

Application No: 13/4424M

Location: UNIT 1-2, FIRST AVENUE, POYNTON, ADLINGTON, CHESHIRE, SK12 1YJ

Proposal: Change of use to childrens' entertainment centre and community resource. Ancillary covered parking.

Applicant: Mr Robert Slater, HS Leisure (Cheshire) Ltd

Expiry Date: 12-Dec-2013

SUMMARY RECOMMENDATION:

Approve subject to conditions

MAIN ISSUES:

- Loss of Employment Land
- Amenity
- Highway Safety

REASON FOR REFFERAL

The combined floor area of the units the subject of this change of use application is 1000 sq. m and therefore under the terms of the Scheme of Delegation, this item should be determined by Northern Planning Committee.

1. DESCRIPTION OF SITE AND CONTEXT

The application site comprises two existing industrial units located along First Avenue in Poynton Industrial Estate which consists of a variety of B2, B8 and B1 uses. The existing building is a single storey industrial unit close to the site entrance.

The site is designated employment land.

2. DETAILS OF PROPOSAL

This application seeks permission for the change of use of the premises to a Childrens entertainment centre and community resource (D2 use class). Unit 1 will be utilised as the play centre with unit 2 used for additional car parking. 22 spaces are provided within the unit and at the front of the site.

3. RELEVANT HISTORY

99/1851P Renewal of Planning Consent 79896P for warehouse extension Approved 20-Oct-1999

96/0252P Change of use from warehouse to engineers workshop Approved 20-Mar-1996

79896P Warehouse extension Approved 04-Jan-1995

4. POLICIES

Macclesfield Borough Local Plan – saved policies

Para 215 of The Framework indicates that relevant policies in existing plans will be given weight according to their degree of consistency with The Framework.

Relevant policies within the Macclesfield Borough Local Plan (MBLP) are as follows:

BE1 (Design principles for new developments)

E1 (Retention of employment land)

E4 (General industrial development)

DC3 (Amenity)

DC6 (Circulation and Access)

Other Material Considerations

National Planning Policy Framework

Employment Land Review

5. CONSULTATIONS (External to Planning)

Highways:

A change of use application is proposed from an industrial units to a children's entertainment centre located off First Avenue, Poynton.

There are a total of 20 car parking spaces proposed, some parking on the frontage of the site and parking also provided within unit 2. It is considered that the amount of on-site parking is sufficient for the proposal, there are daytime parking restrictions fronting the site but a limited number of on-street parking is available on the opposite side of the road.

There are no highway objections to the application.

Environmental Health: No objections

6. VIEWS OF THE PARISH COUNCIL:

No objections

7. OTHER REPRESENTATIONS:

None received

8. APPLICANT'S SUPPORTING INFORMATION:

Letter of support from local councillor and local primary school
Sequential Assessment
Design & Access Statement

9. OFFICER APPRAISAL

Principle of Development

At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development. For decision-taking this means:

-Approving development proposals that accord with the development plan without delay; and
- Where the development plan is absent, silent or relevant policies are out- of- date, granting permission unless:

— any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
— specific policies in this Framework indicate development should be restricted.'

The site is in an existing employment area - policy E4 generally seeks to ensure this area is retained for B1(b), B1(c), B2 and B8 purposes. The children's entertainment centre and community resource is a D2 use and would, therefore be contrary to this policy.

However, the NPPF takes a slightly more flexible approach on the subject – it states that:

'Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.'

CEC has an oversupply of employment land. However there is an identified shortfall of employment land for the Poynton area of between 1.12 -1.27ha to 2030 and this estate is considered to be quite attractive to the market. This is identified in the Council's Employment Land Review 2012.

The Employment Land Review does not disaggregate the overall employment land requirement below the Borough level. Appendix G looks at the econometric forecasting and an assessment of potential losses by settlement to give an indication of where there might be shortfalls. However, this uses a different methodology which is not comparable to the methodology used to calculate the overall requirement and the Review is clear that this appendix is only to add some context to the overall findings – it does not set out the requirement by settlement.

Moreover, further employment allocations which are better suited to market requirements are being considered as part of the emerging Local Plan.

As the unit has been vacant since 2010, last utilized as temporary storage and has been unsuccessfully but actively marketed ever since, this suggests that there is no serious market interest in the unit. The submission intimates that this may be because more modern industrial units are available at Adlington Business Park.

All of the above considerations would indicate that the application should be judged on its merits, taking into consideration the social, economic and environmental benefits.

Para 24 of the NPPF states that:

‘Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. 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 applicant has submitted a sequential test which indicates that the building specifications required is a determining factor, as are viability and accessibility. The Sequential Assessment has considered a number of sites which are neither suitable nor available.

Given the uniqueness of the use proposed, the localised catchment area and the economic benefits versus the viability of the proposals indicates that this is a sequentially preferable location as it is an accessible out of centre site.

In terms of supporting sustainable communities, this is an accessible site within the settlement boundary accessible by a range of means of transport in a site which is in close proximity to a range of mix of uses.

Therefore, the principle of development is accepted.

Character and Appearance

The unit is designed for industrial purposes and not typical of the type of building one would expect for a children’s play centre and car storage. Whilst the amount of car parking at the

front of the site is set to increase, it is not considered there are any significant impacts on the character and appearance of the locality.

Highway Safety

The key issue in the consideration of this application is whether it has any significant highway safety implications.

The car parking proposed is set to increase above the existing available spaces, and would accord with the CEC car parking standards for D2 uses. Moreover the car parking proposed would meet the applicant's operational requirements.

It should also be noted that the existing available car parking does not meet the CEC car parking standards for the existing potential B8 uses.

The level of parking being provided on site means parents can park on the site and not have to mix with traffic on the nearby Industrial Estate. Also peak use will be at weekends so there some be minimal commercial use happening at that time.

On that basis the proposals would not result in a highway safety issue.

Amenity

This use would not give rise to any odours and only low levels of noise. Whilst it is to be located in an industrial area where noisy activities take place, the nature of the proposed use dictates that this is not particularly noise sensitive and therefore, the change of use of the industrial units would not have a significant adverse impact upon either the future occupiers of these units or existing neighbouring uses.

10. CONCLUSIONS AND REASON(S) FOR THE DECISION

The proposed use is appropriate given the location of the site. It is not considered the use proposed would result in significant and detrimental parking and highway safety issues over and above an industrial use. The use proposed would also not raise any concerns in respect of the character of the area or neighbouring amenity. Whilst the loss of the unit for employment purposes would be contrary to policies E1 and E4 this is acceptable in the context of the advice contained in the NPPF. On that basis, the proposals are in accordance with policies BE1 (Design principles for new developments), DC3 (Amenity) and DC6 (Circulation and Access) of the Macclesfield Borough Local Plan 2004 and guidance within the National Planning Policy Framework. The application is recommended for approval subject to conditions.

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Northern Area Manager has delegated authority to do so in consultation with the Chairman of the Northern Planning

Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Should this application be the subject of an appeal, authority shall be delegated to the Northern Area Manager in consultation with the Chairman of the Northern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. Car Parking to be Retained
4. Change of Use to Childrens entertainment centre and community resource and for no other purpose

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