



Concept Planning
info@conceptplanning
07955815983

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Our reference: Sprayhurst/01

Sequential Test Report

Site address:

Sprayhurst (Vacant Social club)
Boundary Road
St Helens
Merseyside
WA10 2LR



Applicant:

The Sequential test report document is produced by Concept Planning, whom are acting on behalf of the applicant Mr Anthony Edwards

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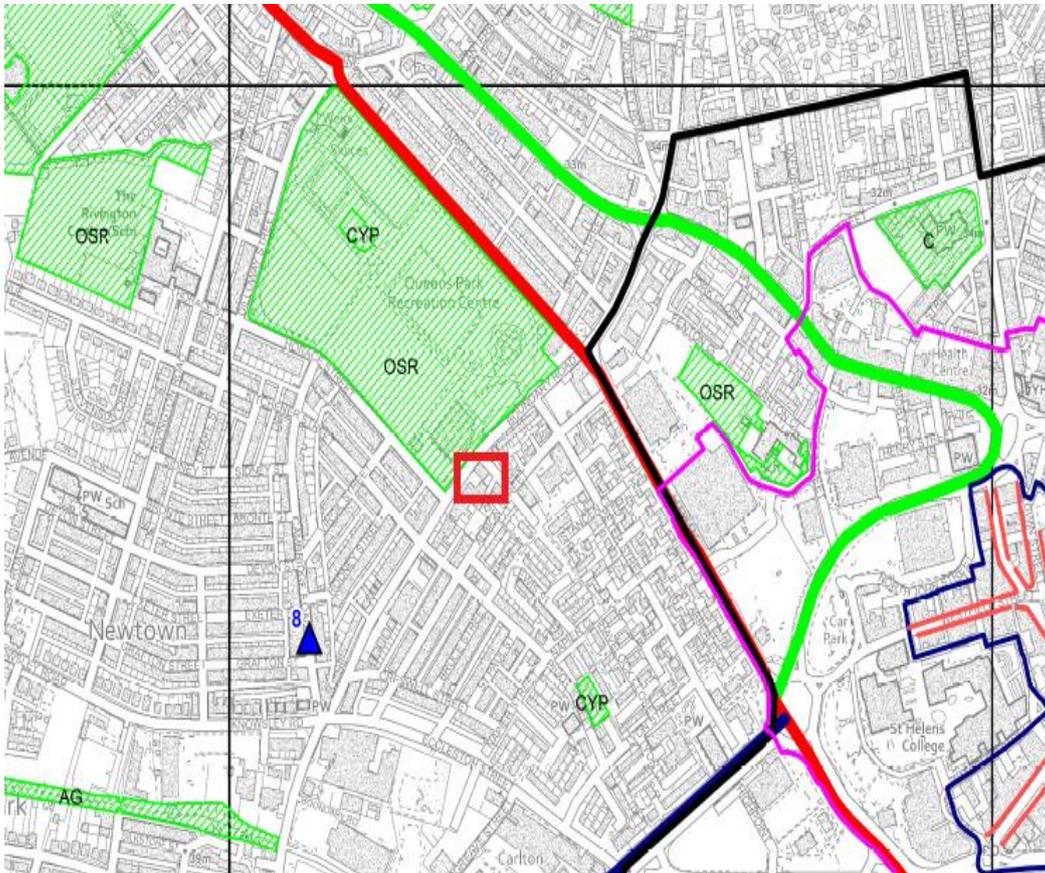
1.0 Introduction:

- 1.1 The sequential test report has been prepared to support and accompany a full planning application for a change of use of the premises from an existing sui generis social club (known as Sprayhurst) to Class E (a), (c i, ii), (d) at ground floor and a sui generis seven (7) bed HMO at first floor, in association with external changes including fenestration, access and elevational changes (Parts of the proposed development are retrospective).

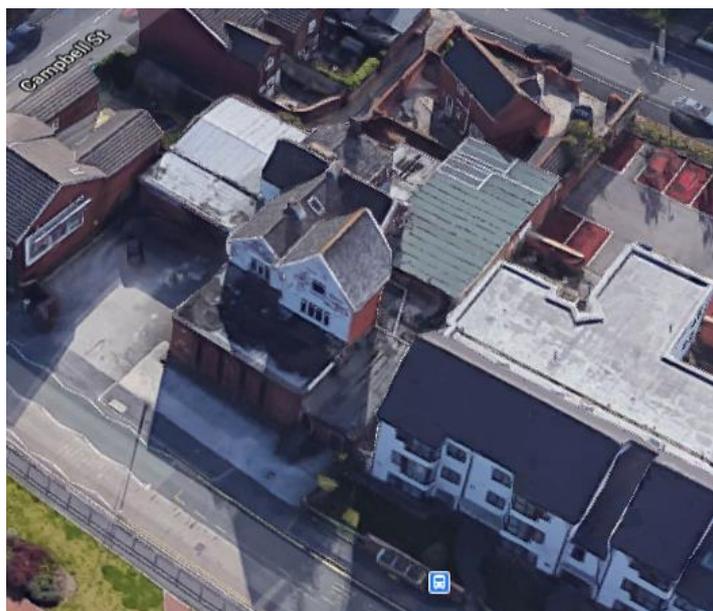
2.0 The site and surroundings:

- 2.1 The site is formed of a part single, part two and part three storey building formally the Sprayhurst social club, currently vacant since October 2018. The site has both parking on the frontage and within a courtyard on site. Opposite the site is Queens Park and the associated Health and fitness centre. The surrounding area is predominantly residential with commercial shops and businesses on Boundary Road. The adjacent site at 131a Boundary road was approved in 2010 for sixteen (16) one bed units with parking to the rear.
- 2.2 The site has no land use designation under the unadopted St Helens Borough Local Plan 2020-2035 (currently at Draft Submission) policies map as of January 2019, shown below. The site is considered to be an edge of town centre location, located 210m from the St Helens Town centre boundary and 150m from the designated Newtown Local centre. For the purposes of the policy pertaining to the establishment of new commercial units the application site is outside the town centre boundary.

Unadopted St Helens Borough Local Plan 2020-2035 (currently at Draft Submission) policies map



Aerial view of the site (pre development)



3.0 Proposal:

3.1 The site has already undertaken some parts of the proposed development but works to the site have stopped as of November 2020 at the request of the Local planning authority. As such parts of the development four (4) commercial units would be provided on site. For clarity the proposed commercial uses are provided below,

- Commercial unit 1 (Estate agent) is occupied and operating as of May 2020
- Commercial Unit 2 (Start - up studio – trainee hair studio)
- Commercial Unit 3 (Convenience store)
- Commercial Unit 4 (Yoga Studio)

3.2 The commercial units have the following internal floor area(s)

Commercial Unit 1 – 161sqm

Commercial unit 2 – 20sqm

Commercial unit 3 - 177sqm

Commercial unit 4 – 159sqm

3.3 The commercial units form part of a change of use application from a sui generis social club (known as Sprayhurst) to Class E (a), (c i, ii), (d) at ground floor and a sui generis seven (7) bed HMO at first floor.

4.0 Planning Policy context:

4.1 The following relevant policies apply:

1. National Planning Policy Framework, 2019 (NPPF)
2. NPPG guidance pertaining to sequential test
3. St Helens Core Strategy (adopted October 2012)
4. St Helens Unitary Local Plan (adopted July 1998 – saved policies). It is considered that all local policies relevant to the proposals are contained within and have been addressed by the Core Strategy Local Plan.

4.2 St Helens borough Local Plan 2020- 2035 is currently in an examination period and is assigned limited weight on account of its status.

4.3 St Helens has a number of SPDs to provide guidance on development within the authority including but not limited to Residential Character and Shopfronts, both adopted on June 2010 and New residential development SPD (adopted June 2011).

National planning policy framework (NPPF) pertaining sequential test

- 4.4 Section 7 of the NPPF entitled “Ensuring the vitality of Town centres” was issued in February 2019. It is therefore the relevant national policy, and the relevant paragraphs of the 2019 NPPF are paras 86-90 set out below,

86. Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.

87. When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.

88. This sequential approach should not be applied to applications for small scale rural offices or other small scale rural development.

89. When assessing applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500m² of gross floorspace). This should include assessment of:

- a) the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
- b) the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme).

- 4.5 Policy CAS 2 of the St.Helens Central Spatial Area Strategy confirms in para 8.15, “for the purposes of retail, the appropriate location is within the Primary Shopping Area as defined in Figure 8.2. Proposals for retail uses that are in an edge or out-of-centre location in terms of the Primary Shopping Area will require a Sequential Assessment in accordance with national policy. For all other non-retail main town centre uses the appropriate location is within the Town Centre Boundary as defined in Figure 8.2. Proposals for Main Town Centre Uses that are in an edge or out-of-centre location in terms of the Town Centre Boundary will require a Sequential Assessment in accordance with national policy.

- 4.6 The development of commercial units on site (considered edge of Town centre location) shall be addressed using criteria in the NPPG and as stated **“the application of the test will need to be proportionate and appropriate for the given proposal”**. Where appropriate, the potential suitability of alternative sites will need to be discussed between the developer and local planning authority at the earliest opportunity.
- 4.7 The NPPG guidance (dated 22/07/2019) provides a broad “checklist” setting out the considerations that should be taken into account when an LPA determines whether a proposal complies with the sequential test:
- with due regard to the requirement to demonstrate flexibility, has the suitability of more central sites to accommodate the proposal been considered? Where the proposal would be located in an edge of centre or out of centre location, preference should be given to accessible sites that are well connected to the town centre. It is important to set out any associated reasoning clearly.
 - is there scope for flexibility in the format and/or scale of the proposal? It is not necessary to demonstrate that a potential town centre or edge of centre site can accommodate precisely the scale and form of development being proposed, but rather to consider what contribution more central sites are able to make individually to accommodate the proposal.
 - if there are no suitable sequentially preferable locations, the sequential test is passed.
- 4.8 The sequential test report addressed the expectations in the guidance and outlines the material considerations for an edge of town centre commercial use.

5.0 Application of the sequential test

Assessment of town centre sites

- 5.1 The boundary of the designated Town centre of St Helens is located approx. 210m from the development site and contains the primary shopping location. The Town centre remains the core shopping destination for the local populace and surrounding area. The Town centre has suffered from vacancies of commercial units and during the assessment of the availability and demand of commercial units in the town centre, vacant sites were identified.
- 5.2 While research has confirmed sites in the Town centre are available, the contribution of the of the town centre sites to accommodate the proposed commercial uses, other material and pertinent factors make a significant contribution to development outside the policy remit. The available units in the Town centre were not

commercially viable nor suitable for the commercial requirements of the business uses for the proposed site. A table has been provided below to confirm the rationale for the identification of an edge of town centre.

Business type and unit	Rationale for unsuitability and feasibility of Town Centre locations
Estate Agent Commercial unit 1	Previously located in a Town centre location but experienced poor levels of footfall and high rents and liabilities.
Commercial Unit 2 (Start - up studio – trainee hair studio)	The unit is only 20sqm and would not suit or be appropriate in a Town centre location. The unit is designed for start-up business or training hair studio.
Commercial Unit 3 (Convenience store)	New business to the area, business model has identified the location as an appropriate and suitable location. Town centre locations were investigated but the level of competition and need to disaggregation units was not feasible.
Commercial Unit 4 (Yoga Studio)	Town centre locations were considered however no sites could be located that were in close proximity to car parking to allow ease of access for customers, especially young children to which the business is targeted towards. Security concerns of the town centre after 6pm were highlighted as concerns, as most classes shall be in the evening. The available locations were in undesirable areas of the town centre lacking passive surveillance.

5.3 Paragraph 87 of the NPPF states “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 should demonstrate flexibility on issues such as format and scale”. The location of the site is only approx. 210m from the designation Town centre boundary and well serviced by local transport including a bus stop directly outside the site. As such, the location would meet the relevant criteria for an edge of town centre location.

5.4 The assessment of the sequential test by the LPA cannot be inflexible and guard against suggesting that a developer alters a proposal to fit an available site within a town centre, which would result in an inappropriate business decision for the commercial operators. Therefore, the NPPF not only requires flexibility and realism from developers and retailers but also from planning authorities. As such, the report has sought to address the key aspects of **suitability, viability and availability of locations**. The scope of the commercial units in terms of their proposed activities and floorspace would unlikely have a detrimental impact on the viability or vitality of

the town centre and would not draw custom from the St Helens Town centre. The convenience store and yoga centre would serve local need and would be more sustainable mitigating the need for local people to commute in to a congested own centre. While recognised the estate agent could remain in the Town centre, the respective commercial considerations were significant factors.

6.0 Conclusion:

- 6.1 The LPA is urged to demonstrate flexibility in terms of scale and format of development proposed as per the NPPF and NPPG guidance. The development should be judged on a case-by-case basis because different degrees or types of flexibility may reasonably be expected of different applicants dependent on their circumstances and the characteristics of the town centre in question.