton Road, Longsight, Manchester, M13 0PD

Date of application: 2 August 2013

Application number: 102277/FU/2013/N2

Part 2 – Particulars of decision

Manchester City Council gives notice that the development referred to in Part 1 has been **refused** in accordance with the application and plans submitted for the reason(s) listed below.

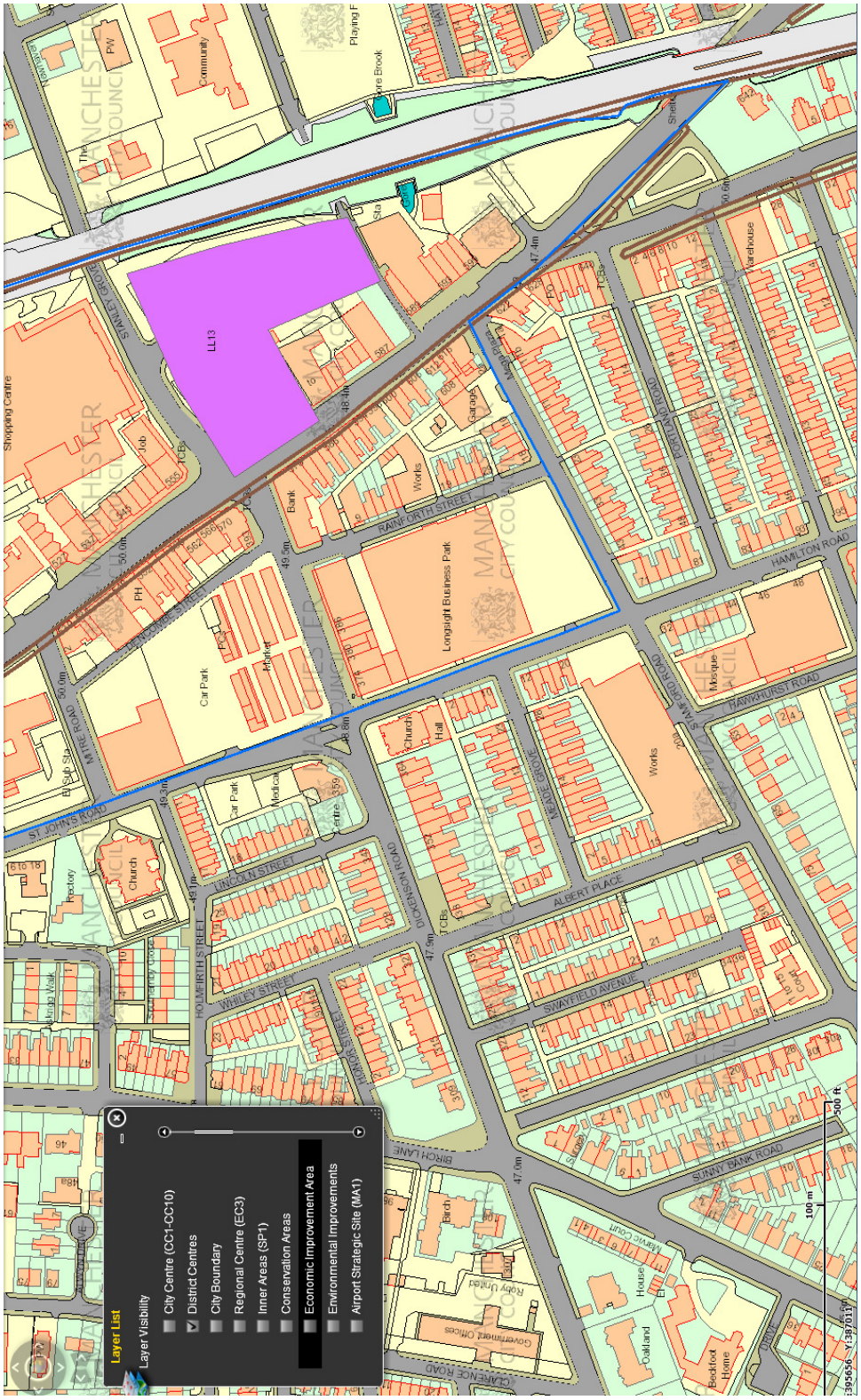
Article 31 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Due to the proposal being contrary to planning policy, the Council has sought a solution to the problems, however the intervention has not resulted in a solution.

Reason(s) for decision

1) The development would lead to the loss of premises, in a predominantly commercial complex, where the loss of employment generating units would be detrimental to the nature of the use of the complex, as a business destination, and its attractiveness to future businesses/commercial uses, and which would thereby be detrimental to future regeneration efforts in the area.. The proposal is therefore contrary to policies DM1, EC1, EC2 and EC5 of the Manchester Core Strategy Development Plan Document.

Appendix 2 – Proposal Map Extract



Source: Manchester City Council Online (2013)

Appendix 3 – Availability of Units

---------- Forwarded message ----------
From: **Ricky Sachar** <Ricky.Sachar@mcrpro>
Date: 20 November 2013 18:01
Subject: FW: enquiring about some vacant studios
To: manchester0891 <manchester0891@gm>

Hi Janaid

We have 3 studios available at the moment all @ 450sq ft 2 on the 2nd floor and 1 on the 1st floor if you are interested

Rent + Service Rent =£450.00 inc vat + insurance

If you need any more details please don't hesitate to call me

Ricky Sachar

MCR Property Group

Direct Dial:

Email:

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(Personal Contact Details Removed/Edited)