

**19 DCCE2006/1254/F - CHANGE OF USE FROM EXISTING VACANT TYRE FITTING DEPOT TO INDOOR SOFT PLAY BASED FAMILY ENTERTAINMENT CENTRE WITH PROPOSED EXTENSION AT 122-124 WIDEMARSH STREET, HEREFORD, HR4 9HN**

**For: Mr. & Mrs. Phillips, per Mr. D. Walters, 27 Elizabeth Road, Kington, Herefordshire, HR5 3DB**

**Date Received: 2nd May, 2006**

**Ward: Central**

**Grid Ref: 51150, 40545**

**Expiry Date: 27th June, 2006**

Local Member: Councillor D.J. Fleet

## **1. Site Description and Proposal**

- 1.1 The site is located on the eastern side of Widemarsh Street opposite the car park associated with Focus DIY Store. Immediately to the south is 'Norris & Stewart's' second hand car sales, to the rear of which is a small vacant light industrial unit, to the north lies 'Print Plus' printing business and to the east are existing playing fields. A two storey brick and pitched roofed building fronts Widemarsh Street and extends back to the rear of the site linking in with a single storey steel framed and corrugated clad building with a shallow pitched roof. The remainder of the site is undeveloped and is set out hardstanding. The building was last used approximately 2 years ago by 'Easy Fit' as a tyre and exhaust repair/fitting centre but has been vacant since then. The site lies within the Edgar Street Grid Redevelopment Area as identified in the Herefordshire Revised Deposit Draft Unitary Development Plan and more specifically forms part of the Canal Baisn and Historic Core. The site also lies within a Flood Plain designated as Flood Zone 2 and 3.
- 1.2 Planning permission is sought for the change of use of existing tyre fitting depot to a soft play based family entertainment centre and construction of a new single storey building to the rear to replace the existing corrugated clad building.

## **2. Policies**

### **6.1 Hereford Local Plan:**

ENV1	-	Land liable to flood
ENV14	-	Design
SC4	-	Day nurseries
T11	-	Pedestrian provision
T12	-	Cyclist provision

### **6.2 Herefordshire Unitary Development Plan (Revised Deposit Draft):**

S1	-	Sustainable development
S2	-	Development requirements
S11	-	Community facilities and services

DR1	-	Design
DR2	-	Land use and activity
DR3	-	Movement
DR4	-	Environment
DR7	-	Flood risk
TCR23	-	Land at Widemarsh Street Civic Quarter
CF5	-	New community facilities
T11	-	Parking provision
T6	-	Walking
T7	-	Cycling

### **3. Planning History**

- 3.1 CE2004/0761/F - Change of use from tyre and exhaust centre (sui generis) to retail (Class A1) use. Approved 26th April, 2004.

### **4. Consultation Summary**

#### Statutory Consultations

- 4.1 Environment Agency: Comments awaited.
- 4.2 Traffic Manager: Comments awaited.
- 4.3 Forward Planning Manager: Comments awaited.
- 4.4 Environmental Health and Trading Standards Manager: Comments Awaited.
- 4.5 Economic Development Manager: Comments awaited.
- 4.6 Chief Executive of Edgar Street Grid: Comments awaited.

#### Internal Council Advice

### **5. Representations**

- 5.1 Hereford City Council: The City Council is concerned at the total lack of on site parking provision for patrons.

### **6. Officers Appraisal**

- 6.1 The existing lawful use of the premises as a Tyre and Exhaust Centre is a sui generis use (i.e. does not fall within any specified use class). As such any alternative use of the premises will require planning permission. The site itself has no planning designation within the Development Plan but does fall within the redevelopment area for the Edgar Street Grid proposals and is allocated through policy TCR21R of the Unitary Development Plan as being part of the Canal Basin and Historic Core. As such, there is no objection in principle to considering an alternative use of the premise and the community/leisure based use as proposed would fall within the redevelopment aspirations under Policy TCR21R for this part of the Grid area.
- 6.2 The applicants are proposing a soft play based family entertainment centre. This will provide a safe indoor play venue for children in the age range 0 – 12 years. The

facility will also be available for children's parties including special needs schools in addition to 'pay and play' sessions. The space will be broken into three areas of play (junior, toddler and baby play) which will include water and sand based activities, a small sports arena and a sensory area for toddlers and children with specific needs. Ancillary facilities would also be available including non-alcoholic beverages, light meals and snacks.

- 6.3 No facility of this kind or nature presently exists within walking distance of the city centre and therefore a qualitative need for such a facility in a sustainable location does exist. The applicants have also undertaken their own market research including a survey of Herefordshire residents, which also suggests a strong need for such a facility. Sequentially, the site will enable link trips to be made between the facility and town centre whilst also being accessible by public transport, cycling and walking.
- 6.4 Concerns have been expressed regarding lack of on site parking. A drop-off and collection point is proposed within the site with sufficient space for a vehicle to enter and leave the site in a forward gear but no on site parking is proposed. However, the applicants have provided a basic Green Travel Plan, which includes measures such as financial incentives and discounts being offered to patrons to encourage the use of transport other than private motor vehicle and car share system for staff. Alongside this there are two large public car parks (Merton Meadow and Garrick House) within walking distance and secure cycle facilities will be provided on site. Furthermore, whilst some parking could be provided on site it would be difficult to police and would inevitably be abused by parents who may use the on site free parking whilst shopping in town, for example. On this basis and given the sustainable location of the site, it is considered more appropriate not to provide any on site parking.
- 6.5 The existing steel clad extension to the rear is to be demolished and replaced with a new larger single storey extension. Amended plans have been requested to improve the design and materials for this extension both to compliment the existing building fronting Widemarsh Street and also to ensure the development accords with Policy TCR21R, which requires any new development in this location to be of a high standard of design. Minor alterations to the front elevation have also been requested but the current plans identify the removal of the existing signage, which is welcomed. The overall scale of the building is considered acceptable and proportionate with the size of the site. In order to improve the connectivity of this site with the canal basin re-development area, a pedestrian/cycle link to the rear of the site is also to be required by condition.
- 6.6 There is no objection to the loss of the existing tyre fitting depot and the principles of the proposed use in this location accord with the current Development Plan policies and longer-term redevelopment proposals for the area. Subject to the receipt of satisfactory amended plans improving the overall design of the existing and proposed buildings the development is considered acceptable.

## RECOMMENDATION

**Subject to the receipt of suitably amended plans and to no further objections from third parties or statutory consultees raising additional material planning considerations by the end of the consultation period, the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by officers:**

**1 A01 (Time limit for commencement (full permission)).**

**Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.**

**2 A09 (Amended plans).**

**Reason: To ensure the development is carried out in accordance with the amended plans.**

**3 B01 (Samples of external materials).**

**Reason: To ensure that the materials harmonise with the surroundings.**

**4 E06 (Restriction on Use).**

**Reason: The local planning authority wish to control the specific use of the land/premises to ensure the use remains in accordance with policy TCR21R of the Herefordshire Unitary Development Plan (Revised Deposit Draft).**

**5 H29 (Secure cycle parking provision).**

**Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy.**

**6 A new gated pedestrian/cycle access shall be provided in the south eastern corner of the site prior to first use of the development hereby permitted. Details of the proposed means of providing a pedestrian/cycle access shall be provided within 2 months of the commencement of the development hereby permitted. The access shall be created in accordance with the approved details.**

**Reason: To provide a pedestrian/cycle link between the site and the Edgar Street Grid Canal Basin and Historic Core area as required by Policy TCR21R of the Herefordshire Unitary Development Plan (Revised Deposit Draft).**

**7 G01 (Details of boundary treatments).**

**Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.**

**Informatives:**

**1 N08 - Advertisements**

**2 N15 - Reason(s) for the Grant of PP/LBC/CAC**

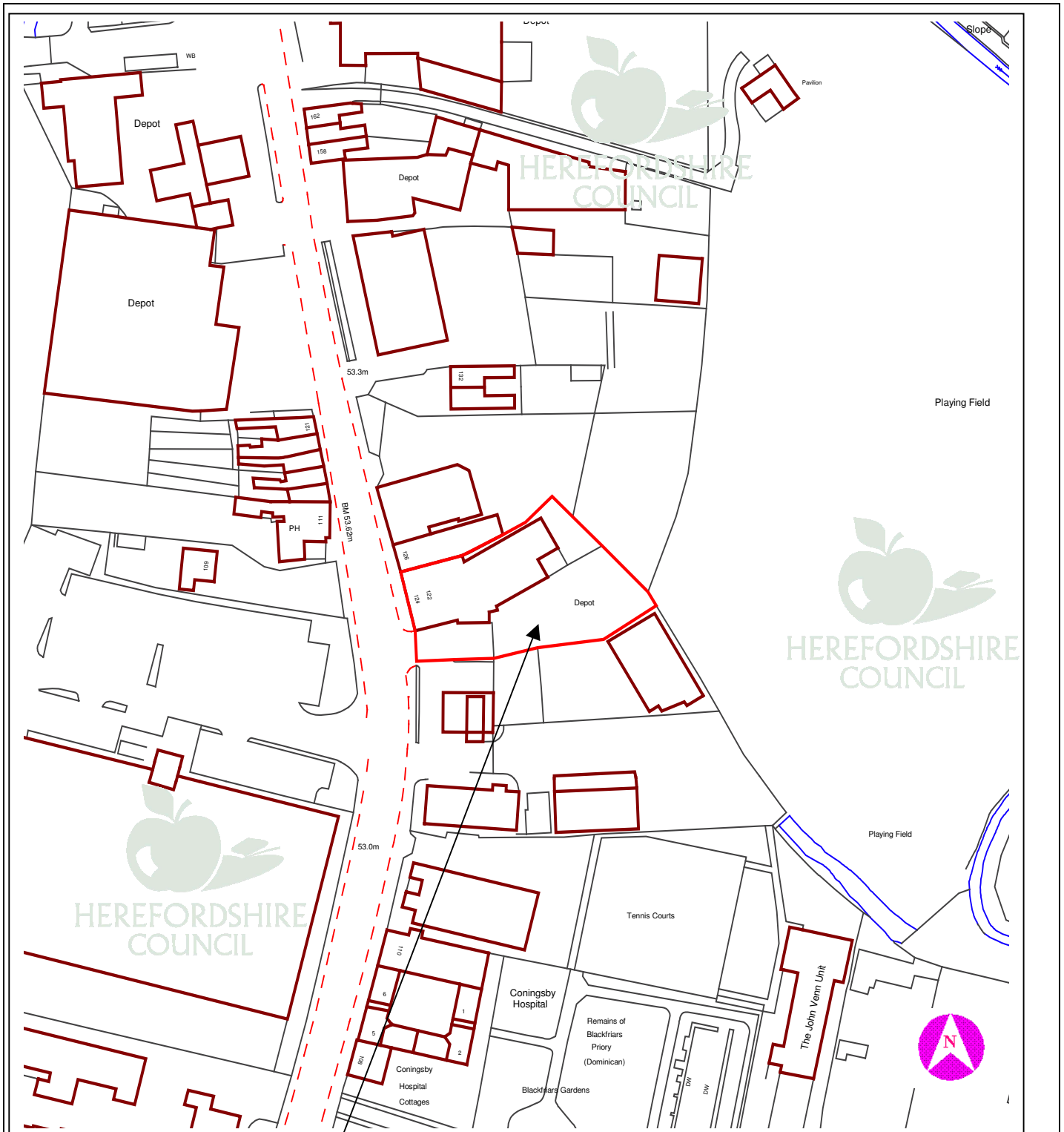
Decision: .....

Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

**APPLICATION NO:** DCCE2006/1254/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** 122-124 Widemarsh Street, Hereford, HR4 9HN

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005