

Meeting: Planning and Development
Committee

Agenda Item:

Date: Thursday 24 May 2018

INFORMATION REPORT - APPEALS / CALLED IN APPLICATIONS

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1. APPEALS RECEIVED

- 1.1. 17/00566/FP. 377 Jessop Road, appeal against refusal of planning permission for change of use from amenity land to private residential land and erection of two storey side extension and a single storey rear extension to facilitate the conversion of existing dwelling into 2no one bedroom dwellings.

2. DECISIONS AWAITED

- 2.1. None.

3. CALLED IN APPLICATIONS

- 3.1.

4. DECISIONS RECEIVED

- 4.1. 17/00604/FP. Unit 4 Caxton Point, Bessemer Drive, appeals against refusal of planning permission for the change of use of the ground floor of the premises from B1 (Offices) to Sui Generis (Canine Day Creche)

4.1.1 Issues

The determining issues relate to the effects of the proposal on (i) the availability of future employment space and (ii) the safety and operation of the adjoining highway.

4.1.2 Conclusions

(i) the availability of future employment space

The proposal relates to the use of part of the ground floor and service yard of the business unit as a canine day crèche. This would provide a facility where pet dogs can be cared for during the day whilst the owners are at work or have other commitments. There would be areas with equipment to allow dogs to interact with one another and play together.

The site is within the Gunnels Wood employment area where policy E4 of the Stevenage District Plan (SDP) encourages light industrial, general industrial and storage facilities. The proposed use would fall outside of any of the B class uses and where other employment uses are to be assessed on their merits. The Inspector considered the intention of the policy was to promote employment land and resist the loss of land and premises for business purposes.

The business was an employment generating use but the Inspector concluded that the business would be likely to employ four of five staff based on the operation of similar businesses elsewhere. Given the premises had been vacant; the proposal would provide moderate employment. SDP policy E4 does allow for some uses which support the operation of the employment area and the Inspector concluded that there would be moderate benefits with the proposal providing a facility for workers in the employment area.

The Inspector concluded that the proposal would result in the loss of B class accommodation of which there is a shortfall to meeting future need. Whilst the business may generate a small amount of employment in vacant premises these benefits would not outweigh the loss of B class floorspace. The Inspector gave significant weight to the Emerging Local Plan (ELP) the aims of which were similar to the SDP. However, the Inspector did not consider the benefits of the use of the vacant premises and the services provided for employees in the area to outweigh the harm caused through the loss business accommodation required through the ELP plan period.

(ii) the safety and operation of the adjoining highway.

With regard to highway safety the Inspector noted that the existing forecourt area was almost fully occupied on the day of his visit. The service yard of the premises would be used as a playground area for the crèche. Five additional parking spaces are proposed to the front of the service yard. The perimeter fence would be set back to accommodate the car parking and provide additional drop off and pick up parking. However, 2 of these bays would be unusable due to adjoining side parking bays.

A storage or office use could occupy these premises without the need for planning permission. However, these would likely operate with the service yard providing space to make deliveries to or collections from the side entrance allowing vehicles to manoeuvre and exit safely. The major part of the service yard would be lost as a consequence of this change of use. The inspector accepted that any future crèche would grow organically in response to demand and could be successful. He also accepted that the highway network would accommodate the level of vehicular movements likely to be generated and, although the appeal premises has limited car parking provision, that there are alternative places in the vicinity for employees to use.

However, the Inspector accepted that there would be a need to provide dropping off and customer parking where essential to the operation of a development. The nature of this proposal is that customers would generally be private car users for whom there would not be the conveniently usable drop off and collection space provided on-site. This would likely lead to customers being unable to readily find a free on-site space, parking their vehicles temporarily on the adjacent highway.

He concluded that in this location close to the junction of Caxton Way and Bessemer Drive, the on-road customer parking likely to be caused by this proposal would be contrary to the safe use of the highway.

4.1.3 Decision

The appeal is dismissed (appeal decision attached).

5. BACKGROUND PAPERS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage District Plan Second Review 1991-2011.
3. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2012 and the Stevenage Design Guide adopted October 2009.
4. Stevenage Borough Local Plan 2011-2031 Publication Draft.
5. Central Government advice contained in the National Planning Policy Framework March 2012 and National Planning Policy Guidance March 2014.