

**Item No:** 5.3  
**Application No:** 16/01801/FUL Author: Maxine Ingram  
Date valid: 9 November 2016 ☎: 0191 643 6322  
Target: 8 February 2017 Ward: Killingworth  
decision date:

Application type: full planning application

**Location: Unit A, Bellway Industrial Estate, Benton, NEWCASTLE UPON TYNE, NE12 9SW**

**Proposal: Change of use of land and buildings from warehouse (Use Class B8) to indoor trampoline park (Use Class D2) with access, car parking, boundary treatments and associated external alterations**

Applicant: Funshack, FAO Mr Stuart Freeman Unit 1 Hall Dene Way Seaham Grange Industrial Estate Seaham SR7 0PU

Agent: England Lyle Good, FAO Mr Gary Swarbrick Gateway House 55 Coniscliffe Road Darlington DL3 7EH

**RECOMMENDATION:** Application Permitted

## **INFORMATION**

### **1.0 Summary Of Key Issues & Conclusions**

1.1 The main issues in this case are:

- Principle of the development
- Impact on amenity of adjacent occupiers
- Design and appearance
- Impact on highway safety

1.2 Members need to determine whether the principle of the development, and whether the impact on amenity and highway safety is acceptable.

### 2.0 Description of the Site

2.1 The application site area measures 0.89 hectares and is occupied by a recently refurbished warehouse/factory unit and external yard areas. The building has a floor area of approximately 2,352 square metres and is of a steel portal design with insulated profile cladding to the elevations and roof. The site is accessed directly from the main estate road serving the Bellway Industrial Estate, which links into Whitley Road (A191) to the south.

2.2 Industrial units are located immediately to the south. The railway and metro tracks are located to the north with residential properties beyond. The land to the east of the unit is clear and vacant and there is no vegetation on this part of the site.

2.3 The site is designated in the Council's Unitary Development Plan as a current employment area according to policy LE1/4. The site is also designated as employment land in the Council's Local Plan Pre Submission Draft.

### 3.0 Description of the Proposed Development

3.1 Planning permission is sought for a change of use of land and buildings from warehouse (Use Class B8) to indoor trampoline park (Use Class D2) with access, car parking, boundary treatments and associated external alterations.

3.2 There will be no external alterations required to the building to facilitate the proposed use with the exception of the installation of a glazed main entrance to replace an existing roller shutter door in the north western elevation, as well an additional service door to the south eastern elevation. New signs are shown on the proposed elevations; however they are no part of this application and will require a separate application for advertisement consent.

3.3 The trampoline park will have a large trampoline arena that will take up approximately 60% of the ground floor of the premises. The arena will comprise of various interconnected trampoline zones. It will provide a range of individual sessions to meet the needs of a wide range of customers. The reception area, chill out/seating area, toilets, changing rooms, first aid, briefing rooms and stores will occupy the remainder of the ground floor. The new first floor will accommodate a cafe and seating area, party rooms, kitchen office and store.

3.4 The proposed hours of operation area as follows:

-Monday to Friday 10:00-21:00

-Saturday 09:00-22:00

-Bank Holidays 10:00-21:00

### 3.5 Background Information

3.6 The application is submitted on behalf of the Funshack Group, who is a family run North East based leisure company that specialises in indoor family leisure activities. The company operate two well-established and successful children's play centres in Seaham and Stockton-on-Tees and have recently begun to expand into other leisure sectors, including climbing centres (Clip N'Climb) and trampoline parks (Jump 360). Jump 360 is the newest addition to the Funshack Group offering a range of trampoline activities and facilities in a trampoline arena comprising of a large number of interconnected trampoline beds. The first Jump

360 site open in Stockton-on-Tees in December 2015 and the Funshack Group are planning to open a number of new centres across the North East over the next 12-18 months, with North Tyneside identified as a priority.

3.7 The proposed development will support the company's on-going expansion plans into the indoor trampoline park sector and represents an approximate £1 million investment in the local area, which will generate in the region of 41 new jobs for local people.

#### 4.0 Relevant Planning History

07/00997/FUL - Office extension and car parking - 21.05.2007

11/02126/FUL - Change of use of existing steel fabrication plant to end of life car salvage, repairs, tyre and exhaust fitting – Permitted 06.01.2012

12/00480/FUL - Variation of conditions 8, 10 and 12 to allow Tyne and Wear fire and rescue to practice and to allow crushing/baler to be sited within building (planning approval 11/02126/FUL) – Permitted 30.05.2012

12/01402/FUL - Change of use of existing steel fabrication plant to end of life car salvage, repairs, tyre and exhaust fitting to include vehicle sales and 130 storage containers for rental, including retention of permission for a baler/crusher – Permitted 25.10.2012

13/02053/FUL - Change of use from End of Life Vehicle and storage to B1 Office, B2 'General Industry' (approximately 1441 square metres) and B8 'Storage and Distribution' (approximately 600 square metres internally and 130 external storage containers) – Permitted 23.04.2014

#### 5.0 Development Plan

5.1 North Tyneside Council Unitary Development Plan (adopted March 2002)  
Direction from Secretary of State under Paragraph 1(3) of Schedule 8 to Town and Country Planning and Compulsory Purchase Act 2004 in respect of Policies in the North Tyneside UDP (August 2007)

#### 6.0 Government Policy

6.1 National Planning Policy Framework (March 2012).

6.2 National Planning Practice Guidance (As Amended).

6.3 Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration in the determination of all applications. It requires LPAs to apply a presumption in favour of sustainable development in determining

development proposals. Due weight should still be attached to Development Plan policies according to the degree to which any policy is consistent with the NPPF.

## **PLANNING OFFICERS REPORT**

### 7.0 Main Issues

7.1 The main issues for this application are:

- Principle of the development
- Impact on amenity of adjacent occupiers
- Design and appearance
- Impact on highway safety

7.2 Consultation responses received as a result of the publicity given to this application are set out in the Appendix to this report.

### 8.0 Principle of the development

8.1 The Government is committed to securing economic growth in order to create jobs and prosperity. It is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore, significant weight should be placed on the need to support economic growth through the planning system.

8.2 The NPPF sets out the core planning principles which should underpin decisions and notes that planning should amongst other matters, proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth.

8.3 The National Planning Policy Framework seeks to ensure the vitality of town centres and recognise town centres as the heart of their communities.

8.4 Local Planning Authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and not in accordance with an up to date local plan. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale.

8.5 The site is not within a defined town centre boundary and is out-of-centre. Therefore a sequential assessment is necessary to see whether there are any sites which are available, suitable and viable, in existing centres. If there are none, then there is a need to look at edge of centre sites before finally considering out of centre sites.

8.6 UDP Policy LE1/4 states that the LPA will ensure that the physical base of the local economy is maintained and protected. Areas shown on the proposals map as currently used for use classes B1, B2 or B8 will be retained in their current use.

8.7 The site is designated as employment land within the Council's UDP. This development includes utilising the main building for B2 'General Industry' and B8 'Storage and Distribution' uses. The site is also designated as employment land within the Council's Local Plan Pre Submission Draft.

8.8 The application site is occupied by a refurbished warehouse/factory unit located towards the northern edge of the industrial estate. The current proposal relates to the change of use of land and buildings to an indoor trampoline park (Use Class D2). The applicant has advised that large scale D2 uses tend to have specific requirements including a building with a large, clear internal floor plan with an internal eaves height of least 6m. In light of these requirements, opportunities to accommodate such uses in existing town centres tend to be limited and the only suitable premises predominantly tend to be large-scale industrial and warehouse units on established industrial estates and, accordingly, it is evident that a flexible approach needs to be adopted in the application of protective employment policies in order to accommodate such uses, as advocated by guidance contained at paragraph 21 of the NPPF.

8.9 Paragraph 22 of the NPPF advises that 'where there is no reasonable prospect of a site being used for the allocated employment use, application for alternative uses of land or buildings should be treated on their merits'. The application site was formerly in use by a fully licensed motor breakers and car part distribution business. However, the applicant has advised that, the site and business were marketed for sale by North East Commercial from 2013, having previously been marketed by Lambert Smith Hampton. There was no formal interest received from prospective B2/B8 tenants and the site was subsequently purchased in December 2014 by the current landowner as an investment opportunity. The property had been subject to vandalism and was in a poor state of repair at the time of the purchase and the landowner has invested heavily in the property. The landowner has been actively seeking a new tenant for the property since purchasing the unit in December 2014, although it has been used for temporary storage in the meantime in association with the landowner's existing businesses.

8.10 Despite the extensive marketing exercise that has been undertaken, no firm expressions of interest have been received from prospective B2/B8 tenants to occupy the unit and, on this basis, it is considered that the prospects of securing an industrial tenant for the unit are slim. Unless a suitable alternative use can be

found there is a strong likelihood that the unit will stand vacant for an extended period of time continuing to make no positive contribution to the economy of the local area.

8.11 The application premises represent just 1.7% of the total available floor space across the Borough. Members need to consider whether the loss of this industrial floor space to a D2 Use Class is acceptable in terms of the overall employment land supply across the Borough.

8.12 The proposed development will secure the active economic re-use of a longstanding vacant property and represent an investment of approximately £1 million in the area.. The proposed development will facilitate the continued expansion of a successful North East based leisure operator and will generate approximately 41 jobs for local people with an approximate 50:50 split between full and part time roles.

8.13 The applicant has carried out a sequential assessment, which concludes that there are no sequentially preferable sites.

8.14 The applicant has identified a number of key requirements that a potential site must fulfil in order to satisfy the commercial requirements for the indoor trampoline park facility. These are as follows:

- Floor space of approximately 25, 000 square foot, with a clear internal floor plan of approximately 17, 500 square foot to accommodate the trampoline arena;
- Minimum eaves height of 6m for the trampoline arena;
- Capability to accommodate a reception, briefing room, customer cafe, toilets, locker rooms, seating area etc;
- Customer and staff parking;
- Suitable access for all users, including disabled customers;
- Accessible large residential catchment.

8.15 The applicant has identified that the area of search for the sequential test comprised all of North Tyneside. The applicant has identified a number of sites across the Borough that are available and provide the required level of floor space to accommodate the development. However, the majority of the identified sites lies within out-of-centre locations and are not therefore sequentially preferable to the application site and/or are unsuitable to accommodate the development.

8.16 In response to the Planning Policy comments the applicant has also considered Northumberland Park. Northumberland Park is a local centre located adjacent to the A19 and is anchored by a Sainsbury's foodstore and also accommodates a parade of retail and commercial units. The Local Plan Pre-Submission Draft confirms that Northumberland Park has the potential for further

expansion and is therefore recorded as a District Centre dependent on the expansion of the centre on the edge of centre site allocated in the Local Plan. Policy S3.3 of the Local Plan Pre-Submission Draft identifies that the allocated site could accommodate 10,160 sq.m (net) floorspace, which may help the Borough's overall need for retail provision.

8.17 There are currently three available units at Northumberland Park, which range from 111 – 514 sq.m and are therefore not big enough to accommodate the proposed indoor trampoline park. It is noted that outline planning permission was granted for the expansion of the centre in March 2016 (LPA Ref. 15/01146/OUT) comprising of a discount foodstore of 2,000 sq.m; non-food retail floorspace comprising approximately 11,000 sq.m; a food / drink unit and petrol filling station. However, previous case law relating to the application of the sequential test confirms that availability should be interpreted as whether the site is available now, not at some point in the future. The applicant secured planning permission for an indoor trampoline park in Hartlepool in December 2016, which is due to open in February 2017 and they have a similar timeframe in mind for the new unit in Benton. Whilst outline planning permission has been granted for the expansion of Northumberland Park, reserved matters approval has not yet been secured, nor is there a firm delivery programme in place as far as the applicant is aware and, as such, the applicant does not consider that the site can be reasonably classed as being available to accommodate the proposed indoor trampoline park. Furthermore, the extant outline planning approval does not include provision for the type of large-scale D2 unit required by the applicant. On this basis, it is clear that there are no suitable or available sites within or to the edge of Northumberland Park that could accommodate the proposed indoor trampoline park.

8.18 The applicant considers that it has been clearly demonstrated that there are no suitable and available sequentially preferable sites capable of accommodating the development.

8.19 The Council's Planning Policy Team has been consulted. They have advised that the application site (E014) is on an allocated employment site (Policy S2.2) in the submitted Local Plan 2015 and has a small area of available land (0.44ha) that is not affected by this application and a small area of reserve land (0.27ha) that forms part of the application. The Policy states clearly that its intention is to ensure a sufficient supply, range and choice of land for development in class B1, B2 and B8 uses and the site would bring into development a area of reserved land.

8.20 NPPF paragraph 22 is clear in its intention of not safeguarding employment land when there is no reasonable prospect of the site being used for that purpose. The submitted Local Plan is clear that this an employment site for B1,



B2 and B8 uses and this is based on the evidence of the Employment Land Review. The site is currently occupied for storage (B8 use) and therefore this confirms it's proposed allocation. However, it is recognised that the site has been marketed for a new occupier, but there has been little interest and consideration would need to be given to NPPF paragraph 22. The site is currently used for storage and although this performs an important economic function, it would not result in an unacceptable loss of a business or jobs. It would also not result in the excessive reduction of land for employment uses and would not have a significant impact on the amenity and operation of neighbouring businesses.

8.21 Members need to consider whether there are any sequentially preferable sites which are available, suitable and if the proposed use of land allocated for employment related development is acceptable. It is officer advice that it is..

### 9.0 Impact on amenity

9.1 NPPF paragraph 123 states 'Planning policies should aim to: avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development; mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through conditions; recognise that development will often create some noise and existing business wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; and identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason'.

9.2 Policy LE1/7 of the UDP states that in assessing proposals for Class B1, B2 and B8 development the LPA will seek to ensure that development is acceptable in terms of: i) its impact on the environment, existing land uses and local amenity; ii) The local planning authority's requirements for design, landscaping, access, circulation and parking standards, storage of materials, fencing, signing, servicing and security.

9.3 Policy H13 of the UDP states that in assessing proposals for non residential uses within or adjacent to residential areas or for changes of use from residential to other uses, or for the intensifications of an existing residential use will be approved only where the LPA consider that they would not adversely affect residential amenity. Uses that generate excessive noise, smell fumes, traffic, or on street parking problems will not be allowed. Applications for the expansion or intensification of existing non-residential uses within residential areas will be judged against the same criteria.

9.4 In visual terms external alterations to the unit would have no greater impact on the amenity of the surrounding area than that experienced at present. To the



north, the nearest residential properties are approximately 97m from the application site and are predominantly orientated east-west/west-east. They are separated from the application site by the railway and Metro track. There is substantial buffer planting between the application site and these residential properties. Due to the industrial nature of this site and the fact that it is an allocated employment location officers do not consider that the visual amenity of these properties would be significantly affected.

9.5 The Manager for Environmental Health has been consulted. She has raised concerns regarding noise control for external plant and odour control for the cafe. The applicant has advised that the cafe will only serve light snacks such as paninis, hot and cold sandwiches, pizzas, cakes/confectionary, as well as hot and cold drinks. A conveyor type oven will be installed for the cooking of these foods will not require any extraction. The cafe will not serve fried foods and, as such, no cooking equipment will be installed that would require extraction equipment. On this basis, the Manager for Environmental Health has confirmed that it is not necessary to impose conditions to control odour, as only limited cooking is proposed.

9.6 The Manager for Environmental Health has advised that a noise scheme would be required prior to the installation of any external plant/equipment. A condition is recommended to secure this as well as the hours of operation.

9.7 Members need to consider whether the proposal is acceptable in terms of its impact on amenity. It is officer advice that it is given the industrial location of the site. On the basis of the above, it is the view of officers that subject to the imposition of conditions the impact on residential amenity would be acceptable.

#### 10.0 Design and Appearance

10.1 NPPF states that high quality inclusive design should be promoted, whilst design which fails to improve the character and quality of an area should not be accepted.

10.2 The Design Quality SPD provides guidance on the design of buildings, places and spaces in North Tyneside. It states that the Council will encourage innovation in the design and layout, provided that the existing quality and character of the immediate and wider environment are respected and enhances and local distinctiveness is generated.

10.3 The external alterations proposed to the main unit are considered to be of a minor nature and would not detract from the character or appearance of the immediate surrounding area.

10.4 Members need to determine whether the proposal would have an acceptable impact on the character and appearance of the immediate surrounding area. It is officer advice that it would.

#### 11.0 Car Parking and Access

11.1 The National Planning Policy Framework states that transport policies have an important role to play in facilitating sustainable development, but also contributing to wider sustainability and health objectives. All developments that generate significant amounts of movement should be supported by a Transport Assessment. The guidance states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

11.2 Policy T8 seeks to encourage cycling by amongst other matters ensuring that cyclists' needs are considered as part of new development and where appropriate requiring that facilities including parking are provided.

11.3 Policy T9 states that the needs of pedestrians, including people with disabilities and special needs will be given a high priority when considering transport and development issues.

11.4 Policy T11 states that parking requirements will in general be kept to the operational maximum and should include adequate provision for people with disabilities and special needs

11.5 LDD 12 Transport and Highways SPD sets out the Council's adopted parking standards.

11.6 This application has been accompanied by a Transport Statement. This document concluded that:

- The highway network in the area can accommodate the anticipated trip generation;
- That adequate manoeuvring/parking space is provided and that safe access can be achieved;
- That the highway remains unobstructed for the safe passage of all users of the highway and that any development does not have an adverse impact on the safety of all users of the highway;
- The site is well related to existing facilities such as local services, pedestrian routes, public transport services and cycle ways.

11.7 The Highways Network Manager has been consulted. He has advised that the trips associated with this development are generally spread throughout the day and evening rather than during peak times as with many of the other businesses in this area. When the current use is taken into consideration, the

impact on the local highway network is not considered to be severe. Parking has been provided to suit the needs of the site and servicing will take place within the site. The applicant has also outlined a framework Travel Plan (TP) to reduce the number of trips associated with the site.

11.8 On balance, the Highways Network Manager supports the application subject to a number of conditions.

11.9 Members need to determine whether the proposed development is acceptable in terms of its impact on the highway network. It is officer advice, subject to the imposition of conditions, that the development would not have an adverse impact on parking or access.

## 12.0 Other Issues

### 12.1 Ground Conditions

12.2 The NPPF states that the planning system should contribute to and enhance the natural and local environment by remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

12.3 UDP policy E3 seeks to minimise the impact of pollution on the environment. The NPPF is consistent with the aims of this policy and the conclusions in the committee report remain the same.

12.4 The Contaminated Land Officer has been consulted. He has raised no objections.

12.5 If Members are minded to approve the application, they must decide whether the proposal acceptable in terms of the above the NPPF and UDP policy with the proposed conditions. It is officer advice that it is.

### 12.6 Archaeology

12.7 NPPF states that heritage assets are an irreplaceable resource and therefore should be considered in a manner appropriate to its significance.

12.8 UDP Policy E19/6 states "Where an assessment and evaluation have established that proposed development will affect a site or area of archaeological interest the applicant will be required to preserve archaeological remains in situ unless this is clearly inappropriate or destruction of the remains is demonstrably unavoidable, in which case a programme of archaeological works will be required to be submitted and agreed with the Local Planning Authority before the start of the development".

12.9 The Tyne and Wear Archaeology Officer has been consulted. She has raised no objections.

### 13.0 Local Financial Considerations

13.1 Local financial considerations are defined as a grant or other financial assistance that has been, that will or that could be provided to a relevant authority by the Minister of the Crown (such as New Homes Bonus payments) or sums that a relevant authority has received, or will or could receive in payment of the Community Infrastructure Levy. The proposed development would bring employment opportunities and associated benefits to the local area.

### 14.0 Conclusion

14.1 Members need to determine whether the proposed development is acceptable in terms of the loss of employment land, its impact on existing centres. Members also need to consider it's design and impact on the character and appearance of the area, its impact on residential amenity and on highway safety. It is the view of officers that the development is acceptable and it would bring employment benefits to the local area.

14.2 It is the opinion of officers that the development would accord with relevant national and local planning policy and would therefore be acceptable.

**RECOMMENDATION:     Application Permitted**

#### **Conditions/Reasons**

1. The development to which the permission relates shall be carried out in complete accordance with the following approved plans and specifications:

- Application form
- Ordnance Survey plan (1:1250)
- Existing site/block plan Dwg No. 16 75 002-SP
- Proposed site/block plan Dwg No. 16 75 06 A
- Existing elevations Dwg No. 16 75 02
- Proposed elevations Dwg No. 16 75 05
- Existing floor plan Dwg No. 16 75 01
- Proposed ground floor plan Dwg No 16 75 03 A
- Proposed first floor plan Dwg No 16 75 04 A

Reason: To ensure that the development as carried out does not vary from the approved plans.

- |    |                                     |       |             |
|----|-------------------------------------|-------|-------------|
| 2. | Standard Time Limit 3 Years FUL     | MAN02 | *           |
| 3. | Noise No Tannoys Externally Audible | NOI02 | *E3 and H13 |

4. Notwithstanding Condition 1, prior to the installation of any external plant and equipment a noise scheme shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall include the rating level from external plant and equipment, as measured one metre from façade of nearest sensitive receptor, does not exceed the background noise level by more than 5 dB for the representative time period that the plant and equipment is operated. The measurement shall be carried out in accordance with BS4142. Thereafter, the external plant and equipment shall only be installed in accordance with these agreed details and permanently retained.

Reason: In order to protect the amenities of occupiers of nearby properties having regard to policy E3 and H13 of the North Tyneside Unitary Development Plan 2002.

5. Construction Method Statement                                  SIT05        \*H13

6. The scheme for parking and manoeuvring indicated on the approved plans shall be laid out prior to the initial occupation of the development hereby permitted and these areas shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway having regard to policy LE1/4 of the North Tyneside Unitary Development Plan 2002.

7. Notwithstanding Condition 1, the development hereby approved shall be carried out in full accordance with the submitted Travel Plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: To accord with Central Government and Council Policy concerning sustainable transport.

8. The premises shall only be open for business between the hours of 09:00 - 22:00 on any day.

Reason: To safeguard the occupiers of adjacent properties from undue noise or other associated disturbance having regard to policy H13 of the North Tyneside Unitary Development Plan 2002.

**Statement under Article 35 of the Town & Country (Development Management Procedure) (England) Order 2015):**

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority

has therefore implemented the requirements in Paragraphs 186-187 of the National Planning Policy Framework.

### **Informatives**

Building Regulations Required (I03)

Consent to Display Advertisement Reqd (I04)

No Doors Gates to Project Over Highways (I10)

Do Not Obstruct Highway Build Materials (I13)

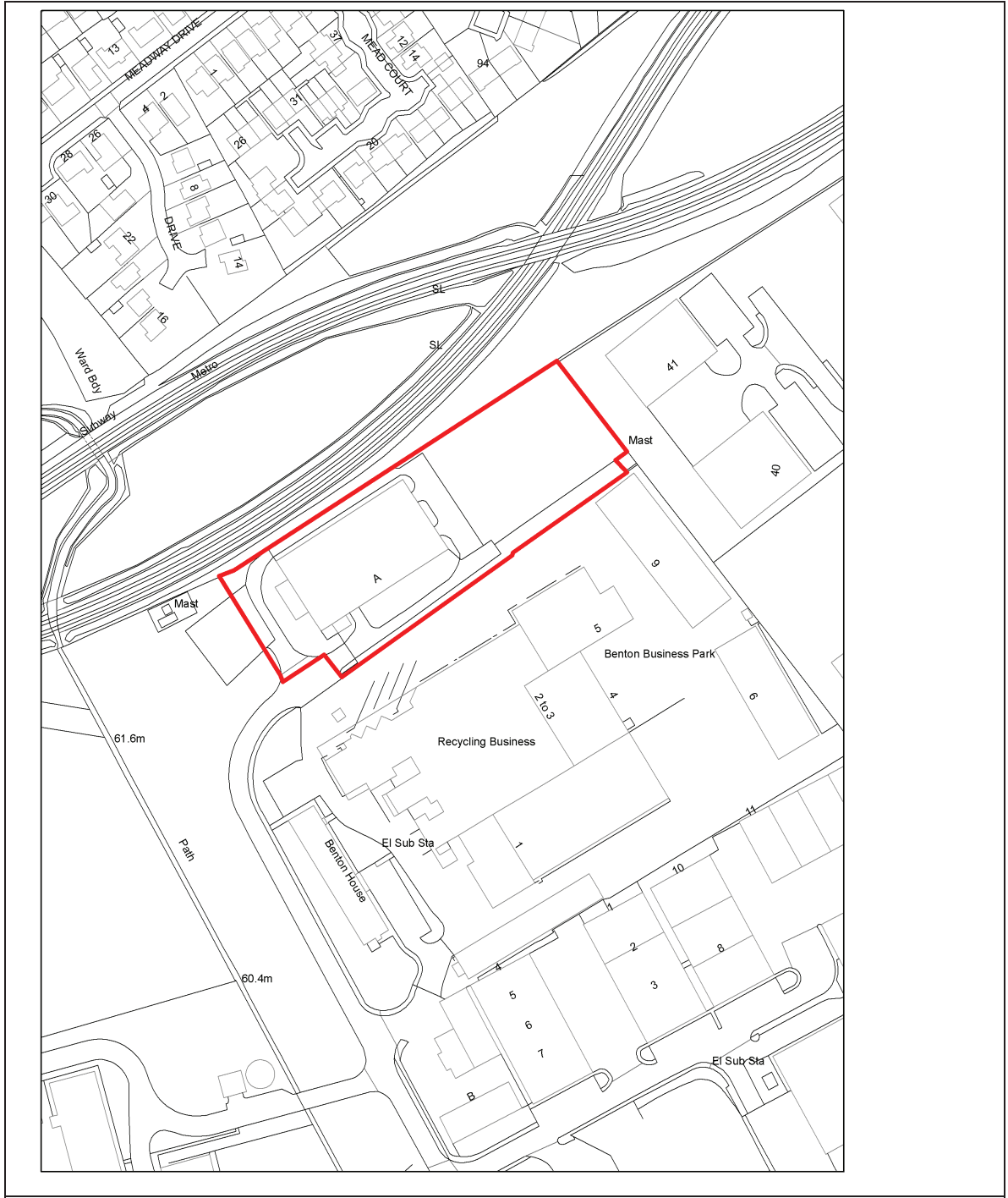
Advice All Works Within Applicants Land (I29)

Coal Mining Standing Advice (FUL,OUT) (I44)

Street Naming and numbering (I45)

Highway Inspection before dvlpt (I46)

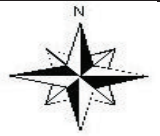




**Application reference: 16/01801/FUL**  
**Location: Unit A, Bellway Industrial Estate, Benton, NEWCASTLE UPON TYNE**  
**Proposal: Change of use of land and buildings from warehouse (Use Class B8) to indoor trampoline park (Use Class D2) with access, car parking, boundary treatments and associated external alterations**

Not to scale  
 Date: 19.01.2017

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## **Appendix 1 – 16/01801/FUL**

### **Item 3**

#### **Consultations/representations**

##### 1.0 Internal Consultees

##### 1.1 Manager for Environmental Health (Pollution)

1.2 I have concerns with regard to potential noise from plant and equipment required for the proposed trampoline park. No information on the plant and equipment to be installed to operate the hall has been provided e.g. heating system, air conditioning systems etc. I would require a condition to require a noise scheme to be submitted if planning approval is to be given to ensure nearest sensitive receptors are not affected by noise arising from the proposed trampoline park. I also note that a cafe is proposed, no information has been provided on the type of cooking or the cooking equipment to be used, therefore it is difficult to determine the impact of the proposed catering with regard to odour control. I would therefore recommend conditions are provided to address kitchen ventilation requirements to ensure any kitchen extraction provided in accordance to the DEFRA guidance document “Control of Odour and Noise from Commercial Kitchen Exhaust Systems” including details on the methods or preparation of cooking, and numbers and types of meals prepared.

1.3 I would also recommend a condition to restrict the operating hours to those specified in the application.

EPL01

EPL02

EPL03

EPL04 The odour suppression scheme must be carried out in accordance with DEFRA report Guidance and Control of Odour and Noise from Commercial Kitchen Exhaust System.

HOU03 to those on application

A noise scheme must be submitted to the planning authority for written approval and implemented prior to development to ensure the rating level from external plant and equipment, as measured one metre from facade of nearest sensitive receptor, does not exceed the background noise level by more than 5 dB for the representative time period that the plant and equipment is operated. The measurement shall be carried out in accordance with BS4142.

NOI02

##### 1.4 Planning Policy

1.5 In relation to application 16/01801/FUL - Unit A, Bellway Industrial Estate the intended use would be from warehouse (B8) to indoor trampoline centre (D2). The Dome would have been a preferable site. However it is no longer a sequentially preferable site as it is not available.

1.6 The proposal is a town centre use as defined by NPPF Appendix 2 so therefore a sequential test (submitted policy DM3.4 Assessment of Town Centre Uses) and impact test would be required. It appears both have been considered but the expansion of Northumberland Park District Centre has not been identified in the sequential test, which is an oversight (as identified in submitted Policy S3.3 Future Retail Demand).

1.7 The site (E014) is on an allocated employment site (Policy S2.2) in the submitted Local Plan 2015 and has a small area of available land (0.44ha) that is not affected by this application and a small area of reserve land (0.27ha) that forms part of the application. The Policy states clearly that its intention is to ensure a sufficient supply, range and choice of land for development in class B1, B2 and B8 uses and the site would bring into development a area of reserved land.

1.8 NPPF paragraph 22 is clear in its intention of not safeguarding employment land when there is no reasonable prospect of the site being used for that purpose. The submitted Local Plan is clear that this is an employment site for B1, B2 and B8 uses and this is based on the evidence of the Employment Land Review. The site is currently occupied for storage (B8 use) and therefore this confirms its proposed allocation. However, it is recognised that the site has been marketed for a new occupier but there has been little interest and consideration would need to be given to NPPF paragraph 22.

1.9 Policy DM2.3 'Development Affecting Employment Land and Buildings' outlines the Council intention for economic proposals on employment land that are in conflict with the development of B1, B2 or B8 uses on allocated employment sites. The site is currently used for storage and although this performs an important economic function, it would not result in an unacceptable loss of a business or jobs. It would also not result in the excessive reduction of land for employment uses and would not have a significant impact on the amenity and operation of neighbouring businesses.

#### 1.10 Highways Network Manager

1.11 As part of the application, a Transport Statement (TS) was submitted that looked at trip generation associated with the site. The trips are generally spread throughout the day and evening rather than during peak times as with many of the other businesses in this area and when the current use is taken into consideration, the impact on the local highway network is not considered to be

severe. Parking has been provided to suit the needs of the site and servicing will take place within the site. The applicant has also outlined a framework Travel Plan (TP) to reduce the number of trips associated with the site.

1.12 For the above reasons outlined above and on balance we recommend that the application be approved subject to conditions.

1.13 Recommendation - Conditional Approval

1.14 Conditions:

PAR04 - Veh: Parking, Garaging before Occ

SIT05 - Construction Plan

Notwithstanding the Framework Travel Plan submitted, the full Travel Plan shall be developed as set out and implemented in accordance with the agreed details. Reason: To accord with Central Government and Council Policy concerning sustainable transport.

1.15 Informatives:

I10 - No Doors/Gates to Project over Highways

I13 - Don't obstruct Highway, Build Materials

I45 - Street Naming & Numbering

I46 - Highway Inspection before dlpt

1.16 Contaminated Land Officer

1.17 No objection.

## 2.0 Representations

2.1 Two letters of objection have been received. The objections are summarised below:

-Inadequate parking provision.

-Nuisance: disturbance.

-Poor traffic/pedestrian safety

-Poor/unsuitable vehicular access

-Traffic congestion

-As a resident of this estate, it is already heavily congested and this type of business would escalate the problems already encountered during most of the week.

-We have received your letter regarding the planning application for a trampoline park on this industrial estate.

-We have grave concerns with reference to this as the estate is very congested already.

-The roads are in a terrible state of repair and the pathways are inaccessible due to vehicles parking over them. Access to the estate is very dangerous and there

have been many near misses with backed up traffic. One of our own drivers was involved in a collision with another resident of the estate.

-The thought of children and cyclists trying to navigate their way along the road is a terrifying thought. Will the council be doing some work to change the infrastructure of the estate to make the pathways accessible on foot and to repair and make the roads safer?

-We welcome the idea of the trampoline park but fear the extra traffic it will bring will cause more congestion and as explained above the estate is not safe for pedestrians and especially children on foot.

### 3.0 External Consultees

#### 3.1 Tyne and Wear Archaeology Officer

3.2 I have no comments to make.