

Unrestricted Report

ITEM NO: 11

Application No.
13/00497/FUL
Site Address:

Ward:
Harmans Water

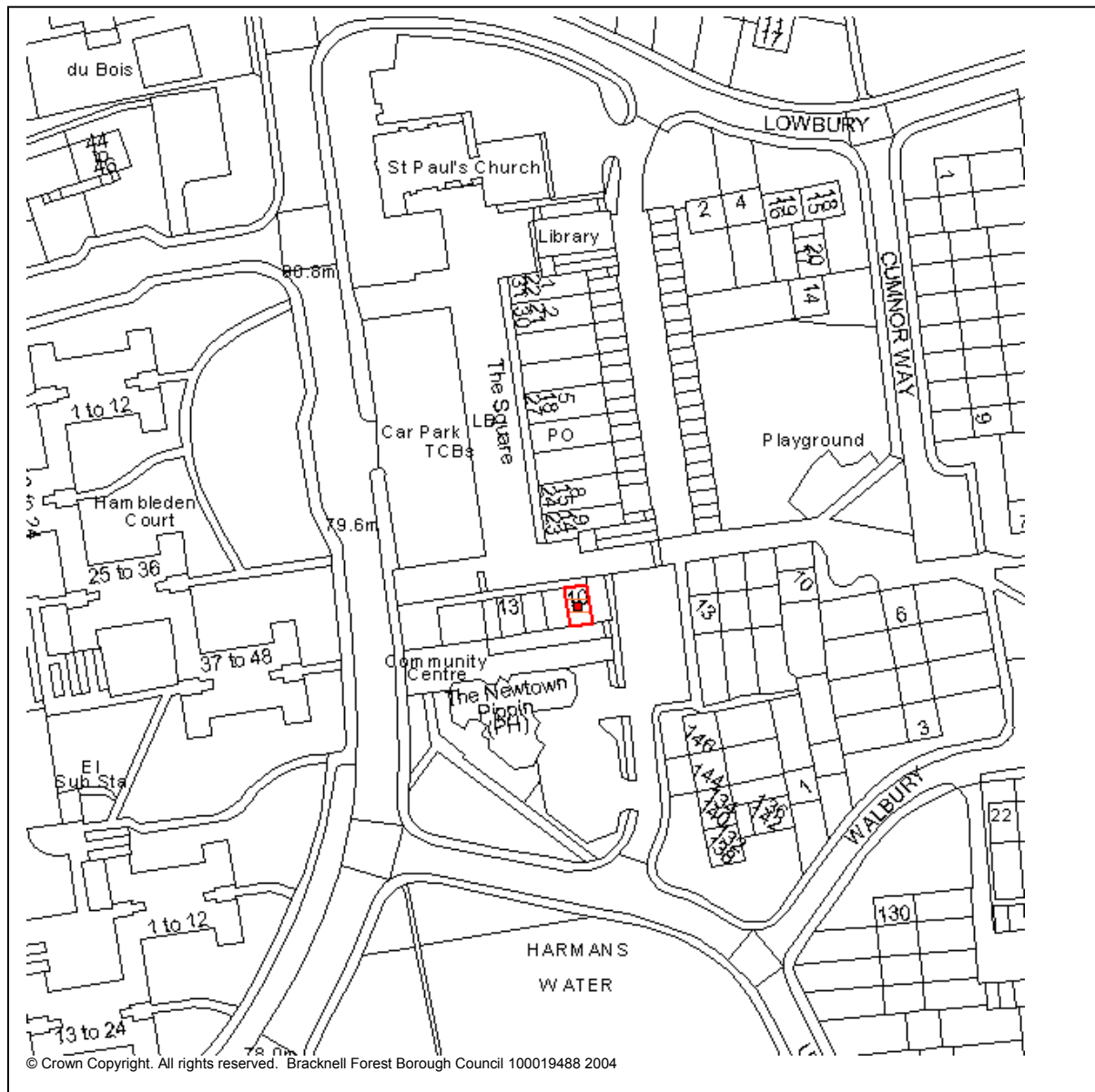
Date Registered:
25 June 2013

Target Decision Date:
20 August 2013

10 The Square Bracknell Berkshire RG12 9LP

Proposal: **Change of use from A2 (bookmakers) to Sui Generis (Beauticians)**
Applicant: Mrs Vicky Hind
Agent: (There is no agent for this application)
Case Officer: Sarah Horwood, 01344 352000
environment@bracknell-forest.gov.uk

Site Location Plan (for identification purposes only, not to scale)



1 **RELEVANT PLANNING HISTORY** (If Any)

613321 Validation Date: 11.05.1988
Change of use from retail (A1) to Estate agents (A2)
Approved

613409 Validation Date: 11.05.1988
Change of use to fast food takeaway (Use Class A3).
Approved

2 **RELEVANT PLANNING POLICIES**

Key to abbreviations

<i>BFBCS</i>	<i>Core Strategy Development Plan Document</i>
<i>BFBLP</i>	<i>Bracknell Forest Borough Local Plan</i>
<i>RMLP</i>	<i>Replacement Minerals Local Plan</i>
<i>WLP</i>	<i>Waste Local Plan for Berkshire</i>
<i>SPG</i>	<i>Supplementary Planning Guidance</i>
<i>SPD</i>	<i>Supplementary Planning Document</i>
<i>MPG</i>	<i>Minerals Planning Guidance</i>
<i>DCLG</i>	<i>Department for Communities and Local Government</i>
<i>NPPF</i>	<i>National Planning Policy Framework</i>

<u>Plan</u>	<u>Policy</u>	<u>Description</u> (May be abbreviated)
BFBLP	EN20	Design Considerations In New Development
BFBLP	E11	Village Neighbourhood Centres Local Parades
BFBLP	M9	Vehicle And Cycle Parking
BFBCS	CS23	Transport
NPPF		National Planning Policy Framework

3 **CONSULTATIONS**

(Comments may be abbreviated)

Planning Policy Section

Refer to Officer Report.

Transportation Officer

Refer to Officer Report.

Bracknell Town Council

Considered no objection.

4 **REPRESENTATIONS**

5 **OFFICER REPORT**

This application has been reported to the Planning Committee as the proposal is a Departure from policy E11 of the Bracknell Forest Borough Local Plan.

i) PROPOSAL

Full permission is sought for the change of use of unit 10 The Square from an A2 (bookmakers) to sui generis (Beauticians) use. The unit has a floor area of 33.45sqm.

The unit would operate as a beauticians, from 9am to 6pm Monday, Tuesday and Friday; 9am to 8pm Wednesday and Thursday; and from 9am to 5pm on Saturdays. The premises would be closed on Sundays and bank holidays.

1no. full time member of staff would be employed on site with a potential for 1-2 part time members of staff.

ii) SITE

10 The Square is a vacant unit located in a neighbourhood centre. The unit was previously in use as a bookmakers - an A2 use. The surrounding area is characterised by a mix of uses, including a fish and chip shop, hairdressers and newsagent. There is public car parking to the front of the units accessed from Harmans Water Road. There is also a community centre and PH to the south and west of the site.

iii) PLANNING CONSIDERATIONS

(1) Principle of development

The application is reported to the Planning Committee as it is contrary to policy E11 of the Bracknell Forest Borough Local Plan.

10 The Square is located within a neighbourhood centre as designated by the Bracknell Forest Proposals Maps.

Policy E11 - Village and neighbourhood centres and local parades of the Bracknell Forest Borough Local Plan (Jan 2002) states: "Within:

a) Village and neighbourhood centres; and b) Local Parades;

The change of use of existing shops or the occupation of new premises for non-retail uses will only be permitted where the proposal:

- i) would result in a change to uses within Use Class A2 (financial and professional services) or A3 (food and drink); and
- ii) would not adversely affect the standard of local retail provision; and
- iii) would not adversely affect the amenities of neighbouring residents".

National Planning Policy Framework (NPPF, March 2012)

Para 17 - one of the core planning principle is to proactively drive and support sustainable economic development. The effective use of land is also encouraged through the re-use of previously developed land.

Para 70 of the NPPF relates to delivering social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

Plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments.

Guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;

Site Allocations Local Plan (SALP) (July 2013)

At a meeting on 17 July 2013, the Council resolved to adopt the SALP and Policies Map. It includes Policy CP1 Presumption in Favour of Sustainable Development. Policy CP1 sets out that a positive approach to considering development proposals which reflect in the presumption in favour of sustainable development as set out in the NPPF should be taken, and that planning applications that accord with the development plan for Bracknell Forest should be approved without delay, unless material considerations indicate otherwise. It also states that where there are no policies, or policies are out of date at the time of decision making, that permission will be granted (unless material considerations indicate otherwise) taking into account whether adverse impacts of granting planning permission significantly and demonstrably outweigh benefits when assessed against the NPPF as a whole, or specific policies in the NPPF indicate development should be restricted

As this proposal is not concerning a change of use to either A2 (financial and professional services) or A3 (food and drink), it is contrary to Policy E11 of Bracknell Forest Council Local Plan. Whilst the proposal is contrary to certain policies in the development plan, it is also necessary to consider other material considerations. These considerations are discussed in the remainder of this report.

For clarification, the application has been advertised as a Departure.

(2) Effect on residential amenities of neighbouring properties

The proposed beauticians would operate between the hours of 9am and 8pm at the latest and would close on Sundays and bank holidays. It is not considered that the proposed opening hours and days of operation would result in a level of noise and disturbance to surrounding properties that would be detrimental to their residential amenities.

No external alterations are proposed to the premises as part of this application and therefore no resulting impact would occur to surrounding residential properties.

(3) Impact on character and appearance of surrounding area

The proposed development is the change of use of an A2 (financial and professional services) unit to a sui generis (beauticians) unit. This proposal is not consistent with policy E11 of the Bracknell Forest Borough Local Plan (Jan 2002) as the proposed use is not listed as a use that is permitted in this location by Policy E11. However, the proposed use as a beauticians would not adversely affect the standard of local retail provision especially considering that the unit is currently in A2 use and does not provide for the daily needs of the local community. Although the proposed use does not fall within Class A1 and is therefore considered to be non-retail (as confirmed in para 3.106 of policy E11 of the BFBLP) it is considered that it does share some of the same attributes. The use would attract people into the local parade to utilise the existing services and would contribute to the vitality of the local parade to the benefit of other uses.

In summary, it is considered that the proposed use would not have a detrimental affect on the vitality and viability of the retail centre and is likely to meet an element of local need.

No external alterations would be proposed to the building as part of this application. As such, its appearance would not alter. The applicant has confirmed that no alterations

are proposed to the frontage of the shop with the exception of new signage so the existing shop front would integrate into the local parade and would not create a dead frontage to the detriment of the neighbourhood centre and the surrounding area.

(4) Highway implications

At present, the applicant works at no. 4 The Square which is a hairdresser's (A1 use). Running a beauticians within the existing hairdressers is considered as an ancillary use. The Council are the freehold owners of this local shopping parade and Property Services have advised that beauty will be removed from the lease at the hairdressers at no. 4 so that it operates as a hairdressers and then the lease for beauty will be transferred to no. 10 The Square. Therefore there will only be one beauticians within the local parade.

The existing car park serving the shopping parade is heavily used. Uses such as hairdressers and beauticians can result in the occupation of parking spaces for long periods of time impacting on the turn around of spaces which could in turn have a detrimental impact on other businesses. The Highway Authority recommends that the change of use be made personal to the applicant.

There are no permitted changes from a sui generis use to any other use within the Use Classes Order 1987 (as amended), therefore any application for change of use in the future would have to be assessed on its own merits as to how that proposal would impact upon parking provision in the public car park which serves the neighbourhood centre. The floor area of the premises - 33.45sqm, would restrict which use could operate successfully from the premises in the future and therefore it is not considered reasonable to impose a condition which restricts the business to be made personal to the applicant.

iv) CONCLUSION

The proposed change of use from A2 to a sui generis use as a beauticians would not be considered to result in detrimental impact to the residential amenities of neighbouring properties and would not affect the vitality of the retail centre, meeting an element of local need. There would not be any resulting highway matters from the proposal.

The application is therefore recommended for approval.

6 RECOMMENDATION

That the application be **APPROVED** subject to the following conditions:-

01. The use hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990.
02. The development hereby permitted shall be carried out only in accordance with the approved plans received by the Local Planning Authority on 25 June 2013.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
02. The display of advertisements or any alterations to the shop front may require separate applications for either advertisement consent or planning permission.

Doc. Ref: Uniform 7/DC/Agenda

The application file to which this report relates can be viewed at the Council's Time Square office during office hours or online at www.bracknell-forest.gov.uk