

Committee Report

Application No:	DC/17/00574/COU
Case Officer	Tracy Long
Date Application Valid	25 May 2017
Applicant	Mr Mark Gardner
Site:	Karting North East Indoor Ltd Forge Road Dunston Gateshead NE8 2RB
Ward:	Dunston And Teams
Proposal:	Change of use from Go Kart Track (Sui Generis - use class) to Indoor Trampoline Park (leisure use class - D2)
Recommendation:	GRANT
Application Type	Change of Use

The Application:

1.0 DESCRIPTION OF THE APPLICATION SITE

- 1.1 The application site is Unit 1 Forge Road in Dunston. The site measures around 0.84 hectares and has a large detached building on it that is currently in use as a go karting centre (planning use class – Sui Generis). The property is a large single storey building with a floor area of around 3,550 m2.
- 1.2 The site is level and is enclosed by palisade fencing and landscaping. There are two vehicle access points to the site off Forge Road. One to the rear of the building which provides access to the rear servicing yard. The second access at the front of the building (facing east) provides access to a large hard surfaced area stretching from the front of the building to the A184. This area is used for car parking but the car parking spaces are not formally marked out.
- 1.3 The site is situated with a mixed commercial and residential area. To the north of the site is a railway line with Jennings Ford garage beyond. To the east of the site is the A184 with Vance Business Park beyond. To the south and west of the site are residential properties along Thornhill Close, Appleton Close and Rochester Gardens.
- 1.4 The site is not allocated for any specific purpose on the Council’s Local Plan Policies Map 2015. The site is however allocated as an area of potential archaeological interest as well as being situated within a wildlife corridor.

1.5 DESCRIPTION OF THE APPLICATION

- 1.6 This planning application seeks planning permission to change the use of the building and site from a go karting centre (use class Sui Generis) to an indoor trampoline park (leisure use class D2).
- 1.7 The submitted Planning Statement explains that the proposed trampoline park would be an indoor recreational sports facility open to the public for freestyle trampoline play, trampoline dodge ball, large foam cubes pits and fitness classes. The open jump area will consist of a large area of safety padded, wall to wall interconnecting trampolines. The proposed use will cater for individuals of all ages as well as group events, including birthday parties.
- 1.8 The proposed opening hours are 9am – 11pm everyday, including Bank Holidays. Customers would book 50 minute sessions that will begin on the hour every hour.
- 1.9 No external alterations are proposed to the site or building. This planning application is solely seeking a change of use. No alterations are therefore proposed to the existing vehicle access arrangements. It is however proposed as part of this planning application that the existing hard surfaced tarmac and gravel parking area to the front of the building would be formally marked out showing the specific location of the car parking spaces.
- 1.10 This planning application has been submitted with a Planning Statement and a Transport Statement.

1.11 RELEVANT PLANNING HISTORY

- 1.12 154/95
Change of use from former kitchen manufacturing and retailing premises to indoor go karting track (sui generis use). Temporary 3 year planning permission granted 3 April 1995.
- 1.13 67/98
Renewal of permission – continued use of former kitchen manufacturing and retail premises as indoor go karting track (sui generis use).
APPROVED 16 March 1998 subject to a number of planning conditions including planning condition 3 which stated that this should be a temporary permission only for another 3 years.
- 1.14 APPEAL
An appeal was made against a number of the planning conditions attached to permission 67/98 which included

Condition 1 – list of plan references

Condition 2 – time limit to start works

Condition 3 – temporary permission for 3 years

Condition 4 – final details of access and parking arrangements

Condition 7 – provision of ramped/level access
Condition 9 – scheme for soundproofing of building

1.15 This appeal was allowed as the Planning Inspectorate considered that the conditions 1, 2, 3, 7 and 9 were unnecessary.

2.0 Consultation Responses:

None

3.0 Representations:

3.1 The Council sent out neighbour notification letters to 23 properties surrounding the application site.

3.2 1 letter of objection has been received from a local resident (address not known) objecting to the proposal on the following grounds:

- increased volume of traffic
- overspill car parking along Forge Road
- unsociable hours of access up to 11pm everyday
- there is no need for an additional trampoline park
- pigeon faeces contamination along Forge Road
- lack of consultation/information provided to residents
- increase in litter, damage to the area and graffiti from visiting youths

4.0 Policies:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

DC2 Residential Amenity

ENV21 Sites of Archaeological Imp - Known

ENV22 Sites of Archaeological Imp - Potential

ENV51 Wildlife Corridors

CS13 Transport

CS14 Wellbeing and Health

CS18 Green Infrastructure/Natural Environment

5.0 Assessment of the Proposal:

- 5.1 The main planning issues are considered to be the principle of a leisure use in this location and its impact on traffic and parking in the area and the impact on the living conditions of surrounding residents.
- 5.2 **PRINCIPLE OF DEVELOPMENT**
The application site is not allocated for any specific purpose on the Council's Local Plan Policies Map. Therefore the principle of changing the use of this site from a go kart track to a trampoline park is considered acceptable in principle, subject to other detailed planning considerations being satisfied
- 5.3 **TOWN CENTRE USE SEQUENTIAL TEST**
The proposed trampoline park is a main town centre use as set out in the National Planning Policy Framework (NPPF). The site is in an out of centre location. Whilst the application is for a change of use, the existing and proposed uses are commercial leisure uses in nature and therefore on balance Council officers are of the view that a town centre sequential test which considers if there are suitable alternative sites at the edge of centre and in centre to accommodate the proposed development, does not need to be carried out in this case. Other Councils have taken a similar approach to such similar planning application.
- 5.4 **HIGHWAY ISSUES**
No changes are proposed to the existing vehicle access arrangements to the site, which are considered to be acceptable. With regards to the number of vehicles coming to and from the site, Council officers considered that the proposed use will not have a severe impact on the highway and will not create any road safety concerns. The information submitted as part of the Transport Statement show that vehicle movements to and from the site will be higher at weekends when traffic on the highway network is much lower.
- 5.5 In terms of the car parking provision, it is proposed to mark out the existing hard surfaced parking area at the front of the building to provide 88 car parking spaces and 3 disabled car parking spaces. The Council's car parking standards normally require that leisure uses provide at least 6% of the visitor spaces to be reserved for disabled persons. This would equate to 5 of the 88 car parking spaces.
- 5.6 The Council does not have a specific car parking standard for trampoline parks. The provision of 88 car parking spaces should also address any concerns that local residents may have about overspill car parking taking place along Forge Road. Therefore in this instance (subject to a revised car parking plan being received which increases the number of disabled car parking spaces to 6%) the proposed car parking provision is accepted by Council officers.
- 5.7 The proposed car park plan that has been submitted is not to scale. The applicant has also agreed to provide a separate pedestrian access to the site from Forge Road to the front of the building to improve pedestrian safety – although this is not currently shown on the submitted car parking plan. Two conditions have therefore been recommended (conditions 3 and 4) to approve a revised layout for the car park which is to scale and includes details of the new

pedestrian access, cycle parking and motorcycle parking provision, an increase in the number of disabled car parking spaces and its implementation on site.

- 5.8 Cycle parking is to be provided as part of the development. Two conditions (conditions 5 and 6) have therefore been recommended to approve the final details and provision of the cycle parking for staff and visitor to ensure that it is suitable, secure and weatherproof.
- 5.9 A condition (condition 7) has also been recommended to approve a travel plan for the site to promote sustainable travel choices.
- 5.10 Subject to the above planning conditions the proposed development is considered to be acceptable from a highway point of view and accords with the aims and objectives of the NPPF and policy CS13 of the CSUCP.
- 5.11 **RESIDENTIAL AMENITY ISSUES**
Concerns have been raised by a local resident about the unsociable hours of the proposed trampoline park. The previous planning permission 67/98 which was granted at appeal was subject to a condition (condition 8) which restricted the opening hours of the premises to between 9am – 11pm. Council officers are also of the opinion that the propose trampoline park is likely to generate less noise than the existing use of the building as an indoor go karting track.
- 5.12 Given the above it is considered that the proposed use and proposed opening hours of 9am – 11pm is acceptable from a residential amenity point of view and accords with the NPPF, saved policy DC2 of the UDP and policy CS14 of the CSUCP.
- 5.13 **ARCHAEOLOGY ISSUES**
The site is allocated as an area of archaeological importance on the Council's Local Plan Policies Map 2015. However given that this application is solely seeking a change of use of the existing building from a go kart track to an indoor trampoline park, with no external alterations, and that the marking of the car parking spaces will not involve breaking the ground, Council officers consider that the proposed development raises no archaeological issues.
- 5.14 **ECOLOGY ISSUES**
The site is also within a wildlife corridor. Given that this application is solely seeking a change of use of the existing building from a go kart track to an indoor trampoline park, with no external alterations, Council officers consider that the proposed development raises no ecology issues.
- 5.15 **COMMUNITY INFRASTRUCTURE LEVY**
On 1st January 2017 Gateshead Council became a Community Infrastructure Levy (CIL) Charging Authority. This application has been assessed against the Council's CIL charging schedule and the development is not CIL chargeable development as it is not for qualifying retail or housing related. As such no CIL charge is liable.
- 5.16 **OTHER ISSUES**

Concerns have been raised from a local resident about the lack of consultation. However the Council notified 23 properties surrounding the site about the planning application.

- 5.17 Council officers are not aware of any evidence to indicate that the proposed use would increase litter, damage or graffiti in the area. In the event of any anti social behaviour this would be a matter for the Police.
- 5.18 Any issue relating to pigeon faeces along Forge Road is not considered to be a material planning consideration.

6.0 CONCLUSION

- 6.1 Taking all the relevant issues into account, including the comments made by a local resident, it is considered that the proposed development is acceptable from a planning point of view and accords with both national and local planning policies.
- 6.2 The proposed development would keep an existing building in use, promote a healthy activity for the residents of Gateshead as well as creating jobs.
- 6.3 It is therefore recommended that planning permission be granted, subject to the conditions below.

7.0 Recommendation:

That permission be GRANTED subject to the following condition(s) and that the Strategic Director of Communities and Environment be authorised to add, vary and amend the planning conditions as necessary:

1

The development shall be carried out in complete accordance with the approved plan(s) as detailed below -

FL10807/003	Site Location Plan	18/5/2017
FL10807/002	Proposed Site Layout	18/5/2017
FL10807/001	Proposed Parking Layout	18/5/2017

Any material change to the approved plans will require a formal planning application to vary this condition and any non-material change to the plans will require the submission of details and the agreement in writing by the Local Planning Authority prior to any non-material change being made.

Reason

In order to ensure that the development is carried out in complete accordance with the approved plans and any material and non-material alterations to the scheme are properly considered.

2

The development to which this permission relates must be commenced not later than 3 years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

3

Notwithstanding the submitted drawings, prior to the car parking spaces being marked out on site a revised car parking which includes the following elements shall be submitted to and approved in writing by the Local Planning Authority :

- a - a plan drawn to a recognised scale
- b - provides 6% of the spaces for disabled parking
- c - provides a separate pedestrian access from Forge Road to the front of the building
- d - shows the location of the cycle parking provision
- e - shows the location, number and specification of secure motorcycle parking

Reason

In the interest of pedestrian and highway safety to accord with the NPPF, policy CS13 of the Council's Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne and the Council's Cycling Strategy.

4

The revised car parking layout approved under condition 3 shall be provided in accordance with the approved details prior to the trampoline park being brought into use.

Reason

In the interest of pedestrian and highway safety to accord with the NPPF, policy CS13 of the Council's Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne and the Council's Cycling Strategy.

5

Notwithstanding the submitted details, prior to the trampoline park being brought into use a detailed scheme (number, location, specification) for the provision of secure and weatherproof cycle parking facilities at the site for both staff and visitor shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In order to ensure adequate provision for cyclists in accordance with the NPPF, Policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne and the Council Cycling Strategy.

6

The cycle parking provision approved under condition 5 shall be provided on site in accordance with the approved details prior to the trampoline park being brought into use and thereafter retained.

Reason

In order to ensure adequate provision for cyclists in accordance with the NPPF, Policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne and the Council Cycling Strategy.

7

Prior to the trampoline use being brought into use a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority.

The revised Travel Plan shall detail the delivery mechanism for its implementation in order to provide for the

- 1 Reduction in car usage and increased use of public transport, walking and cycling
- 2 Reduced traffic speeds within the site and improved road safety and personal security for pedestrians and cyclists;
- 3 More environmentally friendly delivery and freight movements;
- 4 A programme of continuous review of the approved details of the Travel Plan and the implementation of any approved changes to the plan.

Evidence of the travel plans implementation over a minimum period of 12 months shall be submitted to and approved in writing by the Local Planning Authority prior to formally discharging the condition. At all times thereafter, the Travel Plan shall be implemented in accordance with the approved details or any changes made under the review process.

Reason

To promote sustainable travel and to accord with the NPPF and Policy CS13 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

