



Appeal Decision

Site visit made on 27 March 2018

by Jonathan Price BA(Hons) DMS DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 April 2018

Appeal Ref: APP/K1935/W/17/3188121

Unit A Caxton Point, Caxton Way, Stevenage, Hertfordshire SG1 2XS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Candace Rose (Canine Creche Group) against the decision of Stevenage Borough Council.
 - The application Ref 17/00604/FP, dated 25 August 2017, was refused by notice dated 20 October 2017.
 - The development proposed is change of use under Sui Generis to a Canine Day Creche facility. No extension to perimeter or outside walls.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effects of the proposal on (i) the availability of future employment space in this area and (ii) the safety and operation of the adjacent highway.

Reasons

Availability of future employment space

3. The proposal relates to the use of part of the ground floor and service yard of a large three-storey business unit as a canine day crèche. The operation would provide a facility whereby pet dogs can be cared for during the day when their owners are at work or have other commitments. Facilities would include areas with equipment to allow the dogs to interact and play together, rather than each being compounded during the stay.
4. The premises occupy a site within the Gunnels Wood employment area as designated by Policy E2 of the current Stevenage District Plan¹ (SDP) and Policy EC2 of the emerging Local Plan² (ELP). The employment area is located on the western side of the town and alongside the A1 trunk road. The area has clearly been developed as a business park, with associated estate roads and infrastructure, and currently contains various employment buildings.
5. Within designated employment areas SDP Policy E4 encourages light industrial, general industrial and storage and distribution uses (classes B1, B2 and B8 respectively as defined in the Use Classes Order 1987). The proposed canine

¹ Stevenage District Plan Second Review 1991-2011

² Stevenage Borough Local Plan 2011-2031 Publication draft January 2016.

crèche would be *sui generis* and fall outside any of the B class uses encouraged by Policy E4 and where other employment generating proposals are to be assessed on their merits. I consider the intention of this policy is to promote employment and economic activity and resist the loss of land and premises provided for business purposes.

6. The evidence base to the ELP shows a requirement in the Borough for 30 hectares of employment land in the period of 2011 – 2031 over which there is a shortfall in provision. This lends weight to the intention of SDP Policy E4 to secure appropriate uses in existing employment areas by encouraging B1, B2 and B8 uses.
7. This proposal would be an employment generating use. The organisation's main centre at Martlesham employs 28 people. However, new operations at Needham and Bury St Edmunds employ four and five staff respectively. From this evidence it is reasonable to conclude this crèche would provide a similar number of jobs as these other new centres. Given that the unit is presently vacant, and has proved difficult to let, this proposal would provide moderate benefits in employment terms.
8. Paragraph 4.6.8 of the supporting text to SDP Policy E4 states that uses which support the operation of an employment area by providing facilities for companies and their employees may be acceptable. This gives the examples of day nurseries, social clubs, fitness clubs, cafes, local shops and hotels which may be acceptable if a local need can be demonstrated. Although a need for a dog crèche has not been demonstrated here, those provided elsewhere in employment areas appear to be viable and have met a demand. There would be moderate benefits in this proposal providing a facility for workers in this employment area.
9. The appellant has advised that the canine crèche would not be noisy as the dogs cared for tend not to bark. This provides some flexibility for where such an activity might be based. The proposal would result in the loss of B class accommodation for which there is a shortfall to meeting future need. The canine crèche would generate a small amount of employment in vacant premises and a service to local employees. However, I do not consider these benefits would outweigh the harm resulting in the loss of B-class floorspace for which there is an identified future need. I consequently find conflict with the aims of SDP Policy E4.
10. The ELP has reached an advanced stage, having been found sound on Examination. However, the outcome of the Secretary of State's holding direction is pending and so it cannot be given the full weight of an adopted development plan. Nevertheless, the aims of ELP Policy EC4 are comparable to those of SDP Policy E4 and so can be afforded significant weight.
11. The proposal would provide an economic use for vacant floorspace, provide some employment opportunities and offer services available to employees in this area. However, I do not consider this proposal would generate the level of employment that would outweigh the harm caused through the loss of business accommodation required through the plan period. Consequently, this proposal would prejudice the provision of an appropriate number and range of jobs across the employment area as a whole in conflict with the aims of ELP Policy EC4.

Safety and operation of the adjacent highway

12. The existing forecourt parking area was almost fully occupied on the day of my visit. The service yard associated with these premises would be mainly used as a playground area for the pets at the crèche. Five additional spaces are proposed at the front of the service yard with the proposed perimeter fence set back to accommodate them. This would provide additional drop off and collection parking for the proposal. However, at least two of these spaces would not be useable due to the position of the adjacent side parking bays.
13. 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.
14. This proposal requires planning permission and therefore it is necessary to assess whether adequate space would be provided for staff parking and for customer drop-offs and collections. Although any future crèche would grow organically in response to demand, it is necessary to assume a successful business model would be achieved. I accept 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.
15. Although SDP Policy T15 seeks to avoid the over-provision of car parking to discourage unnecessary private vehicle movements it accepts a need to provide dropping off and customer parking where essential to the operation of a development. The nature of this proposal is that crèche 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 future customers, unable to readily find a free on-site space, parking their vehicles temporarily on the adjacent highway. In a 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.

Conclusion

16. The proposal would provide an economic use for vacant floorspace, employment opportunities and a service to employees in this area. However, these benefits would be outweighed by the harm caused by the loss of office/storage and distribution floorspace, for which there is a planned future need, and by the adverse effects on highway safety. Therefore, having taken into consideration all other matters raised, I conclude that the appeal should be dismissed.

Jonathan Price

INSPECTOR