



## SUPPORTING STATEMENT

25th February 2022

PLANNING APPLICATION FOR CHANGE OF USE FROM (Light Industrial) to GYMNASIUM (CLASS E USE CLASS)



1ST FLOOR 26 WHITELEGGE STREET, BURY, BL8 1SW

Prepared by MacMarshalls Rural Chartered Surveyors & Planning Consultants.

On behalf of Miss Bev Bugeja

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## **1. INSTRUCTIONS**

- 1.1. MacMarshalls are instructed on behalf of Miss Bev Bugeja, herein referred to as the Applicant, to submit a retrospective planning application for the change of use of premises from a former plant hire business (Bury Plant Hire) to a gymnasium (use class E).
- 1.2. This planning statement accompanies a submission to Bury Metropolitan Council.
- 1.3. No pre-application advice has been sought.

## **2. INTRODUCTION & BACKGROUND**

- 2.1. The applicant (Miss Beverley Bugeja) launched 'Ignite' gym in 2017. A ladies only gym in a unit approximately 3km from the proposed new site. The current Gym operates from Eton Business Park, Eton Hill Road, Radcliffe, Manchester, M26 2ZS. The current unit extends to approximately 1000 sq foot which suited the applicant when she first opened, however, the gym has now grown in popularity and now requires larger premises, the applicant has been actively looking for a new site for over 12 months and has recently agreed a lease on the upper floor of 26 Whitelegge Street, this premises was the former premises of Bury Plant Hire. They recently vacated and the building has been left vacant for a short period, the landlord has undertaken a scheme of modernisation as can be seen on the letting details attached.
- 2.2. Since its inception, Ignite has steadily grown its membership and are at a stage now that they require larger premises to provide a more spacious and conducive training environment. Clearly finding the right property has been difficult with the applicant's clients all living very close to the existing gym.
- 2.3. Feedback received indicates that many women can feel intimidated by larger commercial gyms so it is Ignite's mission to provide a safe, positive environment where women can not only improve their physical and mental health but to also give them a feeling of empowerment.
- 2.4. Ignite brings women together and has a strong sense of community at a time when more women are working from home, feeling isolated and need ways to keep active and look after their mental wellbeing more than ever.
- 2.5. The applicant strives to provide a friendly professional service using high quality & up to date equipment. A larger premises would enable the business to expand, help more women and accommodate further apparatus to enhance the quality of its sessions and offer its customers an improved, safe facility.
- 2.6. The business has approximately 70 members and operates on a 1 to 1 and small group basis to deliver high quality training and provide nutritional & lifestyle advice.

- 2.7. With this business model the number of people accessing the building at any one time is limited. The business does not operate with an 'open gym' service where members can use the facility at any time without a booking; it is appointment only.
- 2.8. The opening hours are:
- Monday-Thurs: 6am-1pm 5pm-8pm
- Friday 6am-1pm
- Sat: 8am-12pm
- Sunday: Closed
- 2.9. The proposed new site is located in a mixed use area with commercial buildings either side of the street. Noise and disruption will be minimal particularly considering its former use as a plant hire business involved large industrial vehicles using the street for access. The applicant only seeks to change the use of the first floor and not the ground floor which has been rented out to another party. There are no restrictions on opening times for the adjoining units. I am told deliveries frequently take place before 6am in the morning. Therefore, the area has background noise as a result of the surrounding uses. Given that a gym is a quiet use, we see no issues with local residential amenity with the nearest residential property being located some distance away.
- 2.10. With adequate street lighting, clients (especially ladies) would benefit from the safe approach to the building. The building also has a private car park which will be used for parking providing adequate space for people to park.
- 2.11. Furthermore, the applicant resides only a 5 minute walk away on Mayor street which would result in 0% carbon footprint on her journey to and from work.
- 2.12. The applicant has been a personal trainer for 4 and a half years and is extremely passionate to provide a positive, safe and enjoyable space for members to improve their physical and mental wellbeing. She has a National Academy of Sports Medicine personal training qualification.
- 2.13. During the difficult Covid lockdown restrictions, she delivered online Fitness sessions, Cookalongs & Quiz nights via zoom all with the aim to connect people through the testing time, highlighting her determination for her business and passion to help her community.
- 2.14. Coronavirus with the lockdown restrictions have had a huge adverse effect on small businesses and they need our support to grow and flourish after such challenging years. These truly are unprecedented times and we need our small leisure businesses to thrive and keep our town as healthy as possible.
- 2.15. The applicant has built a strong community of women who rely on Ignite for their physical and more importantly mental well-being. Please find attached letters with testimonials from current members.

- 2.16. The applicant has lived in Bury all her life and is passionate about delivering a first class service to help as many of her community as possible.
- 2.17. Clients find the larger gyms offering this service intimidating and impersonal. It was important to the Applicant that he provides a service that offers these clients options in the size and type of gyms available in the local area.
- 2.18. The gym is well placed to serve its very local membership, being within the heart of the mixed use area of North Bury in Tottington with the nearest Gym being The Bolholt hotel. The client has looked for other units in the locality whilst lockdown has been on. However, there is nothing of the correct size that is in the locality. Moving further afield will probably mean some of the membership the applicant has built so hard to build up will be lost.
- 2.19. A little about the applicant is cited below from her website - <https://www.ignite-performance.com/>
- 2.20. *I believe fitness should enhance your lifestyle not take away from it which is why I wanted to create an environment where people love to train & encourage healthier lifestyles without making you live in boredom. I will not ask you to eat soggy chicken & broccoli every day but I will ask that you commit to the plan and work hard to help us get you to where you want to be.*
- 2.21. *I have a proven track record in helping clients lose fat & creating definition whilst seeing huge improvements in strength and fitness. At the unit we have a 'Goals board' where we write down a performance goal to work towards to ensure we are continually progressing.*
- 2.22. *Once you start seeing improvements with your training (eg, achieving your first pull up or 5km run), your motivation soars, you become more committed to your exercise and nutrition and guess what? YOUR BODY TRANSFORMS. You will see the physical changes you have been wanting whilst gaining a lifestyle and attitude which will help you MAINTAIN YOUR RESULTS and put an end to the yo-yo diet cycle*
- 2.23. The applicant has worked in the fitness industry since leaving school and is an extremely well respected professional in his field. A testimonial on her website from Lorraine Roberts says:
- 2.24. *Around 4 months ago I experienced some pretty life changing news and my fitness hit a slum. I lost all motivation and all passion for fitness - I tried every way I could to snap out of this, and this was when I was introduced to Bev.*

*She was my first ever PT and of course I was shy and scared, but she made me feel really comfortable with the whole process. We figured out my fitness goals and where my fitness was at at the time and she worked me from there.*

*Bev was amazing. She got me out of my slum, she reignited the passion within me for fitness and the determination I had forgotten about. Not only does she push me to exceed my own expectations but she's been a great ear to moan to. She's been not only my PT but an amazing friend and I'm so glad I joined at the unit!*

*I now see her every week and every week we improve on times, weights and have a good giggle! I've gone from managing one press up to smashing out 10 happily. I've gone from not being able to manage a single pull up assisted to being on the verge of not needing any assistance to smash out 10 — All in the space of around 4 months!*

I leave every session knackered but feeling amazing, summer is on its way and thanks to Bev I'm ready for it

2.25. A further testimonial from Carrie Turner says:

2.26. *I joined Bev's group training around 4 weeks ago. I was nervous as I hadn't done this kind of training for a while after having a baby. Bev's sessions are so different ever single time and her training and encouragement is amazing. The groups are really small so although it's not a PT session you're still getting such personal attention. I've learnt so much already & the other girls are so friendly & full of encouragement.*

2.27. Rachel Andrews says:

2.28. *Great pt! Full of knowledge. Bev makes sessions tough but also fun. Would highly recommend to anybody looking to make a change. You wont regret it!*

2.29. Lindsay Hastie comments:

2.30. *6 months ago I couldn't even hold a hairdryer up to dry my hair due to the amount of pain I was in. 4 months ago I didn't even know what a deadlift was. Last night I did 3 reps of 80kg.*

*Thank you Bev for always pushing me when I won't push myself and your constant encouragement. Most of all thank you for making sure my form is always correct to not jeopardise or cause further injury. You will never know how much you have saved my sanity*

2.31. And Finally Emily Price says:

2.32. *I have been working with Bev for nearly a year now. Before I started I tried various other PT's and fitness regimes none of which I found was for me. On first meeting Bev I knew it was going to work for me.*

*Over the last 12 months I have had one on one sessions, mixed sessions up with friends or fellow Ignite members, Bev has worked with me through injury and made me stronger and more determined session on session to work harder to reach my goals. When we talked about what was involved in my sessions I was*

*apprehensive at first starting with what I thought were big boy weights as I didn't want to go bulkier, after talking me through it all we now incorporate them in all our sessions one way or another and I absolutely love weights they are defiantly a surprise exercise I would of normally stayed away from in the gym as I clearly poorly educated prior to my sessions.*

*Bev's enthusiasm for her job is excellent she listens to her clients and together sets goals that you think aren't going to be possible but before long you are exceeding them and setting the next.*

*She is always on hand to listen to you, loves a new challenge or gym move to try, she is hands down the best person to be working with. I used to use every excuse in the book to avoid the gym but now I look forward to my 2 / 3 training sessions a week.*

- 2.33. Whilst restrictions are now lifting, the coronavirus pandemic is still an issue. This is putting an unbelievable strain on small businesses in the sports and leisure industry. They are going to need all the help they can in getting them up and running once again. Now is not the time to be putting more restrictions on small businesses such as this one. These are truly unprecedented times and we are going to need our small leisure businesses to get our nation moving again.
- 2.34. A number of supporting letters have been received in support of the application which are appended to this supporting statement. The website also provides useful blogs on fitness ideas and also topics such as mental health.
- 2.35. It is clear that the applicant is passionate about her job and providing the best possible service for her clients. From meeting Bev on site her determination and drive is clear to see and with new larger premises she will be able to make a difference to so many local ladies' lives.

### 3. THE PROPOSAL

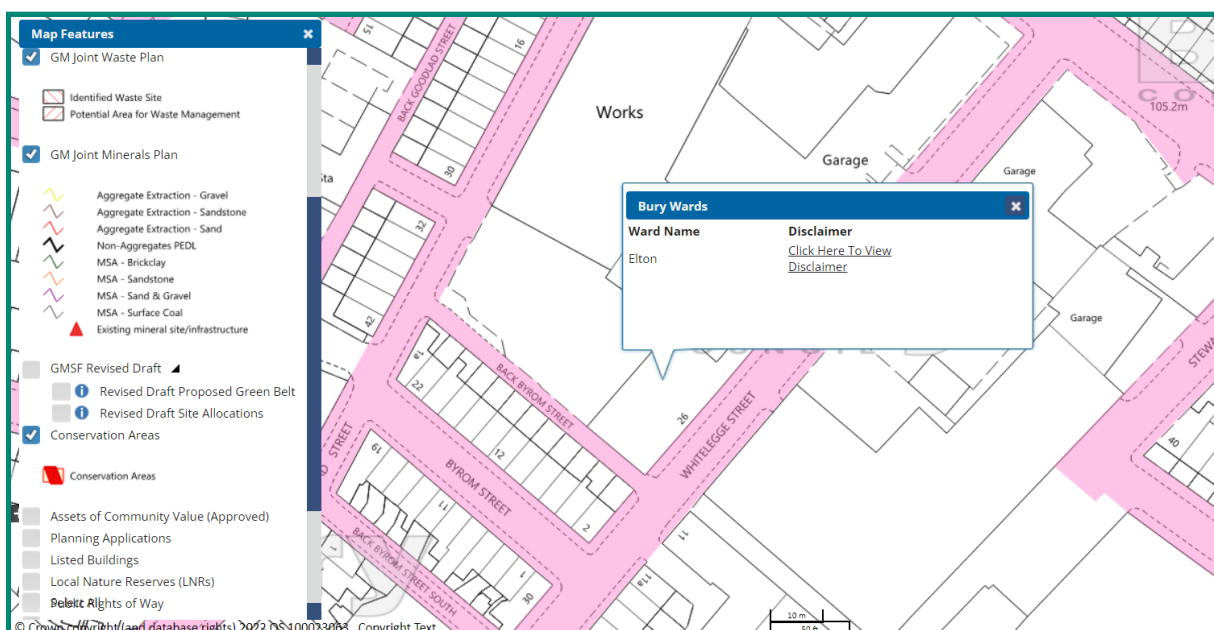
- 3.1. The proposal seeks to change the use of the site from a Plant hire business (Light industrial) to a gym (use class E).
- 3.2. There are no external changes proposed to the building, access will be from the existing 'ramp' and also the existing personnel door. The downstairs unit has its own independent access from Whitelegge Street. The image below illustrates the ramp and car park showing ample car parking facilities.



3.3.

## 4. PLANNING POLICY AND JUSTIFICATION

- 4.1 The site is designated in the settlement area according to Bury Mbc's local plan map as shown below. The unit has been vacant for a number of months and has been advertised to rent, the letting details are attached. Having undertaken a search on Bury Mbc's MAP, it is understood that the site is not in an Employment Generating Area (EC 2/2). Under this policy the council would seek retention of existing employment and premises, the proposed use as a gym would generate up to 3 jobs. However, if the site is no longer suited to employment use (Which we feel this site is not) the council will give consideration to alternative development providing it would not conflict with the character of the surrounding area. Given the site has been advertised for a number of months and no employment tenants have come forward, we feel given the location that the site is no longer suitable for employment use.



- 4.2 The principle of the development will therefore be determined under Local and National Policy. The National Planning Policy Framework (NPPF) sets out the government's planning policies for England and how these are expected to be applied, setting out the government's requirements for the planning system only to the extent that is relevant, proportionate and necessary to do so.
- 4.3 The Bury UDP was adopted in 1997 and a number of policies are relevant to this application these being:
- EC/4 Small Businesses
  - EC6/1 New businesses, industrial/commercial
  - EN1/2 Townscape and Built design
  - EN7/2 Noise Pollution
  - HT2/4 Car Parking and New Development

- HT6/2 Pedestrian/Vehicular Conflict
- CF1/1 Location of new community Facilities
- H3/1 Assessing Non conforming Uses
- H3/2 Existing Incompatible Uses
- SPD 11 Parking standards in Bury

#### 4.3 EC/4 Small Businesses states:

EC4/1- Small Businesses Proposals for small businesses **will be acceptable** when the scale of development is appropriate to, and the use is environmentally compatible with, the surrounding area in which it is to be located, and where they do not conflict with other policies and proposals of the Plan.

4.4 Given the former use of the site and also the surrounding uses of other commercial buildings, we feel that the change of use is compatible with the surrounding areas, the former plant hire use was a busy, noisy environment which had the potential to cause nuisance to cause disruption to local residents.

#### 4.5 EC6/1- Assessing New Business, Industrial and Commercial Development

All new business, industrial and commercial development will be expected to be of a high standard of design and appearance and to take account of the surrounding environment, amenity and the safety of employees, visitors and adjacent occupiers. Factors to be considered when assessing proposals will include:

- scale, size, density, layout, height and materials;
- access and car parking provision;
- landscaping and boundary treatment;
- the effect on neighboring properties;
- the safety of employees, visitors and adjacent occupiers.

4.6 The development is not new and no external changes are taking place on the building itself. The scale and siting are appropriate given this is an existing industrial building. Access and parking are as per previous with parking provided within the on site car park and access being up the ramp. No landscaping will be required, the change of use will result in a quieter use of the property from its former plant hire use. The downstairs unit is to be rented out to a third party and as such there will be no impact on their safety.

#### 4.7 EN1/2 Townscape and Built design

EN1/2 - Townscape and Built Design The Council will give favourable consideration to proposals which do not have an unacceptable adverse effect on the particular character and townscape of the Borough's towns, villages and other settlements. Factors to be considered when assessing proposals will include:

- the external appearance and design of the proposal in relation to its height, scale, density and layout;

- the relationship of the proposal to the surrounding area;
- the choice and use of materials;
- access and other design features for the mobility impaired;
- the design and appearance of access, parking and service provision;
- landscaping, including the use of natural landscape features, and open space provision;
- the use of lighting

4.8 Again the external appearance is not being changed by the change of use, the building has been used as an industrial unit for a number of years and therefore the relationship with the surrounding area will be unaffected. The car parking is provided on site and therefore will not provide any conflict with neighbours. There are no external lights required as the street is lit up by existing street lighting.

4.9 EN7/2 - Noise Pollution In seeking to limit noise pollution the Council will not permit:

- development which could lead to an unacceptable noise nuisance to nearby occupiers and/or amenity users;
- development close to a permanent source of noise.

4.10 The approved use of the site is light industrial (Granted in 2001) under reference 38658 (Use of Building for Storage and workshop for plant). The proposed change of use into a gym will be a far quieter use than the previous use as a plant workshop. Machinery was loaded/unloaded from 6am in the morning till 7pm with no limits on opening hours. The noise generated by the gym will be minimal as it is regarded as a very quiet use, the building is brick skinned with insulated roofing and therefore noise generated will be minimal compared to the existing use.

4.11 *HT2/4 - Car Parking and New Development The Council will require all applications for development to make adequate provision for their car parking and servicing requirements in accordance with the Council's car parking standards.*

4.12 The applicant has use of the car park adjoining which provides car parking for an estimated 12 cars, the gym is mainly run on a 1 to 1 session basis and therefore the number of cars will be minimal. When sessions take place there will be ample car parking facilities on site. Whitelegge Street is also available for parking as there are no double yellow lines on it, during day times (When the agent has visited) there is ample parking available on the street. Car parking standards are therefore deemed to have been met.

4.13 *HT6/2 - Pedestrian/Vehicular Conflict The Council will take action, as appropriate, to reduce pedestrian/vehicular conflict through measures which include: pavement widening/realignment; pedestrianisation schemes; improved pedestrian crossing facilities; proposals designed to reduce traffic speed; provision of clearly signed pedestrian routes.*

4.14 The use as a gym will not conflict the policy HT 6/2 the street is a well established commercial/residential street, the applicants clients will use the adjoining car park and therefore there will be no pedestrian/vehicular conflict.

- 4.15 *CF1/1 - Location of New Community Facilities Proposals for new and improved community facilities will be considered with regard to the following factors:*
- *impact on residential amenity and the local environment;*
  - *traffic generation and car parking provision;*
  - *the scale and size of the development;*
  - *where applicable, access to shops and other services;*
  - *if the use is intended to serve a local community, or catchment area, the suitability of the chosen location in relation to that community or catchment area;*
  - *accessibility by public and private transport;*
  - *the needs and requirements of the disabled;*
- 4.16 The use of the building as a gym will provide a new facility which can be used and enjoyed by local residents, the change of use from light industrial will de intensify the area as large HGVS and plant machinery will not longer be using Whitelegge Street. No external works are being carried out and the size/scale is deemed appropriate. The site is on the route of a bus (469) which provided a link from Bury to Tottington and the building is disabled friendly.
- 4.17 *H3 - INCOMPATIBLE USES IN RESIDENTIAL AREAS The Council will not permit the development of incompatible uses in areas which are primarily residential in nature and where possible will seek to resolve existing conflicts.*
- 4.18 We feel that the local area is primarily commercial and not residential, all the buildings on East side of Whitelegge street are in commercial use and therefore the policy will not be conflicted as it is not a residential use.
- 4.19 H3/2 - Existing Incompatible Uses Where existing incompatible uses operate within residential areas, the Council will seek to ensure that any existing conflicts are resolved where possible and where opportunities arise. In particular the Council will encourage and, where appropriate, implement measures to:
- control future land uses so as to minimise or remove conflicts;
  - control the intensification or expansion of non-conforming uses where possible;
  - control the operation of adjacent uses where possible in order to minimise areas of conflict and potential nuisance;
  - introduce environmental improvements or traffic management schemes where appropriate.
- 4.20 We feel that the local area is primarily commercial and not residential, all the buildings on East side of Whitelegge street are in commercial use and therefore the policy will not be conflicted as it is not a residential use.

- 4.21 The unit is located in a mixed area of industrial/businesses and residential use, use a gym is not considered to be an 'employment use' under policy EC2/2, the change of use to a gym would bring back a vacant unit into a viable use and a facility for the community and local people. There is clear support for the application with the number of supporting letters received.
- 4.22 The use would generate some regular trips to and from the site, but given parking is provided on site and Whitelegge Street provides a through road between Tottington Road and Walshaw road this is not believed to conflict with policy.
- 4.23 The noise and disturbance caused by a gym would be arguably less than an industrial use which could provide noise and smells and more traffic from large HGVS causing far more disruption to the area. The fallback position is the site remains in light industrial as a plant hire company or some other use, the LPA could not enforce hours of operation, therefore there could be a future use that is far in excess of noise caused by clients parking and walking to the gym and the LPA would be unable to control it through the Planning system.
- 4.24 In a mixed arena we feel that a gym would be considered as an appropriate facility in an area and of a suitable scale which would be compatible, we therefore feel that the change of use should be accepted in principle.
- 4.25 The noise created by the gym would be no louder or aggravating than the noise the plant hire business (or similar business) would generate. The existing building is brick skinned with an insulated roof, it is unlikely that Environmental Health would object given the existing noisier use and if required, there is EH legislation which controls any excessive noise.
- 4.26 The traffic generation would be minimal during the day and the 1 to 1 sessions with group sessions taking place at peak times, the car park would be used for this and therefore we feel it is considered that the access and parking would have no significant or adverse effects on the local area.
- 4.27 When the agent visited at peak times (8am and 5pm on weekdays and 10am on a Saturday) the street was free from cars and we see no access or parking issues arising.

## 5. CONCLUSION

- 5.1. It has been demonstrated within this supporting statement that need exists for this change of use, consistent with the economic and community needs of the locality. The business is small scale with minimum impacts as a result.
- 5.2. This statement clearly demonstrates that the use is policy compliance in terms of the local and national policy, there are no external works required and therefore no amenity issues.
- 5.3. The use of the site will not increase traffic nor cause any potential parking issues on Whitelegge street, it is a well know mixed use area with residential running along side industrial and the change of use will have a positive effect on this.
- 5.4. The proposed opening hours can be limited and as such will have less impact than the existing use which does not have a condition on opening hours.
- 5.3 The Application therefore satisfies development plan policies (including those within the last decision notice) and guidance relevant to determining the application. Accordingly, we respectfully request that the LPA approves the application.
- 5.4 Signed:



25.02.2021

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