

HARROGATE BOROUGH COUNCIL

PLANNING AREA2 DC COMMITTEE – AGENDA ITEM 6: LIST OF PLANS.

DATE: 18 January 2005

PLAN: 04	CASE NUMBER: 04/04775/COU
	GRID REF: EAST 438816 NORTH 466179
APPLICATION NO. 6.63.68.AN.CO	DATE MADE VALID: 20.09.2004
	TARGET DATE: 15.11.2004
	WARD: Newby

APPLICANT: Victoria Pope

AGENT:

PROPOSAL: Change of Use from Cycling Equipment Storage unit to Childrens Play Centre (Use Class D2).

LOCATION: Unit 7 & 7A Becklands Close Bar Lane Roecliffe York North Yorkshire

REPORT

INTRODUCTION

The decision of the Committee to approve the application was held over under the Special Procedures for consultation with the Cabinet Member (Planning) and the Solicitor to the Council.

Members were minded to approve the application on the following basis:-

Policy R5 of the Harrogate District Local Plan welcomes the provision of new sports and recreational facilities of which there is a distinct lack in the area generally, particularly for the under 5 year olds, and since the proposal would also provide employment opportunities in the area, greater weight can be attached to Policy R5 than Policy E2. The proposal would not create any traffic problems and parking is well catered for.

A condition would be added to the effect that, if the business fails or moves elsewhere, then the unit would revert back to its original use.

CABINET MEMBER PLANNING - "Although Members have decided to approve the application against officer recommendation in this case, it seems that the recreation needs of youngsters outweigh the need for specific employment land at this site".

SOLICITOR TO THE COUNCIL - Comments will be reported at the meeting.

SITE AND PROPOSAL

The application site comprises two adjoining modern industrial units on Becklands Close, off Bar Lane at Roecliffe. The current use of the buildings is warehousing for cycling equipment.

Full planning permission is sought to change the use of the building into a childrens play centre. The submitted details show play area, café/seating area (40 tables 160 chairs), party room , store, reception, kitchen and toilets at ground floor level, with additional seating, office, store, staff room and shower at first floor mezzanine level . Parents and carers will take children to the play centre and will remain responsible for the children. The facility is aimed at the 0 - 7 age group. On quiet days courses may be hosted such as baby massage, child first aid, ante and post natal yoga, and special needs sessions

A car parking plan has been submitted indicating the provision of 17 spaces, 1 disabled space and a drop off/delivery zone.

MAIN ISSUES

1. Principle
2. Access and Parking
3. Environmental Health Considerations

RELEVANT SITE HISTORY

Outline consent was granted for light industry under reference 6.63.68.OA in 1989. The site was then developed in a piecemeal fashion.

6.63.68.E.FUL Erection of office and warehouse unit PC 3.12.1992 (largest of the two attached units forming the subject of this application.

6.63.68.G.FUL Erection of warehouse/office PC 01.04.1993 (smallest of the two units forming the subject of this application.

CONSULTATIONS/NOTIFICATIONS

Parish Council

Roecliffe

DLAS - Recreation

No comment at this time.

Environmental Health

Recommend conditions

Under 8's Development

No comments received

Economic Development Officer

Objects - this is an industrial unit on an industrial estate, designed and located to serve the needs of local industry. It is not good planning to have a childrens recreational facility on an industrial estate. Whilst jobs may be created by the proposal this would occur once the unit has an industrial occupant so there is no gain in absolute terms. Approval may create precedent which would be hard to defend in future.

Local Plans Policy

No comments received

Highway Authority

Recommend conditions

APPLICATION PUBLICITY

SITE NOTICE EXPIRY: 28.10.2004

PRESS NOTICE EXPIRY:

REPRESENTATIONS

ROECLIFFE PARISH COUNCIL - No objections.

OTHER REPRESENTATIONS -

The applicant has submitted information in support of the application and in response to consultee comments, summarised as follows:-

- Existing business in the building is not local industry and does not support local community
- Play centre will be used by local community and serve local produce for food
- Courses offered are not available elsewhere in community
- We are pursuing a service industry why can't it be in an industrial unit?
- 80 - 90% of independent play centres around the country occupy industrial units having successfully received planning permission
- we will employ a minimum of 6 full time and 4 part time employees which is more than currently employed in the unit
- there is an urgent need for this for this type of facility in the area surely this could be an exceptional case
- Local support is overwhelming
- Boroughbridge does not have redundant leisure facilities we could adapt
- If approved a condition could ensure the building reverts to B1,B2 B8 when we leave.
- We believe our application falls under R5 of the HDLP for recreational facilities. Our application meets all the criteria
- If unsuccessful we will have to look at a Greenfield site or search in another district
- Refusal of access to an industrial building implies that no indoor playcentre will be allowed to open in the area.
- The Institute of Leisure and Amenity management (Safety Consultants) have stated that there are no concerns in relation to the safety of children using play centres on industrial estates
- We have searched for a year for a site. Old village halls, sports facilities and redundant schools have been ruled out as they do not meet our requirements or have been converted to private property
- Details of 11 other considered sites are given along with reasons why these site were not suitable
- The government recognises the importance of encouraging physical activity at an early stage
- Our proposal doesn't seem to fit any planning definition as defined by HBC. How can this be remedied

- Details are supplied of play centre located on industrial estates
- Playcentre will provide specialist play equipment encouraging healthy development.
- Currently the area has no such facilities.
- Case officer recommends refusal as contrary to Policy E2 of the Harrogate District Local Plan.
- Point C of E2 states loss of industrial/business land and premises would be permitted if 'the site is in a town centre and the proposed use.....would add to the centres vitality and viability without harming the supply of employment land or premises'.
- The units are close to the town centre and would add to vitality and viability of Boroughbridge and enhance employment opportunities.
- We are a service industry providing local jobs, using local suppliers, supporting local commerce.
- Many of the units are used for storage of imported goods providing little benefit for local community.
- Economic Development units "Sites and Premises Register" specifies several other buildings for rent in the area. Our unit comprises 1.7% of combined area of Becklands Close and Brickyard Lane, an insignificant loss.
- Boroughbridge does not have redundant leisure facilities we could use.
- Government encourages physical activity at an early age.

9 letters of support summarised as follows:-

- lack of such facilities
- important to encourage children to take exercise
- parents and children need a safe environment to play
- Government emphasises need to establish good exercise habits in children at early age
- Classes proposed currently unavailable in area
- Plenty of land designated for light industry available
- Sustainable, saving car mileage to facilities in other areas

VOLUNTARY NEIGHBOUR NOTIFICATION -

ZYRO Plc Unit 9 Becklands Close

Stuarts Industrial Flouing, Stuart House, Becklands Close

Heymark Metals Ltd, Becklands Close

RELEVANT PLANNING POLICY

- PPG1 Planning Policy Guidance 1: General Policy and Principles
- LPA01 Harrogate District Local Plan (2001, as altered 2004) Policy A1: Impact on the Environment and Amenity
- LPE02 Harrogate District Local Plan (2001, as altered 2004) Policy E2: Retention of Industrial/Business Land and Premises
- LPCF09 Harrogate District Local Plan (2001, as altered 2004) Policy CF9: Other New Community Facilities
- LPR05 Harrogate District Local Plan (2001, as altered 2004) Policy R5: New Sports and Recreational Facilities
- LPT21 Harrogate District Local Plan (2001, as altered 2004) Policy T21: Foot and Cycle Access
- PPG4 Planning Policy Guidance 4: Industrial and Commercial Development and Small Firms

PPG13 Planning Policy Guidance 13: Transport

ASSESSMENT OF MAIN ISSUES

1. PRINCIPLE - Policy E2 seeks to protect existing business land and premises and resist the loss of such land to other uses. This is to ensure a reasonable supply of employment opportunities and minimise the development of new greenfield sites. The policy considers the loss of employment sites will not be permitted unless:-

- 1) The continued use of the site for business purposes would cause unacceptable planning problems ,
- 2) The site is allocated for another use of the local plan, or
- 3) The site is in a town centre and the proposed use would add to the centres vitality and viability without harming the supply of employment lane and/or premises

As none of these criteria apply in this particular case the proposal does not comply with Policy E2

Policy R5 of the Local Plan is permissive towards the provision of new sports and recreational facilities subject to satisfying a number of criteria. However such provision has to be judged against the requirements of Policy E2.

The Councils Economic Development Officer comments that this industrial unit on an industrial estate has been designed and located to serve the needs of local industry and it is not good planning to have a childrens recreational facility on an industrial estate. Whilst the Economic Development Officer appreciates jobs will be created, he comments this would also occur once the unit is occupied by an industrial occupant, so there is no gain in absolute terms, and to approve such a change of use could set a precedent leading to applications for similar development which may then be difficult to oppose.

There is therefore an objection in principle to the proposal.

2. ACCESS AND PARKING - Highways do not object on these grounds, and a condition is recommended to ensure the provision and retention of on site parking, access and manoeuvring area.

3. ENVIRONMENTAL HEALTH CONSIDERATIONS - Environmental Health recommend a condition relating to the extract ventilation system, and advise a contaminated land assessment is not necessary

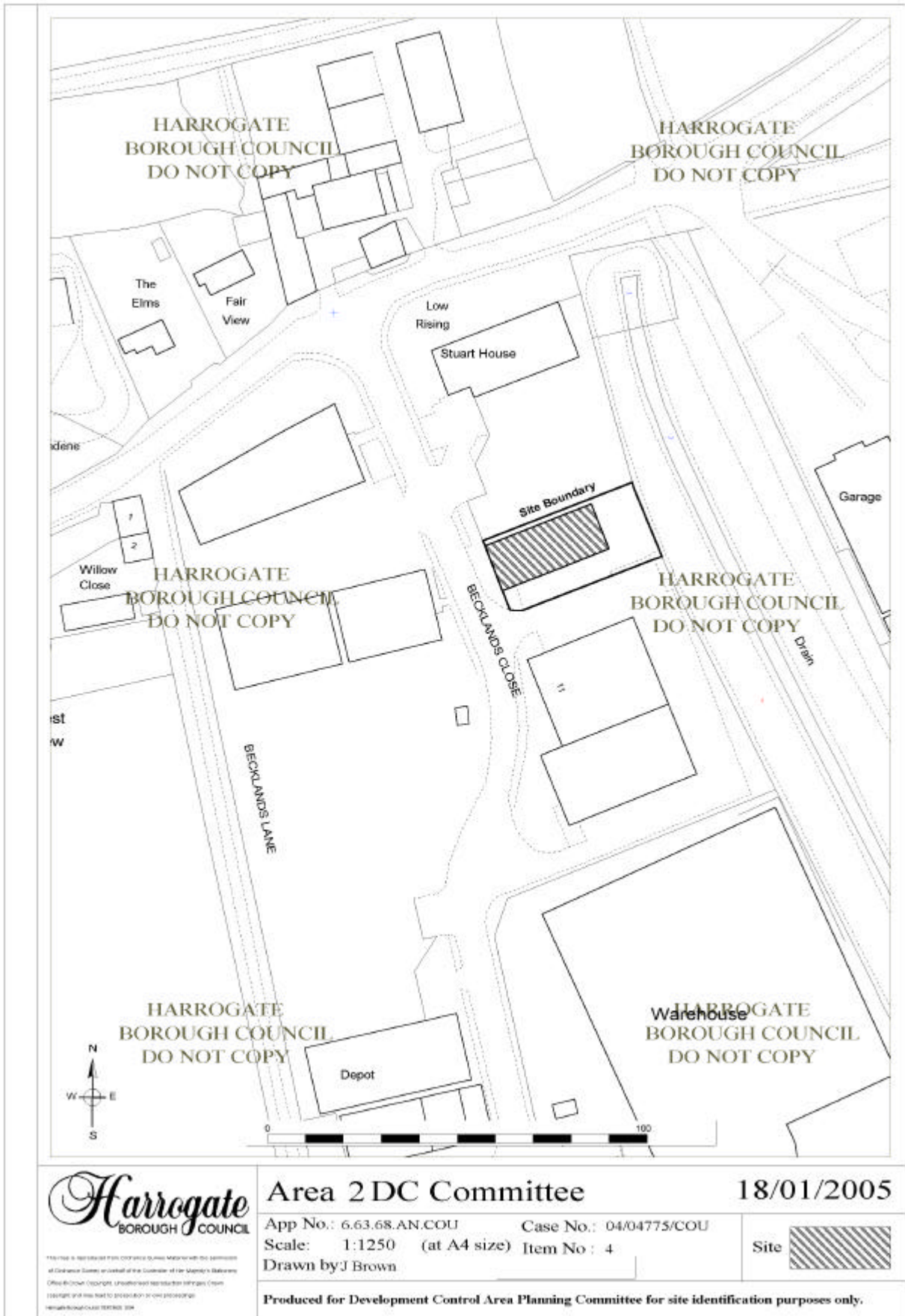
CONCLUSION - The proposal is contrary to local plan Policy E2 as it does not fall within a business or industrial class. There are no material considerations in this instance which warrant setting aside the provisions of the development plan and as such refusal is recommended.

CASE OFFICER: Mrs N M Waddington

RECOMMENDATION

That the application be REFUSED. Reason(s) for refusal:-

- 1 The proposed development would involve the loss of existing business premises contrary to the provisions of Policy E2 of the Harrogate District Local Plan which seeks to protect existing business land and premises and resist the loss of such land to other uses.



Harrogate
BOROUGH COUNCIL

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Area 2 DC Committee

18/01/2005

App No.: 6.63.68.AN.COU Case No.: 04/04775/COU
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 Drawn by: J Brown

Site 

Produced for Development Control Area Planning Committee for site identification purposes only.

