

WEST DUNBARTONSHIRE COUNCIL

Report by the Executive Director of Housing, Environmental and Economic Development

Planning Committee: 5 June 2013

DC13/093: Proposed Change of Use from Vacant Retail Unit to Gym and Erection of a Two Storey Rear Extension at 11-12 Sylvania Way, Clydebank by HP Properties Ltd.

1. REASON FOR REPORT

- 1.1** The proposal relates to land in which the Council has an ownership interest. Under the terms of the approved Scheme of Delegation it therefore requires to be determined by the Planning Committee.

2. RECOMMENDATION

- 2.1** **Grant** full planning permission subject to the conditions set out in Section 9.

3. DEVELOPMENT DETAILS

- 3.1** The application site comprises two vacant shop units within the Clyde Shopping Centre, along with a small service yard area to their rear. The two shop units are located immediately adjacent the north eastern entrance to the shopping centre and have a combined floor space of approximately 590m². The site is almost entirely enclosed by buildings, being bordered to the north and west by the remainder of the shopping centre and to the east and south by the centre's multi-storey car park. Only the front corner of the units, adjacent to the shopping centre entrance, has any public frontage, and this is onto one of the surface car parks.
- 3.2** Planning permission is sought to extend the units and to change their use into a gym. The units would be extended to their rear to occupy the existing small service yard, with the extension having a footprint of 7.5 metres by 19 metres. It would match the height of the existing shopping centre (approximately 9m) and would be finished in cladding to match the existing building. Whilst the units are currently single storey, the extension would be two storeys high and the applicant also intends to create a mezzanine floor within the existing building so that the entire gym unit would have two floors. The formation of the mezzanine within the existing building does not require planning permission and is therefore not part of this application. The extension and the mezzanine would together increase the floor area of the units from 590m² to 1486m².
- 3.3** The two units have never been occupied since the shopping centre was renovated and extended in 2000, and the applicant has provided some

supporting information to indicate that there is not a demand for these units for retail purposes. The application therefore proposes to change the use of the units into a gym. The gym would be operated by Pure Gym, a national chain which provides gyms focussed on fitness equipment and low membership cost, without any of the ancillary facilities such as saunas which are commonly provided in some gyms. The proposed gym would operate 24 hours a day, 7 days a week, and as access will be required at times when the shopping centre is closed a new external entrance would be provided adjacent to the shopping centre entrance. There would be no access into the gym from inside the shopping centre and the development would include large glazing sections to create a frontage within the shopping centre, though these internal works also do not require planning permission. Entry into the gym would be via a secure PIN entry system and it is proposed to have CCTV within the gym to ensure that patrons are safe and secure. The proposed gym would be expected to employ around 30 people, including a mixture of personal trainers, management and cleaners.

4. CONSULTATIONS

- 4.1 West Dunbartonshire Council Roads Service has no objection to the proposal.
- 4.2 West Dunbartonshire Council Estates Service has no objection to the principle of the development. Discussions concerning the Council's property interests are ongoing, and are a separate issue from the planning application.
- 4.3 West Dunbartonshire Council Leisure Services has not commented on the application.

5. REPRESENTATIONS

- 5.1 None.

6. ASSESSMENT AGAINST THE DEVELOPMENT PLAN

- 6.1 West Dunbartonshire Council Local Plan 2010
The site lies within the defined Clydebank Town Centre, which Policies RET1 and RET2 indicates to be the preferred location for retail and commercial, leisure activities. Policy RET1 indicates that new retail, commercial leisure, cultural and public service developments and other key town centre uses should adopt a sequential approach to site selection. The first preference should be for town centre sites where sites or buildings suitable for conversion are available. The proposed conversion of vacant shop units within the town centre to provide a new commercial leisure facility would fully comply with this policy. Policy RET2 has regard to assessment of retail and leisure developments within town centres and indicates that the considerations for this would include the effect on the vitality and viability of town centres. The proposed extension to the building is modest and does not raise any concerns about overcapacity or impact upon other town centres. The proposal is therefore consistent with policies RET1 and RET2.

- 6.2** Policy RET5 seeks to improve the environment of Clydebank town centre. Applications for non-retail uses, particularly those involving the re-use of vacant upper floors, will be favourably considered where they contribute to the vitality and viability of the town centre and do not conflict with other local plan policies. This proposal involves an expansion of vacant shop units to provide a 24 hour gym which will attract people to the shopping centre and thus help to improve the vitality and viability of the town centre in general. The proposal is thus in compliance with policy RET5.
- 6.3** Policy R3 supports sports, recreation and open space provision within the urban area, and indicates that the Council will encourage the development of commercial sports facilities. The proposal is consistent with this policy.

7. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

7.1 National Planning Policy

The Scottish Planning Policy (SPP) supports the provision of a mixture of uses and activities within town centres. It recognises that shopping patterns are changing and town centres should support a diverse range of community and commercial activities. Planning Advice Note 59 (Improving Town Centres) emphasises the importance of providing a range of facilities within town centres in order to ensure the attractiveness of the centre. Together these documents support the provision of mixed commercial activities within town centres, and the proposal is consistent with these national policies.

Principle of Gym Use

- 7.2** Gyms are a commercial leisure use of a type which it is desirable to locate within town centre locations, and it is not uncommon for modern shopping centres to include gyms and similar leisure or health uses. Policy RET5 supports such uses within the town centre, and this part of the shopping centre is not subject to the Retail Core designation so there is no presumption against the loss of retail units. Provision of a gym within the shopping centre would not only increase the availability of health and fitness facilities for the local community but would serve to attract more people to the town centre where they would increase footfall and contribute to the overall vitality and viability. The internal alterations to the shopping centre are not subject to planning control, but it is considered that the proposed large glass window displays would be preferable to the existing large advertisements which currently cover the vacant shopfronts, and the proposal would not detract from the internal character of the shopping centre.

Access Arrangements and Hours of Operation

- 7.3** The proposed gym is intended to operate 24 hours a day, 7 days a week. Overnight use is likely to be limited, and whilst there would be some coming and going late in the evening and early in the morning the location of the development is well removed from any residential properties and there is no potential for it to cause noise or disturbance. There are some other late night uses nearby in the town centre, including restaurants, Cinema and the 24 hour Asda store at Britannia Way. At times when the shopping centre is closed the facility would only be accessible through the adjacent car parks,

and whilst these are quiet areas at night they are well lit and covered by CCTV in order to provide security and safety for customers.

Proposed Extension

- 7.4** The only public area from which the extension would be readily visible is the adjacent multi storey car park. The design of the extension would reflect the character of the existing shopping centre and is considered to be acceptable. The extension would result in the loss of a small service area, with the result that service vehicles accessing the proposed units and a few adjacent shops would be displaced to the larger service area immediately to the south east. All of these service areas are within the applicant's control, and there is no risk of service vehicles being displaced into any public street. The proposed extension, including the upper floors, would increase the floor area of the units from 590m² to 1486m², but this increase is insignificant in the context of the Clyde Shopping Centre and its extensive car parking, and there would not be any need to provide additional parking spaces.

8. CONCLUSION

- 8.1** The proposal involves the provision of a new privately operated gym within the Clyde Shopping Centre, which would increase the range of leisure and fitness facilities available within the area. The proposal is consistent with Policies RET1 and RET2, and whilst the proposal would result in the loss of two retail units it is outwith the Retail Core area and these two units have in any event been vacant ever since they were built. The proposal would therefore contribute to the vitality and viability of Clydebank Town Centre by bringing these units into use and attracting more customers to the location. There would be no adverse impact on any residential property and there are no technical issues.

9. CONDITIONS

- 1. Exact details and specifications of all proposed external materials shall be submitted for the further written approval of the Planning Authority prior to any work commencing on site and shall be implemented as approved.**

Informatives

- 1. The drawings referred to in this consent are DRG.NO PL. 02, DRG.NO PL. 03, DRG.NO PL. 04, DRG.NO PL. E. 02, DRG.NO PL. E. 03 and DRG.NO PL. E. 04.**
- 2. The applicant is advised that under the terms of Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), the development hereby approved must commence within a period of 3 years from the date of this decision notice.**
- 3. The applicant is advised that under the terms of the Town and Country Planning (Development Management Procedure) (Scotland)**

Regulations 2008, the developer is required to submit to the Planning Authority in writing upon the forms specified for the purpose and attached to this decision notice:

- a) A Notice of Commencement of Development as soon as practicable once it is decided to commence the development hereby approved (which shall be prior to the development commencing);
- b) A Notice of Completion of Development as soon as practicable once the development has been completed

Elaine Melrose
Executive Director of Housing, Environmental
and Economic Development
Date: 20 May 2013

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Appendix: None.

Background Papers:

- 1. Planning application and plans
- 2. Consultation responses
- 3. West Dunbartonshire Local Plan 2010

Wards affected: Ward 6 (Clydebank Waterfront)