

Planning and Development Control
Borough Council of Kings Lynn & West Norfolk
Kings Court
Chapel Street
King's Lynn
Norfolk
PE30 1EX

Email: clare.lucey@cushwake.com
Direct tel: 0212 697 7200

Our Reference: 200M3900

18th February 2021

Dear Sir or Madam

TOWN AND COUNTRY PLANNING ACT (1990) AS AMENDED

**PLANNING APPLICATION FOR CHANGE OF USE TO USE CLASS E (c) AT 30-34 BROAD STREET,
KINGS LYNN PE30 1DP**

Cushman & Wakefield, on behalf of the Department for Work and Pensions (DWP), hereby apply to Borough Council of Kings Lynn & West Norfolk for a Change of Use from Use Class E(a) to Use Class E(c) at 30-34 Broad Street for use as a Job Centre.

This application is submitted with the following information:

- Site Location Plan;
- Application Forms and Certificates;
- Site Layout Plan; and
- Existing and Proposed Floor Plan.

30-34 Broad Street, Kings Lynn

This application refers to 30-34 Broad Street, Kings Lynn PE30 1DP, a two storey building within the Vancouver Quarter Shopping Centre within the town centre.

The site covers a total area of 805.27 sq m across two floors. The floor break down is as follows:

- Ground Floor – 615.66 sq m
- First Floor – 189.61 sq m

The site is in a sustainable location within the town centre, with good access to public transport. Kings Lynn bus station and rail station are approximately 5-minutes' walk from the site.

Planning permission for development of A1 (Retail), A2 (Financial and Professional Services), A3 (Restaurant and Café) and D2 (Assembly and Leisure) uses for the Vancouver Quarter Shopping Centre, including 30-34 Broad Street, was granted in February 2003 (application ref. 2/02/1187/F). Other planning

history available through Kings Lynn and West Norfolk online planning records refer to minor alterations of retail units only.

30-34 Broad Street is currently vacant, having most recently been in use for A1 (Retail) use.

Proposed Development

DWP is the UK's biggest public service department responsible for welfare, pensions and child maintenance policy. They administrate the State Pension and a range of working age, disability and ill health benefits to over 22 million claimants and customers. Their services are provided through organisations and include Job Centre, The Pension Service and the Child Maintenance Services.

Job Centre's assist people away from claiming benefits by placing them back into the work force. It further helps employers advertise jobs and deal with benefits for people who are unemployed or unable to work because of a health condition or disability. The consultations are undertaken by trained professionals however no medical procedures take place at the site. No hazardous or medical waste is generated. The centre will also assist individuals in queries relating to Universal Credit.

The Job Centre is public facing and delivers a service to the community it is located in.

The Centre generally operates on an appointment-only basis (i.e. very limited walk-ins) and so there is a high degree of control over the numbers visiting the job centre at any one time. Footfall is therefore carefully managed.

This application is submitted for a change of use from Class E (a) Commercial, Business and Service (Display or retail sale of goods, other than hot food) use, previously A1 (retail) to Class E(c) Commercial, Business and Service (Professional services) for a Job Centre.

Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020

The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 took effect from the 1st September 2020. These changes were made to support the revitalising the high street and town centres, whilst allowing for greater flexibility to change uses within town centres without the need for express planning permission. The purpose of the new Use Classes is to provide flexibility in town centres so that businesses to adapt and diversify to meet changing demand.

The amended regulations introduced a new use Class E (Commercial, Business and Service) which more broadly covers uses previously defined in the revoked Classes A1 (Retail), A2 (Financial and Professional Services), A3 (Restaurant and Café), B1 (Office), medical and nursery uses and indoor sport, along with *"any other services which it is appropriate to provide in a commercial, business or service locality"*.

Previous A1 (Retail) and A2 (Financial and Professional Services, including Job Centre) uses now fall within Use Class E (Commercial, Business and Service).

Change of use within new Class E does not constitute development, and so no planning permission is required, unless there are extant planning controls, including existing planning conditions, s106 obligations or Article 4 Direction.

Use Class E includes sub sections aligned with the previous Use Class Order, which allow some control over changes of use, as appropriate (and if referenced in a future planning permission):

- E(a) - Display or retail sale of goods, other than hot food
- E(c) Provision of; E(c)(i) Financial services, E(c)(ii) Professional services (other than health or medical services), or E(c)(iii) Other appropriate services in a commercial, business or service locality

The proposed use would provide a Job Centre within Use Class E (Commercial, Business and Service), previously Use Class A2 (Financial and Professional Services).

Planning permission for the Vancouver Shopping Centre (application ref. 2/02/1187/F) was subject to a variation of condition application in 2004 (application ref. 04/01524/F). Of relevance is condition 16, which limits the use of the site to Use Class A1 (Retail):

- Condition 16 - *“this permission relates to the provision of a retail scheme, incorporating the other following uses, A2 and A3 to a maximum of 20,000 sq ft. of floor area.. and not other uses shall be permitted, nor the thresholds agreed above exceeded without the written consent of the Borough Planning Authority”.*

We understand A2 (Financial and Professional Services) and A3 (Restaurant and Café) uses within the shopping centre are at the 20,000sq ft threshold, and therefore any non-A1 (Retail) use will require planning permission.

Use Class E (Commercial, Business and Service) establishes in principle support for change of use between the previous A1 (Retail) and A2 (Financial and Professional Service) use classes, this application is made in response to Condition 16 of planning permission ref. 04/01524/F.

Planning Policy Framework

The adopted Development Plan comprises the Kings Lynn and West Norfolk Core Strategy (2011) and the Kings Lynn and West Norfolk Local Plan Site Allocations & Development Management Policies Development Plan Document (DPD, 2016). The site is not allocated but is located within the town centre and the Kings Lynn Conservation Area.

Of relevance to the site and proposals Policy E1.1 King's Lynn - Town Centre which identifies the town centre as the focus for retail, community and professional services, leisure, culture and entertainment. Development of retail, offices serving visiting members of the public, hotels and other uses, including residential, and offices/light industry, which contribute to the character and vibrancy of the town centre will be encouraged.

Policy E1.1 will encourage the retention of active frontages and active use of upper storeys.

The National Planning Policy Framework (NPPF, 2019) is a material consideration. The NPPF sets a presumption in favour of sustainable development and a positive approach to planning as a means of supporting the country's economic and housing growth, while protecting the environment. It directs local planning authorities to approve development proposals that accord with the development plan without delay.

Paragraph 8 of the NPPF advises that there are three dimensions to sustainable development economic, social and environmental. It is advised that all roles are viewed mutually and not in isolation.

Chapter 7 Ensuring the vitality of town centres states that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

Chapter 7 expects planning authorities to:

- a) *define a network and hierarchy of town centres and promote their long-term vitality and viability – by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters;*
- b) *define the extent of town centres and primary shopping areas, and make clear the range of uses permitted in such locations, as part of a positive strategy for the future of each centre;*
- c) *retain and enhance existing markets and, where appropriate, re-introduce or create new ones;*
- d) *allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least ten years ahead. Meeting anticipated needs for retail, leisure, office and other main town centre uses over this period should not be compromised by limited site availability, so town centre boundaries should be kept under review where necessary;*
- e) *where suitable and viable town centre sites are not available for main town centre uses, allocate appropriate edge of centre sites that are well connected to the town centre. If sufficient edge of centre sites cannot be identified, policies should explain how identified needs can be met in other accessible locations that are well connected to the town centre;*
- f) *recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.*

The NPPF defines main town centre uses as “*retail development (including warehouse clubs and factory outlet centres); leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, nightclubs, casinos, health and fitness centres, indoor bowling centres and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).*”

Planning Assessment

The NPPF supports the role of town centres at the heart of local communities, by taking a positive approach to their growth, management and adaptation. The site is within the town centre which is the main focus for shopping and major employment. Retail uses office, civic and administrative functions will be acceptable.

The site is located with Kings Lynn Town Centre. Policy E1.1 of the Site Allocations DPD supports non-retail uses, which contribute to the character and vibrancy of the town centre, including residential uses, offices and light industry. Active frontages will be encouraged in the town centre, alongside active use of upper floors.

Class E - Commercial, Business and Service of the new Use Class Order establishes the principle of a change between retail (previously A1) and Job Centre (previously A2) without the need for planning permission.

The proposed use proposed is consistent with the objectives for the town centre to maintain an active ground floor and upper floors.

The proposed Job Centre would continue to provide an active frontage with public access similar to a retail use. It would bring a prominent vacant retail unit back in to use and provide employment to support the vitality of the town centre. Challenges within the retail sector and town centres, accelerated by COVID, are well documented and an active use to support the vitality and viability of the centre, compatible with the town centre, should be supported.

The use proposed by DWP is compatible with the town centre and other town centre uses. The site is a sustainable location, accessible to the public.

The proposed use of the building will provide significant indirect socio-economic benefits, as the Job Centre will provide career support services and working age benefits, such as Jobseeker's Allowance to claimants. The proposal will also bring a vacant unit back into an active use, benefitting the local area.

No external alterations are proposed and there will be no adverse impact on the character and appearance of the Conservation Area.

In the context of the above, we consider that the proposed Class E (c) Use for a Job Centre is compatible with the town centre and policies within the Development Plan and NPPF.

Application Submission

This planning application is submitted electronically via the Planning Portal, alongside the planning application fee of £462.

I trust you have necessary information to validate the application, however if you have any queries please do not hesitate to contact me.

Yours sincerely

Clare Lucey MRTPI
Associate, Development & Planning