

ITEM NO:

Application No.
15/01137/T
Site Address:

Ward:
Crown Wood

Date Registered:
3 December 2015

Target Decision Date:
28 January 2016

**Unit 7 Forest Park Business Units 22 Horndean Road
Bracknell Berkshire RG12 0XQ**

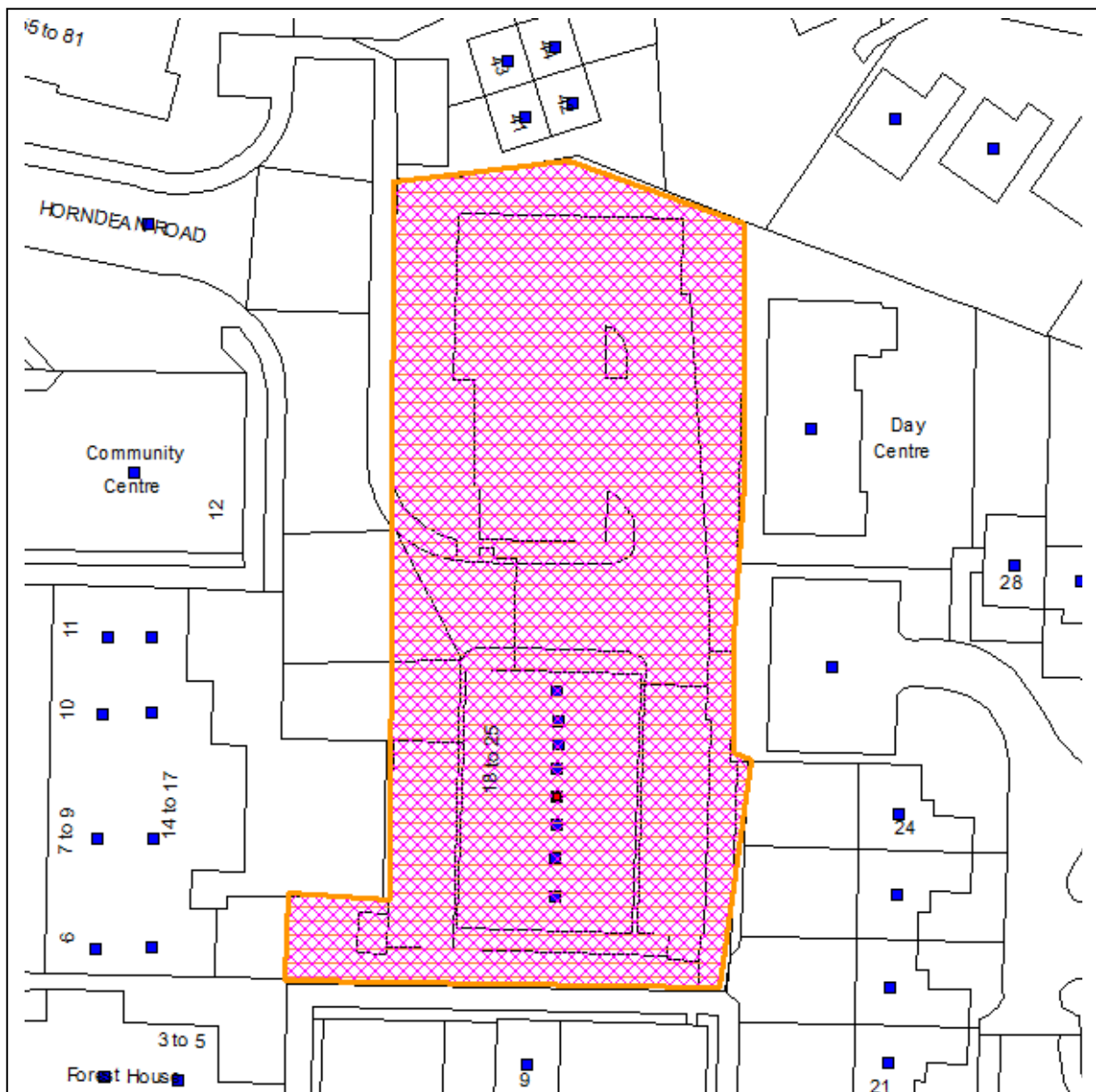
Proposal: **Change of use of an existing office (Class B1A) to a place of worship (Class D1).**

Applicant: **Mr Basit Kiki-iyii**

Agent: **(There is no agent for this application)**

Case Officer: **Katie Walker, 01344 352000**
development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. SUMMARY

1.1 The proposal is for the change of use of the existing office (Use Class B1a) at unit 7, Forest Park to a place of worship (Use Class D1) for a temporary period of 2 years.

1.2 The proposed development relates to a site within the settlement boundary and is therefore acceptable in principle. It would not adversely affect the residential amenities of neighbouring properties and would not adversely impact upon the character and appearance of the surrounding area. The proposals would be acceptable in terms of highway safety and parking. Relevant conditions will be imposed in relation to residential amenity.

RECOMMENDATION

Planning permission be granted subject to conditions in Section 11 of this report.
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2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 The application is being reported to planning committee following the receipt of more than 3 objections.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within settlement boundary

3.1 The site comprises unit 7 of the Forest Park business units on Horndean Road. Forest Park business units building is bounded to the north by a car park, to the east by an access road, beyond which is planting with steps leading up to World's End Hill, to the south by residential properties on World's End Hill and to the west by a parade of shops and a community centre. Unit 7 is on the first floor of the building.

3.2 The site takes access off Horndean Road, a 30mph limit adopted road which also provides access to the Forest Park Community Centre and adjacent shops/takeaways, nursery and public house, as well as a number of residential properties.

3.3 The site is located in an urban setting within a defined settlement as shown on the Bracknell Forest Policies Map.

4. RELEVANT SITE HISTORY

4.1 14/00295/FUL: Change of use of Unit 6 Forest Park Business Units from office (Use Class B1) to a chiropody clinic (Use Class D1).- Approved 2014.

5. THE PROPOSAL

5.1 The proposal is for the change of use of unit 7 from offices to a place of worship for a temporary period of 2 years. The place of worship would be used by the Bracknell Islamic Cultural Society (BICS) for prayers. The place of worship would be used by 5-10 people at each prayer session. There would be 5 prayer sessions a day, ranging from 3:00 am to 11:00 pm in the summer months and 6:00 until 10:00 pm in the winter months. Each prayer session would last for between 30 minutes and one hour.

6. REPRESENTATIONS RECEIVED

Other Letters of Representation

6.1 Winkfield Parish Council objected to the application on the following grounds:

- Unsuitable location
- There are parking issues during the daytime in this location.
- The carpark is secured at night and therefore unavailable for visitors to use.
- Close proximity to residential area.
- Unsociable hours would cause noise nuisance to the local residents.
- WPC would urge BFC to assist with a suitable alternative location.

Other Letters of Representation

6.2 Sixteen letters of objection were received from thirteen different properties. The issues raised are summarised as follows:

- Unsociable hours of worship will create noise and disturbance to nearby residential properties
- Traffic implications for Savernake Road
- Proximity to public house
- Facility should be within the town centre or on the edge of an estate
- Area already busy enough
- 2 years is not a temporary period
- If the community of the church grows the area will become even busier
- Disturbance to residential properties from traffic noise
- Frequent comings and goings would be disruptive to adjacent businesses
- Insufficient parking
- Office premises is unsuitable for proposed facility
- Developments in Bracknell should benefit everyone, not just a religious minority
- Not adequate need for a new mosque [*officer note: a mosque is not proposed. The application is for the change of use of an existing office unit*]
- Security risks to other business units through people accessing the building out of normal office hours
- Concerns that other business uses would have to amend their normal practices to avoid disturbing other during prayers or contemplation
- Community centre would be more appropriate
- Times of worship could clash with activities at the community centre
- The proposal could lead to activities such as weddings and fundraisers in the unit [*officer note: the proposal is for a place of worship only and weddings etc would not be licensed on the premises*]
- Potential for vandalism if the security gates are opened in the night
- Potential antisocial behaviour
- Health and safety concerns

7. SUMMARY OF CONSULTATION RESPONSES

7.1 Transportation Officer: No objection. See section 9 of this report for full details.

7.2 Environmental Health: No comments.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The key planning policies and guidance applying to the site:

	Development Plan	NPPF
General	CP1 of SALP, CS1 and CS2 of	Consistent

policies	CSDPD	
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Employment	Saved Policy E5 of BFBLP, policy CS19 of CSDPD	E5 is not entirely consistent as the NPPF as a neighbourhood centre falls outside the NPPF definition of a town centre.
Parking	Saved policy M9 of BFBLP	Consistent
Transport	CS23 of CSDPD and Saved policy M9 of BFBLP.	Consistent
Supplementary Planning Documents (SPD)		
Parking standards SPD		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		
CIL Charging Schedule		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i Principle of development
- ii Impact on character and appearance of the area
- iii Impact on residential amenity
- iv Transport implications
- v Community Infrastructure Levy

i. Principle of development

9.1 Core Strategy Policies CS1 (Sustainable Development) and CS2 (Locational Principles) are relevant and consistent with the objectives of the NPPF, and can be afforded full weight. In particular, Policy CS2 permits development within defined settlements. The application site is located within a defined settlement as designated by the Bracknell Forest Borough Policies Map. Therefore, the principle of the change of use of the unit is acceptable.

9.2 The application site is located within a defined settlement as designated by the Bracknell Forest Borough Policies Map. It is also a defined village and neighbourhood centre, known as Horndean Road, Forest Park as set out in 'Saved' policy E5 of the BFBLP and inset map 15 of the SALP. This is not entirely consistent with the NPPF when applied to this site as the definition of a town centre in the NPPF glossary does not include neighbourhood centres. The proposal should therefore be assessed against Policy CS19 of the CSDPD, which states that small business uses will be protected, and that planning permission will only be granted if the proposal does not conflict with other elements of this strategy. It should be noted that this proposal is for a temporary change of use for two years, and therefore the business unit would not be lost in perpetuity.

9.3 Furthermore, paragraph 70 of the NPPF sets out that planning decisions should plan positively for the provision and use of community facilities, including places of worship, to enhance the sustainability of communities and residential environments. The principle of the change of use is therefore acceptable subject to no conflict with policies regarding the character and appearance of the area, impact on residential amenity and transport matters. These matters are assessed below.

ii. Impact on Character and Appearance of Area

9.4 The proposed application is for a change of use of a commercial unit within an existing building, with no external alterations proposed. The proposed use is D1 and, as set out above, is appropriate to the neighbourhood centre designation of the site as outlined in the NPPF. It would not, therefore, significantly alter the character of the area. It is therefore considered that the development would not result in an adverse impact on the character and appearance of the area in accordance with CSDPD Policy CS7, BFBLP 'Saved' Policy EN20, and the NPPF.

iii. Impact on Residential Amenity

9.5 The proposed change of use would not result in any changes to the external appearance or the footprint of the existing buildings and would not, therefore, have any impacts on neighbouring properties in terms of overshadowing, loss of light or overbearing impacts.

9.6 The proposals would result in an increase in people arriving to and leaving the premises. However, it is anticipated that only 5-10 people would be coming to or from the premises, for a short period of time – for approximately 15 minutes, 5 times per day. This is comparable to people visiting the adjacent community centre for a fitness class or social session. On balance, the proposed change of use is unlikely to cause undue disturbance to the other business users in the building, or the surrounding commercial and community uses. While there are some residential units near the site, on World's End Hill, as stated above, the use is not likely to cause disturbance over and above the surrounding uses. It should be noted that while the Forest Park Business Units are approximately 9 metres from the nearest residential properties to the south and east, the main entrance to the business units is on the north elevation of the building, facing the car park.

9.7 There would be some early morning and late evening prayers, especially in the summer months. However, no external audio equipment is proposed, and a condition is recommended to secure this as well as restricting hours that amplified audio equipment can be used within the building. Subject to these conditions, and given the small number of worshippers that would attend each session, it is not considered that this would give rise to undue noise and disturbance to nearby residents.

9.8 It is therefore considered that the development would not result in an adverse impact on the amenity of neighbouring properties, in accordance with BFBLP 'Saved' Policy EN20 and the NPPF.

iv. Transport implications

Access

9.9 There are no parking/waiting restrictions currently in operation along Horndean Road, and while the Highway Authority (HA) has observed a few vehicles being parked on-street within the turning head at the end of the road and close to the business units' car park access at various times of the day, this does not affect highway safety. Horndean Road is relatively wide at around 7 metres and on-street parking does not currently affect two-way access nor does it appear to present access problems within the relatively generous turning head.

9.10 There is adequate footway and lighting and dedicated cycle routes, as well as bus

services operating in the local area for this site to be considered accessible, though the catchment of the site will affect its attractiveness to non-car modes. The existing footways along Horndean Road and a footpath to the side of the community centre lead pedestrians across the road towards the main entrance of the building via a block paved path. Unit 7 is on the first floor of the building.

9.11 The car park serving the business units is accessed adjacent to a servicing yard to the rear of the shops and adequate sight-lines are currently available between vehicles accessing/exiting the car park and passing traffic/other road users. The car park has a gated access and there are gates to either side of the building for deliveries/servicing of units.

9.12 The Bracknell Islamic Cultural Society is re-locating from their current home at the Harmans Water Community Centre, approximately a kilometre to the north, and given this relatively short distance between the two sites, the accessibility of this new site for current users could be expected to be similar.

Parking

9.13 The Council's parking standards note that one parking space is required per 10 seats for a place of worship. While the nature of the proposed user, the Bracknell Islamic Cultural Society, would not be a function of the number of seats, the applicant has indicated that between 5 and 10 worshippers would attend at any given time.

9.14 A number of local comments raise concern that the unit could accommodate more than 10 worshippers with resulting traffic and parking impacts. By way of reference; in 2005, planning permission was granted for a change of use of an office to an Islamic education and community facility at Technor House, Shirley Avenue, Windsor (planning application no. 05/00759/FUL). The Windsor site is larger and the provision of various classrooms, in addition to the prayer room make the Windsor site a more intense site than this. Nonetheless, the planning application indicated that it would be possible for around 80 worshippers to be accommodated in a prayer room of 120 square metres for Friday prayers. Unit 7 (the application site) is 50 square metres (with some of the area shown on plans as w/c and store) and applying the same principles, 30 worshippers could potentially be accommodated at any given time.

9.15 Applying the Council's current parking standards to the maximum 10 worshippers, as indicated by the applicant themselves would result in the requirement for one parking space and if the unit had 30 worshippers, as explained previously, then this would give rise to a requirement for 3 parking spaces. It should be noted, though, that this is not the intention of the applicant who, as set out above, anticipates up to ten worshippers. Friday prayers are not proposed at this premises as these will continue to be held at Bracknell Leisure Centre.

9.16 The car park serving the business units provides 25 spaces for the 8 units, a ratio of around 3 spaces per unit, and as such the potential parking requirements for this place of worship ranging from one space to three spaces when assessed against the Council's current parking standards could be accommodated within the car park. It should be noted that the current/potential office use could generate a requirement for at least one space to comply with the parking standard. While spaces are not marked out as allocated to a specific unit, the application form indicates that Unit 7 has access to 2 parking spaces within the car park which is within the red line area. The car park is adequately surfaced and is lit.

9.17 The HA visited the site at 8am on 22 December 2015 to assess the local parking

situation and observed there to be 4 vehicles in the car park serving the business units (around 15% full). One vehicle was parked close to the car park access and a further vehicle was parked on-street in front of the community centre. Also, 16 vehicles were parked in the public car park (around 30% full). Similar observations were made on 4 January 2016.

9.18 The HA carried out further parking surveys on 4 January 2016 and at around 11.00am observed 13 vehicles in the business units' car park (around 50% full). Two vehicles were parked close to the car park access and 19 vehicles were parked in the public car park (around 35% full). At around 2.30pm (on the same day), 11 vehicles were parked in the business units car park. Also, 3 vehicles were parked on-street and 24 vehicles were parked in the public car park.

9.19 The public car park serving the community centre and adjacent shops, nursery and public house has around 53 spaces and there are no restrictions on its general use.

Trips

9.20 The applicant has indicated that between 5 and 10 worshippers would attend at any given time, at potentially 5 different half-hourly and hourly intervals across the course of a day. On the basis of this information, the use of this unit as a place of worship could generate in the region of 100 two-way trips over the course of a typical day. The current/potential use of Unit 7 as an office could generate 10 to 12 two-way trips over the course of a typical day with the majority of movements during the morning and evening peak commuter traffic periods. The proposal is therefore likely to generate more traffic than the current/potential office use.

9.21 The HA notes the local comments that the car park gate is locked during the evening and early hours/mornings (outside of office hours) to restrict unwanted access/anti-social behaviour. Clearly, if the gates are locked then vehicles would park on-street or in the public car park, but this is unlikely to create risks to highway safety when there would be few pedestrians/cyclists around during these late hours. Presumably, current occupiers of the business units are able to access the building and the car park outside of hours, subject to the agreement of the owner/manager of the premises.

9.22 Temporary permission is being sought for a period of 2 years and this would enable the HA to monitor the impacts of this proposal. Overall, there is adequate parking for the proposal and it would not pose a risk to highway safety. The proposal is therefore in accordance with CSDPD Policy CS23 and 'Saved' policy M9 of the BFBLP.

v. Community Infrastructure Levy (CIL)

9.23 Bracknell Forest Council introduced charging for its Community Infrastructure Levy (CIL) on 6th April 2015. CIL is applied as a charge on each square metre of new development. The amount payable varies depending on the location of the development within the borough and the type of development.

9.24 CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted). In this case, the proposal would be CIL liable as the proposal comprises more than 100 sq.m. of floorspace. However, as the proposal is for a change of use to a place of worship, the CIL charge would be nil.

10. CONCLUSIONS

10.1 The proposed development relates to a site within the settlement boundary and is

therefore acceptable in principle. It would not adversely affect the residential amenities of neighbouring properties and would not adversely impact upon the character and appearance of the surrounding area. No highway safety implications will arise subject to the imposition of conditions. As the proposal does not conflict with any other policies in the development plan, the principal of the loss of the small business unit for a temporary period of two years is acceptable. The proposal is therefore considered to be in accordance with 'Saved' Policies E5, E11, EN20 and M9 of the BFBLP, CS1, CS7, CS19 and CS23 of the CSDPD and Policy CP1 of the SALP, all in accordance with the NPPF.

11. RECOMMENDATION

APPROVE the application subject to the following condition(s):-

01. The use hereby permitted shall be discontinued on or before two years from the date of this permission.
REASON: To allow the Local Planning Authority to retain the original use of the building once the place of worship use ceases.
02. The use hereby permitted shall be carried on only by the Bracknell Islamic Cultural Society and when the premises cease to be occupied by the Bracknell Islamic Cultural Society the use shall cease.
REASON: To allow the Local Planning Authority to retain control over the use of the premises.
03. The development hereby permitted shall be carried out only in accordance with the following approved plans and documents received by the Local Planning Authority on 3 December 2015:
Block Plan
First Floor Plan
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
04. No external audio equipment shall be installed on the building at any time.
REASON: In the interests of the amenities of the occupiers of nearby residential premises.
[Relevant Policies: BFBLP EN25]
05. No amplified audio equipment shall be used in the premises outside the hours of 08:00 and 18:00 Monday to Friday; 08:00 and 13:00 Saturday and not at all on Sundays and Bank Holidays.
REASON: In the interests of the amenities of the occupiers of nearby residential premises.
[Relevant Policies: BFBLP EN25]

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 following conditions do not require the submission of details, but must be complied with:

1. Temporary permission
2. Use only by BICS
3. Approved plans
4. External audio equipment
5. Amplified audio equipment