

Application No: 11/0432M

Location: Unit A, Marlborough Close, Knutsford, WA16 8XN

Proposal: Proposed Change of Use from Light Industrial/Warehouse B1, B2 and B3 to Play Warehouse D2

Applicant: Mrs E Parks, Rock 'A' Baby

Expiry Date: 30-Mar-2011

Date Report Prepared: 11th March 2011

SUMMARY RECOMMENDATION

Refuse

MAIN ISSUES

- **Loss of employment land**
- **Impact on highway safety**

REASON FOR REPORT

The proposed development does not accord with all of the provisions of the Development Plan in force in the area within which the application site lies.

DESCRIPTION OF SITE AND CONTEXT

The site is located within the Parkgate Industrial Estate in Knutsford. The site and its surroundings have the characteristics of a typical business / industrial park. The site lies in proximity to the junction of Marlborough Close and Haig Road. Various industrial and office units are located in the vicinity of the site. The building on the site is a vacant warehouse of approximately 445sqm. Access is off Haig Road and parking areas exist in front of the units.

DETAILS OF PROPOSAL

The application seeks the change of use from a vacant warehouse to a children's play warehouse. The ground floor would comprise largely of a play area, café, servery/kitchen, toilets, crèche and a reception area at ground floor level and an office and beauty therapy area would be located on a mezzanine area above.

The proposed hours of operation are 9am – 6pm seven days a week, including bank holidays. The scheme proposes 12 full time equivalent employees (10 full-time and 4 part-time). The scheme proposes 14 parking spaces in front of the unit.

RELEVANT HISTORY

10/3328M - Proposed change of use from light industrial/warehouse B1, B2 & B8 to play warehouse D2 – Withdrawn 05-Nov-2010

POLICIES

Regional Spatial Strategy

Relevant policies of the North West of England Plan Regional Spatial Strategy to 2021 include:

DP1 (Spatial principles applicable to development management)
DP2 (Criteria to promote sustainable communities)
DP3 (Promotion of sustainable economic development)
DP4 (Sequential approach to make the best use of existing resources)
DP5 (Objectives to reduce the need to travel and improve accessibility)
DP6 (Linking economic opportunity with areas in greatest need)
DP7 (Criteria to promote environmental quality)
W1 (Strengthening the regional economy)
W3 (Supply of Employment Land)
W4 (Release of Allocated Employment Land)
L1 (Health, Sport, Recreation, Cultural and Education Services Provision)
RT2 (Strategies for managing travel demand and regional parking standards)
RT9 (Provision of high quality pedestrian and cycle facilities)
MCR3 (Strategy for the Southern Part of the Manchester City Region)

Local Plan Policy

Relevant policies of the Macclesfield Borough Local Plan include:

E1 (Employment Land Policies)
E4 (Employment Land – Industry)
DC6 (Safe and convenient access for vehicles, special needs groups and pedestrians)

Other Material Considerations

National planning guidance is relevant in the form of PPS1 Delivering Sustainable Development, PPS4 Planning for Prosperous Economies, PPG13 Transport.

CONSULTATIONS (External to Planning)

Highways: recommend refusal

Spatial Plans: no objection provided that there are no more central sites for the development

VIEWS OF THE PARISH / TOWN COUNCIL

Knutsford TC: comments awaited

OTHER REPRESENTATIONS

None received to date

APPLICANT'S SUPPORTING INFORMATION

The applicant has submitted a supporting statement, which is available to view online as background information. The main crux of the statement is:

create an all weather play area

Knutsford is a prime location: 25% of homes have families with dependent children living in them; there are 1,581 children in the Knutsford area aged between 4-11 years old.

There are 9 empty industrial units in Knutsford and plans to create a further 500,000 sq ft development

Local estate agents confirmed they are struggling to let the units due to the economic crisis,

Unit A became available in mid 2009 and its marketing price has reduced from £6.50/sq ft to £3.95/sq ft.

The nearest children's soft play centre is at least 6 miles away/families drive great distances to other sites

Easy access by bus, 3 minutes walk from bus stop to Unit A and within easy walking distance of a number of residential areas with footpaths right to the site.

No suitable sites in the town centre due to size of unit required for business (in excess of 4,000 sq ft) – many of which are listed so would be unable to carry out internal alterations

People who travel by car will be able to park without causing obstructions to the other units. Discussions taking place with landlord to extend the existing 13 spaces and with other tenants to use their spaces when they are closed, plus there is parking available on either side of the road.

Competitors businesses also on industrial estates with 14/15 parking spaces available

None of the available units on the Stanley Road industrial estate (closest industrial estate to the Town Centre) are large enough for the business requirements, parking is minimal and there are no footpaths.

Industrial units provide sufficient floor space and height for the children's climbing equipment

Encourage people to travel to Knutsford and spend money locally

Create jobs and locally sourced food for the café

More suitable sites i.e. Knutsford Leisure Centre not available

OFFICER APPRAISAL

Key Issues

The keys issues with the proposal are the impact on the availability of employment generating sites in the area and wider Borough, the effect on vehicular and pedestrian safety, and considerations of sustainability.

Principle of Development

The use class of a play warehouse is generally considered to be D2 these uses are considered to be more appropriate to a town centre location. Such a use falls outside the normal employment uses (use classes B1, B2 and B8) for which employment areas such as the Parkgate Industrial Estate are reserved.

Policy

As the use class of a play warehouse is generally considered to be D2, which covers other leisure facilities, when granting permission, some LPAs have been keen to ensure that the approved use remains specific only to a play warehouse taking into account the particular circumstances of allowing such a use on a business park or industrial estate.

Policies E1 and E4 are the relevant employment policies of the Macclesfield Borough Local Plan that govern this particular site. Policy E1 states that existing employment areas will normally be retained for employment purposes. Permission will normally be granted in accordance with policies E3-E5, on a scale appropriate to the size and character of the area. Policy E4 specifically seeks to encourage the industrial use of this part of the Parkgate Industrial Estate, particularly specifying general industrial, warehousing, high technology and light industrial uses. The proposed development is therefore a departure from this normal policy and has been advertised as such.

PPS4 takes a wider view of 'economic development' and requires local planning authorities to adopt a positive and constructive approach towards planning applications for economic development. The unit has been vacant for more than one year, and there are a number of similar vacant units available to let in Knutsford. The proposal would secure the occupation of a vacant unit and provide a number of new job opportunities.

Built leisure uses are classed as a main town centre uses and therefore the proposal should be subject to a sequential assessment to ensure that there are no more central sites for development. The Development Plans teams have noted that there are unlikely to be any suitable sites within the historic centre of Knutsford, but PPS4 policy EC15 requires local planning authorities to "ensure that where it has been demonstrated that there are no town centre sites to accommodate a proposed development, preference is given to edge of centre locations which are well connected to the centre by means of easy pedestrian access". As a result, during the course of the previous application it was advised that premises on the Stanley Road Industrial Estate (located at the southern end of the town centre in close proximity to both the bus and rail stations) could be sequentially preferable and as such an analysis should be carried out.

Policy EC17.1 is clear that applications for main town centre uses that are not in an existing centre and not in accordance with an up to date development plan should be refused planning permission where the applicant has not demonstrated compliance with the sequential approach.

Consequently the applicant has undertaken her own sequential analysis that has discounted the vacant sites on the Stanley Road Industrial Estate as none are large enough for the business requirements, parking is minimal and there are no footpaths available.

The proposal represents a departure from policies of the Development Plan designed to retain sites for traditional employment uses, in particular policy E1 and E3 of the Macclesfield Borough Local Plan. Section 38(6) of the Planning and Compulsory Purchase Act requires that decision must be made in accordance with the Development Plan unless material considerations indicate otherwise. On balance, taking into account the particular circumstances of this application and the information advanced in support of the proposal (particularly the analysis of other available sites in proximity to the Town Centre) it is considered that the information submitted by the applicant indicates that it would be difficult to find a more sequentially appropriate site.

It is also recognised that such uses have been typically located on industrial and business parks in other parts of the North West.

Furthermore the proposal would benefit nearby residential occupiers in Knutsford and would meet objectives for social inclusion and access to recreational facilities. The employment generated from the proposal is also comparable to, and potentially greater than, other industrial employment uses of the site. There are therefore advantages to the local economy in bringing the unit into an active use, particularly noting the availability of similar units in the area for traditional employment uses. It is considered that these material considerations outweigh the presumption against the loss of the employment use on the site.

Highways

Ensuring safe use of the highway for vehicles and pedestrians is of primary importance for this type of application. Given the nature of the use, notwithstanding that nearby residential areas are accessible by foot, the majority of customers would be likely to access the site by private car. Ensuring adequate car parking is therefore critical to prevent overspill into surrounding areas that would create conflict with other industrial users.

Although the site is situated alongside other industrial units that are accessed by large vehicles such as HGV's, the parking area for the site is set back from the main access road and does not introduce conflicts for parents and children in accessing the building, as they do not have to cross the access road. However, the 14 parking spaces to be provided on site are considered to be a significant shortfall on requirements for the proposed use.

In January 2011 National Planning Policy - PPG13: Transport was revised to reflect changes to parking standards and charges. Whilst maintaining the principle of ensuring sustainability, the revisions move away from maximum parking standards and allow local authorities the freedom to decide what level of planning is right based on the local needs of the community.

DC6 states that sufficient space should be available to enable all parking to take place off the street. It is envisaged that the majority of its clientele will arrive by private motor vehicle. Whilst 14 spaces are proposed to the front of the building, concern is raised that this would be insufficient, given the various combinations of uses proposed and the proposed number of employees. The application forms state that 12 full time equivalent staff would be employed; the seating area would accommodate 80 people and that 100 children are expected per day Monday to Friday (approx 11 children per hour), whilst 300 children are expected on Saturday and Sundays (approx 33 children per hour). The applicant has estimated that the ratio of children to adults would be 1 child: 1.5 adults. This does not account for potential customers to the first floor uses (beauty therapy and office area).

Further concern is raised that the supporting statement outlines parking arrangements at existing play centers. Antz in your Pants has been based on a busy industrial estate in Timperley for the past 2 years, which originally traded with 15 parking spaces, has recently purchased more. Head Over Heels in Chorlton has 14 parking spaces and the applicant notes that "you often have to park on the road". Concern is raised that this would result in an impingement on the interests of the adjoining businesses and onto Haig Road, which is not subject to any Traffic Regulations Orders (TRO's) in the vicinity of the site. Ultimately this could intensify the number of vehicles parked on Haig Road, further affecting the free flow of traffic up and down Haig Road.

It would appear that parking spaces marked '8 & 9' would be located on an existing access off Marlborough Close, no disabled spaces are proposed and spaces no. '1 & 2' would partially block the proposed entrance.

In 2009 The Council approved a similar development (albeit a larger development – 1500 sqm) on the Stanley Green Trading Estate in Handforth, this included 73 car parking spaces, incorporating 3 disabled spaces and 6 cycle spaces. The land owner also had ownership of adjoining units on the estate and at peak operational times (Saturday and Sundays) this could be utilized by customers of the play warehouse.

The Strategic Highways Manager recommends refusal of the application as the site does not provide for adequate parking facilities and would lead to the overspill parking causing obstruction to the detriment of road safety and the free flow of traffic.

Others Matters

Design

No external changes are proposed to the building. It is likely that the use would generate the requirement for new signage which would be dealt with separately and would be acceptable in principle.

Amenity

There are no issues of amenity for residential property due to the location of the site.

CONCLUSIONS AND REASON(S) FOR THE DECISION

On balance sufficient information has been provided to justify the out of town location of the proposed use and the loss of the traditional employment use on the site. However, the development is considered to be detrimental to the interests of highway safety through the potential for increase in parking taking place in unsuitable locations on the highway or within the site, taking account of the nature of the proposed development, the location of the site and the predicted number of parked vehicles arising from the development. The application is therefore recommended for refusal.

Application for Full Planning

RECOMMENDATION: REFUSE

R06HW - Parking provision detrimental to highway safety

