

Item Number: 9
Application No: 14/00856/FUL
Parish: Norton Town Council
Appn. Type: Full Application
Applicant: Norton Bowls Club (RCLC)
Proposal: Change of use and alteration of part of bowls club building from D2 Use (Assembly and Leisure) to D1 Use (Non-residential institutions) for use of a dance school and a pre school playgroup to include parking and dedicated outdoor play space for the pre-school playgroup.
Location: Norton Bowls Club Bowling Lane Norton Malton North Yorkshire YO17 8EG

Registration Date:
8/13 Wk Expiry Date: 23 October 2014
Overall Expiry Date: 15 October 2014
Case Officer: Matthew Mortonson **Ext:** 332

CONSULTATIONS:

Parish Council	Recommend approval
Highways North Yorkshire	No objection, recommend conditions
Environmental Health Officer	No views received to date
Sustainable Places Team (Yorkshire Area)	No objection but recommends conditions
Property Management	No views received to date

Neighbour responses: None

SITE:

Norton Bowls Centre is located within the development limits of Norton within close proximity to the Malton - Scarborough railway line. The site is situated within Flood Zone 2 with a number of residential properties adjoining the site in George Cartwright Close.

PROPOSAL:

The proposal seeks planning permission for the change of use and alteration of part of the existing bowls club (D2 Assembly and Leisure) to accommodate a dance school and pre-school playgroup (D1 Non-residential institutions), to include car parking and outdoor play space for the pre-school playgroup.

The details of each proposed use can be found within the submitted supporting information of the application which reads as follows:

“The proposal involves the partial subdivision of Norton Bowls Club to incorporate ‘Dance Expression’ and ‘Brooklyn Pre-school Playgroup’, two existing businesses of Malton / Norton. Each use will accommodate separate entrances. Parking and access for Dance Expression will be from the large car park at the western end of the current building and parking / access to Brooklyn will be from the eastern end of the building. There will be a new external play area to the north of the building for the sole use of the playgroup.

Dance expression will provide 3 No interlinked studios with a reception area / office, changing facilities and relevant storage.

Brooklyn Pre-School Playgroup intends to have a maximum of 30 children (aged approx 2-4) in attendance initially between 9:00 - 15:30 during weekdays, however their future business plan may have this extending to 8:25 - 17:00. The play group staff would be in attendance outside of these hours for preparation and tidying away any activities that occur during the day's session. The playgroup primarily operates during term times but there may be a desire to extend this to have occasional sessions during the school holidays in order to give parents a break. There may also be times when the staff are in attendance but the playgroup is not open. E.g. staff meetings, preparation for new term etc."

HISTORY:

There is no relevant planning history.

POLICY:

National Policy Guidance

National Planning Policy Framework
Planning Practice Guidance

Ryedale Plan - Local Plan Strategy

Policy SP11 - Community Facilities and Services
Policy SP16 - Design
Policy SP19 - Presumption in Favour of Sustainable Development
Policy SP20 - Generic Development Management Issues

APPRAISAL:

Policy SP11 of the Ryedale Local Plan Strategy provides the policy advice for the protection of community facilities by stating "*Existing local retail, community, cultural, leisure and recreational services and facilities that contribute to the vitality of the towns and villages and the well-being of local communities will be protected from loss/redevelopment...*" In this case, the proposal seeks to change the use of part of the existing bowls club resulting in the loss of some of the floor area serving the community facility. However, by introducing new uses into the building, which in themselves contribute to the local community, the development will safeguard the continued use of the bowls club into the future. In light of this, there is a clear gain to the local community and the proposal is therefore considered to be in acceptable in principle.

In terms of residential amenity, the main concern relate to the levels of activity and noise created by the playgroup, especially with respect to external play area. It is recognised that such activities can result in levels of noise and disturbance that could be harmful to the amenity of nearby residential properties. In this case, the external play area is located immediately adjacent to or within close proximity to a number of residential properties. No neighbour objections have been received to the proposal.

In assessing the impact of the playgroup it is important to note the operations of the facility. The application proposes a playgroup of up to 30 children. The hours of the playgroup will initially be 9:00 - 15:30, although this may increase to 8:25 - 17:00 in the future. The playgroup will not operate during the weekend or bank holidays. Whilst officers accept that the outdoor play has the potential to impact on nearby residents, taking into account the scale of the operations and the hours of opening, the likely harm is not considered to be sufficient to warrant refusal of the planning application. The application, subject to the recommended conditions, is therefore considered to be in accordance with the requirements of Policy SP20 of the Ryedale Local Plan Strategy.

With respect to flood risk, the Environment Agency has confirmed that the application site is in Flood Zone 2. Nevertheless no objections have been raised to the proposed change of use. The EA have however made a number of recommendations to mitigate against any future flooding including raising floor levels wherever possible, and the production of a flood evacuation plan. The applicant has been made aware of these comments through an informative.

NYCC Highway Authority have raised no objections to the proposal, subject to conditions to ensure a travel plan for the pre-school playgroup element of the scheme and to ensure the proposed car parking spaces remain available for use.

To conclude, the proposed development is considered to be one that is beneficial to the local community whilst ensuring no adverse impact in terms of residential amenity, flood risk or highway safety. The application is therefore recommended for approval.

RECOMMENDATION: Approval

1 The development hereby permitted shall be begun on or before .

Reason:- To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

2 The use hereby permitted shall be restricted to a 30 place pre-school playgroup and dance school and for no other use within Use Class D1 of the Town & Country Planning (Use Classes) Order 1987 (or as amended) unless otherwise agreed in writing with the Local Planning Authority.

Reason:- In order to safeguard the amenity of neighbouring residents in accordance with Policy SP20 of the Ryedale Local Plan Strategy.

3 Unless otherwise agreed in writing by the Local Planning Authority, the pre-school playgroup hereby approved shall only operate between 0825 hours and 1700 hours on Mondays to Fridays; and shall not be used at all for the approved use on Saturdays, Sundays or Public Holidays.

Reason:- To ensure that the amenities of nearby residents are not unreasonably affected by the development and to ensure compliance with Policy SP20 of the Ryedale Local Plan Strategy.

4 Before the commencement of development hereby permitted, details of the outdoor play area serving the playgroup, including a schedule of materials and the boundary treatment, shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall be implemented in full before the development is first brought into use, unless otherwise agreed in writing with the Local Planning Authority.

Reason:- To ensure that the development does not prejudice the enjoyment by the neighbouring occupiers of their properties or the appearance of the locality.

5 Notwithstanding the provision of any Town & Country Planning General Permitted or Special Development Order for the time being in force, the areas shown on drawing number 1137-01-GA-05 for parking spaces, turning areas and access shall be kept available for their intended purpose at all times.

Reason:- In accordance with Policy SP20 of the Ryedale Local Plan Strategy and to ensure these areas are kept available for their intended use in the interests of highway safety and the general amenity of the development.

6 Prior to the development being brought into use, a Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. This shall include:

- (i) the appointment of a travel co-ordinator
- (ii) a partnership approach to influence travel behaviour
- (iii) measures to encourage the use of alternative modes of transport other than the private car by persons associated with the site
- (iv) provision of up-to-date details of public transport services
- (v) continual appraisal of travel patterns and measures provided through the travel plan
- (vi) improved safety for vulnerable road users
- (vii) a reduction in all vehicle trips and mileage
- (viii) a programme for the implementation of such measures and any proposed physical works
- (ix) procedures for monitoring the uptake of such modes of transport and for providing evidence of compliance.
- (x) measures to ensure on-site parent pick-up and drop-off facilities within the site and a programme for on-going monitoring and continual appraisal of its operation and improvement

The Travel Plan shall be implemented and the development shall thereafter be carried out and operated in accordance with the Travel Plan.

Reason:- In accordance with Policy SP20 of the Ryedale Local Plan Strategy and to establish measures to encourage more sustainable non-car modes of transport.

7 The development hereby permitted shall be carried out in accordance with the following approved plan(s):

Proposed Site Layout - 1137 01 GA 05
Proposed Plan - 1137 01 GA 01
Proposed Elevations - 1137 01 GA 02

Reason: For the avoidance of doubt and in the interests of proper planning.

INFORMATIVE:

1 The applicant is made aware of the comments received by the Environment Agency dated 12 September 2014.

Background Papers:

Adopted Ryedale Local Plan 2002
Local Plan Strategy 2013
National Planning Policy Framework
Responses from consultees and interested parties