

## COMMITTEE REPORT

**Date:** 21 April 2011                      **Ward:** Haxby And Wigginton  
**Team:** Major and Commercial      **Parish:** Wigginton Parish Council  
Team

**Reference:** 10/02816/FUL  
**Application at:** Creepy Crawlies The Arena Clifton Gate Business Park  
Wigginton Road Wigginton York. YO32 2RH  
**For:** "High ropes" adventure course with associated building and car  
parking (resubmission)  
**By:** Mrs Janice Dunphy  
**Application Type:** Full Application  
**Target Date:** 15 February 2011  
**Recommendation:** Approve

### 1.0 PROPOSAL

1.1 The application relates to the erection of a 'high ropes' adventure course - part for adults and part for children. Each course would comprise a range of timber, steel and rope obstacles up to 8m high (the submitted plans are illustrative only). Users would begin the course at a start tower and negotiate the obstacles in order to complete the course without descending to ground level. An existing building on the site would be extended from 9m x 7m to 23m x 7m to provide a reception, store, dressing room and briefing/teaching room for the high ropes operation. A 2m-high security fence would be erected around the site. Native trees and shrubs would be planted on the northern side of the site to provide partial screening from Wigginton Road. The applicant does not propose to resurface the site, which is predominantly grassed, except for areas of high wear, which would be covered in bark chippings. The topography of the site would not be altered, nor would the existing external lighting. Creepy Crawlies' existing car park would be reconfigured to increase the number of spaces from 90 to 97. The shared, informal, overspill car park next to Wigginton Road would be marked out to provide a total of 44 spaces. Operating hours would be 8am to 9pm, seven days a week. 220 people are forecast to use the course on the busiest days.

1.2 Whilst Creepy Crawlies is the applicant the proposal would be a stand alone operation. It would complement the existing play centre but not be ancillary to it.

1.3 The application is a resubmission of 10/01557/FUL, which was withdrawn following concerns by highway officers and the need for further traffic assessment.

### 2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: East Area (2) 0005

## 2.2 Policies:

CYGP1  
Design

CYGB1  
Development within the Green Belt

CYGB3  
Reuse of buildings

CYGB13  
Sports facilities outside settlements

CYGP4A  
Sustainability

CGP15A  
Development and Flood Risk

## 3.0 CONSULTATIONS

### INTERNAL

3.1 Highway Network Management - No objections subject to conditions requiring submission of a travel plan, provision of car/cycle parking and road marking at the access onto the public highway.

3.2 City Development - No policy objection. Essential facilities for outdoor sport and recreation are appropriate within the green belt. The development control officer must ensure that the scale, location, layout, design and landscaping preserve, as far as possible, the openness and visual amenity of the green belt.

3.3 Structures and Drainage - Objection. Whilst the site is in low risk Flood Zone 1, and should not suffer from river flooding insufficient information has been submitted to determine the potential drainage impacts. Run-off should be attenuated to 70% of the existing rate.

3.4 Communities and Neighbourhood (Play Team) - Full support.

### EXTERNAL

3.5 Wigginton Parish Council - Objection. Difficult access to/from Wigginton Road; increased use of overflow parking area; traffic congestion/blockages within the site; and visual impact on the green belt. If planning permission were to be granted conditions should include screening from the A1237, hours of use no floodlighting. Before approval is considered a health and safety/risk assessment should be carried out (Officers' response: This is not a planning issue].

3.6 Environment Agency - No objection.

3.7 Foss IDB - As far as is practicable, surface water arising from the developed site should be managed in a sustainable manner. The applicant should provide surface water drainage details.

3.8 Public Consultation - The consultation period expired on 4 February 2011. One representation has been received. It supports the proposed high ropes course but not (a) increased use of the existing access, due to concerns about highway safety; (b) increased traffic, which would worsen parking problems on the site; and (c) the extension to the building because suitable alternative buildings already exist.

## **4.0 APPRAISAL**

### **4.1 KEY ISSUES**

Impact on the Green Belt and Visual Amenity  
Highway Issues  
Neighbour Amenity.  
Drainage

### **APPLICATION SITE**

4.2 Creepy Crawlies comprises an indoor children's play centre and outdoor adventure playground for children under the age of 12 years. It is located within Clifton Gate Business Park (formerly part of York Riding School) at the north-east corner of the A1237/Wigginton Road junction. Outdoor parking is provided for approximately 90 cars.

4.3 The high ropes adventure course would be located on the east side of the existing Creepy Crawlies premises. The site is currently occupied by York Riding School and mainly comprises: (1) an outdoor horse-riding arena; (2) a raised area of landscaping including young trees, a pond and a small seating area; (3) a redundant industrial-type shed; and (4) parking for 90 cars.

### **POLICY CONTEXT**

4.4 National planning advice contained within Planning Policy Guidance 2: Green Belts (PPG2) advises that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the most important attribute of Green Belts is their openness. PPG2 lists the types of development that is acceptable in the green belt (these are re-iterated in policy GB1 in the Local Plan). Other development is deemed inappropriate, which is by definition harmful to the green belt, and should therefore not be granted planning permission. Inappropriate development may only be approved when the applicant can demonstrate 'very special circumstances', that outweigh any harm to the openness of the green belt.

4.5 Draft Local Plan Policy GB1 - Within the Green Belt, planning permission for development will only be granted where: (a) the scale, location and design would not

detract from the open character of the Green Belt; (b) it would not conflict with the purposes of including land within the Green Belt; and (c) it would not prejudice the setting and special character of the City of York; AND it is for one of a limited number of particular purposes including reuse of existing buildings and essential facilities for outdoor sport and recreation. All other forms of development within the Green Belt are considered inappropriate. Very special circumstances will be required to justify instances where this presumption against development should not apply.

4.6 Draft Local Plan Policy GB3 - Outside defined settlement limits the reuse of buildings in the Green Belt will be granted provided: it does not have a materially greater impact than the present use on the openness of the Green Belt; the buildings are of permanent construction and are capable of conversion without major or complete reconstruction; the reuse will not require extensive alteration, rebuilding or extension; the form, bulk and design are in keeping with their surroundings; the buildings are not close to intensive livestock units or other uses that may result in a poor level of amenity for the occupiers; and there is a clearly defined curtilage.

4.7 Policy GB13 - Within the green belt or open countryside proposals for the development of essential ancillary facilities for outdoor sport or recreation will be permitted where: (a) the facilities are essential to support the outdoor provision; and (b) the facilities are kept to a scale that supports the recreational activity; and (c) there are no opportunities to provide the built facilities in adjacent settlements; and (d) any new buildings or structures and parking do not detract from the openness of the green belt or open countryside or result in the coalescence of settlements.

4.8 Policy GP1 - Development proposals should be of a density, layout, scale, mass and design that is compatible with neighbouring buildings, spaces and local character; respect or enhance the local environment; provide/protect amenity space; protect residential amenity; accord with sustainable design principles; include refuse facilities; and include, where appropriate, landscaping.

4.9 Policy GP4a - All proposals should have regard to the principles of sustainable development, including accessibility by means other than the private car.

4.10 Policy GP15a - Discharges from new development should not exceed the capacity of existing and proposed receiving sewers and watercourses and long-term run-off from development sites should always be less than the level of pre-development rainfall run-off.

#### IMPACT ON THE GREEN BELT AND VISUAL AMENITY

4.11 The site has been in riding school use for many years (Class D2 as defined in the Use Classes Order). Use as an adventure course also falls under Class D2 so the principle of the use is already accepted.

4.12 One of the objectives of Green Belts is to provide opportunities for outdoor sport and recreation. Nevertheless, PPG2 states that engineering operations (such as the high ropes structures) are inappropriate unless they maintain openness and do not conflict with the purposes of including land in the green belt. The main issue is therefore whether the erection of the adventure course would maintain openness.

4.13 The site is, in essence, open land albeit with fencing along the boundaries. The proposal would introduce a more formal type of development, which would contain urban elements not generally associated with the Green Belt. However, whilst the height and overall massing of the structures would be considerably greater than existing - and would have a footprint of approximately 60m x 30m - by their nature they would have a partially open character and appearance. They would not be easily visible from the A1237 and would be partially screened from Wigginton Road to the west (at a distance of 100m-150m) by existing buildings on the business park. Nevertheless some of the structures would be visible through gaps in the hedge along the highway verge. This section of Wigginton Road is not heavily developed and is mainly used by motor vehicles travelling at relatively high speeds. Views of the structures from the road would therefore generally be intermittent and fleeting. The site would not be easily visible from any other public viewpoint and the structures would be located close to existing buildings. Furthermore, it would appear that the submitted illustrative layout could be revised to reduce the visibility of the structures from Wigginton Road. Whilst the indicative layout is logical from the operator's point of view the applicant would not object to the final design, location and layout being made a condition of approval.

4.14 On balance, officers consider that the structures maintain openness and do not conflict with the purposes of including land in the Green Belt. Furthermore, the structures are not detrimental to the visual amenity of the green belt and the area generally because of: their partially open appearance, their location close to existing buildings, their largely discreet siting behind existing buildings and the proposed tree planting which would, over time, provide some measure of screening.

4.15 The industrial-type storage building on the site would be extended in length from 7m to 23m, an increase of almost 230%. The extension would be used in connection with the high ropes course and the size would be consistent with the requirements of the high ropes operation. The extension could (if consent for the high ropes course were to be granted) be treated as an essential facility for outdoor sport and recreation. Such a building would be appropriate development as long as it preserved the openness of the Green Belt and did not conflict with the purposes of including land within it. In this case the building would be located close to existing buildings in the business park and would not be unduly prominent in the landscape.

4.16 Whilst some additional parking spaces would be provided (mainly by marking out the existing informal overspill car park) the area of hardstanding devoted to parking would not increase. The number of additional parking spaces would be small and would not have a significant impact on the openness of the Green Belt.

4.17 If planning permission were to be granted conditions should be attached to minimise the impact on the Green Belt notably (a) no floodlighting (b) details of the course design and layout to be approved (c) details of screen planting to be approved and implemented.

## HIGHWAY ISSUES

4.18 Clifton Gate Business Park has developed in a piecemeal fashion over a number of years. Consequently, in autumn last year, the council requested that the applicant carry out a traffic survey at the access to the business park during peak periods of operation. The findings of that work have provided up-to-date base data for assessing the current application and any subsequent applications at the business park.

4.19 The proposal would generate approximately 16 vehicle movements an hour, equating to approximately 1 additional vehicle every 4 minutes. The survey results and analysis of the access onto Wigginton Road found that the junction currently operates with spare capacity and would continue to do so if the current application were approved and implemented. Whilst highway officers have some safety reservations over the intensification of use of the access there is no history of accidents having occurred as a result of traffic entering or leaving the site. Furthermore, given the limited increase in traffic using the junction as a result of the proposal, highway officers do not object. Nevertheless, in order to help access to and from the site they recommend that the applicant be required to pay for "Keep Clear" markings to be painted onto the road at the site access. Such measures can be secured by a condition.

4.20 The applicant should be required by condition to submit for approval a full travel plan to promote sustainable travel and minimise the number of car-borne trips by staff and visitors.

## DRAINAGE

4.21 The application states that surface water from the whole of Clifton Gate Business Park drains into reed beds close to the site of the proposed high ropes course. The intention is that surface water run-off from the course and the reception building would flow into the existing system. The council's drainage officers have asked for details of these arrangements to be submitted for consideration. This is in hand. Members will be updated at the meeting.

## 5.0 CONCLUSION

5.1 The use of the land for outdoor sport and recreation is established. The key issue is the degree to which the proposed course and reception building would have an impact on the openness of the Green Belt. Officers consider that, on balance, the application accords with national planning advice in PPG2 and the relevant Draft Local Plan policies and is acceptable subject to conditions being applied to minimise the visual impact.

## COMMITTEE TO VISIT

**6.0 RECOMMENDATION:** Approve

1 TIME2 Development start within three years

2 The development hereby permitted shall be carried out only in accordance with the following plans:

- 005/C Proposed Site Plan
- 006/A Proposed Reception
- 009 Indicative High Ropes

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

3 Notwithstanding the information contained on the approved plans the height of the proposed climbing structures shall not exceed 8m above existing ground level as measured from the proposed entrance gateway at the south-west corner of the site. Before any works commence on the site, a means of identifying the existing ground level on the site shall be agreed in writing, and any works required on site to mark that ground level accurately during the construction works shall be implemented prior to any disturbance of the existing ground level. Any such physical works or marker shall be retained at all times during the construction period.

Reason: To establish existing ground level and therefore to avoid confusion in measuring the height of the approved development, and to ensure that the approved development does not have an adverse impact on openness of the Green Belt and the visual amenity of the area.

4 No building work shall take place until details of the design, location, layout and materials of the high ropes course have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of protecting the openness of the Green Belt and the visual amenity of the area.

5 Details of any new or additional external lighting shall be submitted to and approved in writing by the local planning authority prior to installation.

Reason: In the interests of protecting the openness of the Green Belt and the visual amenity of the area.

6 No building work shall take place until details have been submitted and approved in writing by the Local Planning Authority to demonstrate how the development will provide 5% of its predicted energy requirements from on-site renewable sources. The development shall be carried out in accordance with the submitted details unless otherwise agreed in writing by the local planning authority. The approved scheme shall be implemented before first occupation of the development. The site shall thereafter be maintained to the required level of generation.

Reason: To ensure that the proposal complies with the principles of sustainable

development and the Council's adopted Interim Planning Statement on Sustainable Design and Construction.

7      HWAY18      Cycle parking details to be agreed

8      HWAY19      Car and cycle parking laid out

9      The development hereby permitted shall not come into use until the following highway works (which definition shall include works associated with any Traffic Regulation Order required as a result of the development, signing, lighting, drainage and other related works) have been carried out in accordance with details which shall have been previously submitted to and approved in writing by the Local Planning Authority, or arrangements entered into which ensure the same.

Works: "Keep Clear" markings over site entrance on B1363 Wigginton Road.

Reason: In the interests of the safe and free passage of highway users.

10     The site shall not be occupied until a full travel plan, in line with local and national guidelines, has been submitted to and approved in writing by the local planning authority and implemented. The site shall thereafter be occupied in accordance with the aims, measures and outcomes of the travel plan.

Reason: To promote sustainable travel and minimise the number of car-borne trips by staff and visitors.

11     Within three months of the date of this permission detailed landscaping and tree planting proposals shall be submitted to the local planning authority and approved in writing. The scheme, which shall show the number, species, height and position of trees and shrubs, shall be implemented within a period of six months of the completion of the development. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

Reason: To minimize the visual impact of the proposals on the surrounding area.

12     The boundary treatment to the development shall match the existing boundary treatment of the adjacent outdoor adventure play area in design, height, colour and materials.

Reason: To achieve a visually acceptable form of development and minimise the impact on the green belt.

13     Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, samples of the external materials to be used for the reception building shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development shall be carried out using the approved materials.



Reason: So as to achieve a visually cohesive appearance.

14 Drainage Members to be advised at the meeting

## **7.0 INFORMATIVES: Notes to Applicant**

### 1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to:

- impact on the Green Belt
- visual amenity
- highway issues
- sustainability
- landscape
- drainage

As such the proposal complies with national planning advice contained within Planning Policy Guidance Note 2 "Green Belts" and policies GB1, GB3, GB13, GP1, GP4a, and GP15a of the City of York Draft Local Plan incorporating the 4th set of changes approved April 2005.

### **Contact details:**

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