

ITEM NO: 7

Application No.
16/00396/FUL
Site Address:

Ward:
Ascot

Date Registered:
4 May 2016

Target Decision Date:
29 June 2016

**Palm Hills Guest House Palm Hills Estate London
Road Bracknell Berkshire RG12 9FR**

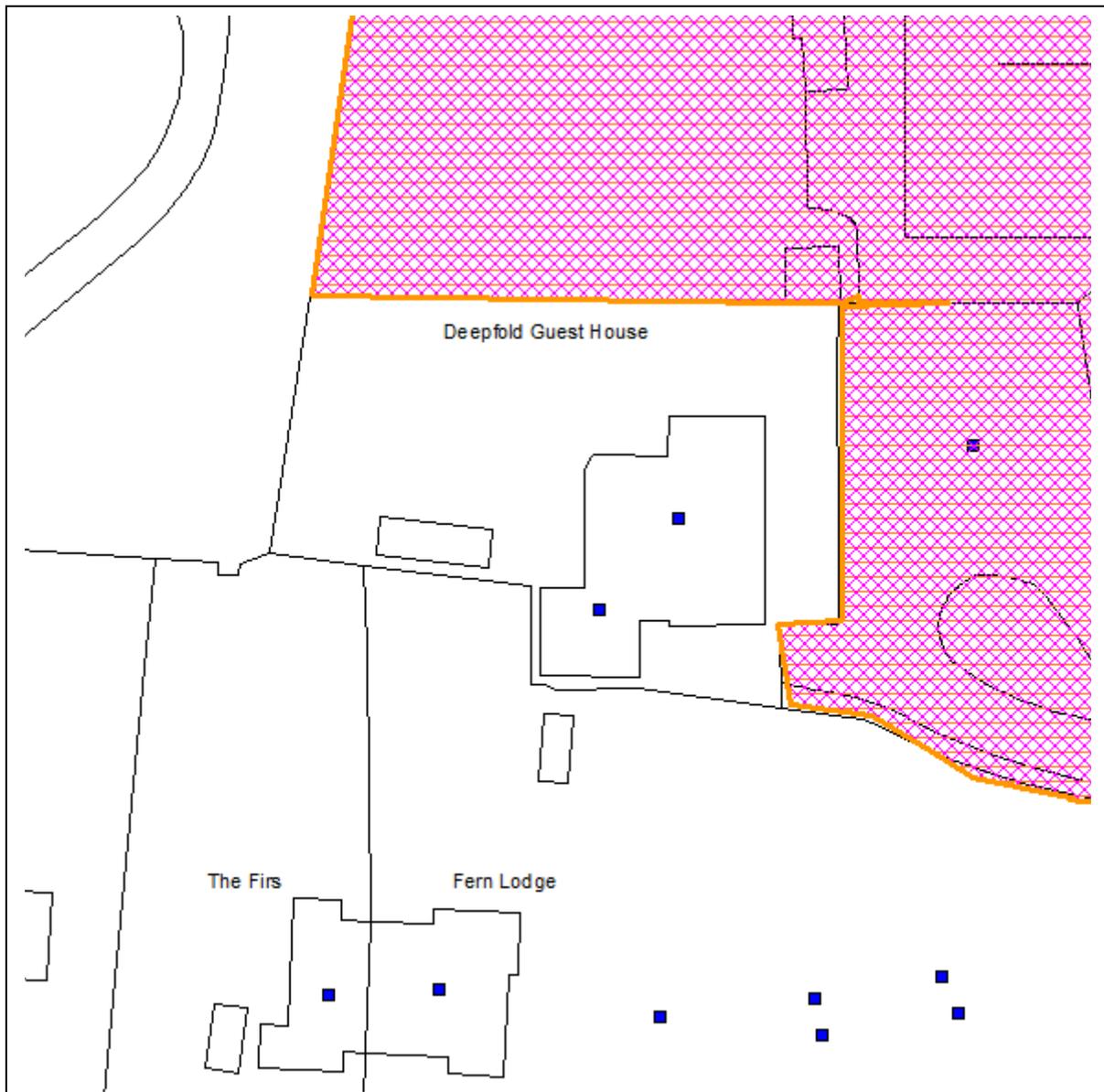
Proposal: **Temporary change of use of 2no. existing outbuildings to B1(a) office space and change of use of 1no. outbuilding to D2 children's indoor recreational use (personal permission).**

Applicant: Sorbon Estates

Agent: (There is no agent for this application)

Case Officer: Sarah Horwood, 01344 352000
development.control@bracknell-forest.gov.uk

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



1. SUMMARY

1.1 It is not considered that the proposed change of use of 2no. existing outbuildings to B1 use and 1no. existing outbuilding to D2 use would have any adverse impact upon the character and appearance of the surrounding area. A temporary permission will be issued for a period of 1 year to monitor visitor attendance and vehicular movements connected to the proposed uses in the interests of residential amenity and highway safety. Notwithstanding this, it is not considered adverse impacts would result to the residential amenities of neighbouring properties in view of the location of the outbuildings and there is sufficient on site parking provision.

RECOMMENDATION
Planning permission be granted subject to conditions in Section 11 of this report

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 The application has been reported to the Planning Committee as more than 3 objections have been received.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Within settlement boundary
250m buffer zone of landfill
Within 5km buffer of Thames Basin Heath Special Protection Area (SPA)

3.1 The application site is located to the north of London Road and comprises a collection of buildings, including single storey buildings subject to this application, a residential dwelling to the rear or north of the site and a two storey building formerly used for C1 guest house and C3 residential purposes. There is a large area of hardstanding within the site for parking.

3.2 Land levels rise from south to north through the site. There are numerous trees on site, none of which are covered by Tree Preservation Orders (TPOs).

4. RELEVANT SITE HISTORY

4.1 There is no recent relevant planning history relating to the outbuildings.

4.2 There is an application pending consideration for the change of use of building from C1 (Guesthouse) and C3 (Residential dwelling) to C3 (Residential) to create a six bedroom detached dwelling, LPA ref: 16/00395/FUL.

4.3 One of the buildings on site - building B has been used as a conference facility, with the building containing 5 meeting rooms with a capacity for some 100 people. At peak times, the building has been used 2-3 times a week connected to this use. It cannot be certain how long this use has been occurring for, however the agent understands this use may date back

to 2008. Whilst it appears planning permission has not been granted for the use of building B for this purpose, the LPA has not received complaints about such a use and notwithstanding that such a use appears to have been unlawful, this application proposes the change of use of existing buildings to other uses where the LPA can assess such proposals in accordance with relevant policies.

5. THE PROPOSAL

5.1 Temporary permission is sought for a period of 1 year for a change of use of 2no. existing outbuildings to B1(a) office space and change of use of 1no. outbuilding to D2 children's indoor recreational use.

5.2 Buildings A and C as identified on the location plan would be used for B1 office purposes. It is intended to be marketed and will form traditional, short term office lets. Limited internal alterations are proposed to facilitate the change of use.

5.3 Building B as identified on the location plan would be used for D2 purposes. It will form a role play centre for children up to the age of 5 years allowing children to use and develop their imaginations. The building will be sub-divided into different rooms creating different environments that children can interact in such as a school, office or hospital. There will be 5 sessions offered per day between the operational hours of 09:00 hours and 17:00 hours. The D2 use would be operated by a company called "Imagination Children's Role Play Limited".

5.4 No external alterations are proposed to the 3no. buildings to facilitate the change of use to B1 and D2 uses.

5.5 For information, a further building – Building D was proposed to be used for B1 office use, however Building D is an existing residential dwelling known as Palm Hills. The conversion of this dwelling to B1 office would be unacceptable as it results in the loss of a dwelling. Where the Council cannot demonstrate a 5 year housing land supply, any loss of a dwelling would be unacceptable, supported by Saved Policy H11 of the BFBLP which refers to the retention of housing stock. Subsequently, Building D was omitted from the application.

6. REPRESENTATIONS RECEIVED

Winkfield Parish Council

6.1 Object to the application on the following grounds: Access to and egress from this site will have a significant detrimental impact on the highways, including disruption to footpaths and cycle paths.

Other representations:

6.2 5no. letters of objection received (from 4 postal addresses as 2 objections received from same postal address) which raise the following issues:

- Landfill site nearby – impact to health of children.
- Converting buildings that are to be demolished as part of the overall redevelopment of the site for housing is not economically viable or necessary (whether it is viable or necessary are not planning considerations).
- Makes no sense to have a temporary use such as the D2 use where people would become reliant on and that use then ceases (Officer comment: *this is not a planning consideration*).

- What are the motives behind the scheme (Officer comment: *this is not a planning consideration and an assessment can be made only on the application as submitted as to whether the proposed change of use of existing outbuildings to other uses accords with relevant planning policies*).
- Is on a site which is allocated for housing development (a temporary planning permission for a period of 1 year is recommended to ensure there is no prejudice to the allocation of the site for housing).
- Increase in traffic due to proposed uses.
- Vehicles entering and exiting the site may have to queue, blocking the cycle path.

6.3 1no. letter of objection does not relate to this application but the proposed redevelopment of the site for housing which raises matters of sewage, noise, dealing with multiple home owners, road access, drainage.

6.4 17no. letters of support received in relation to the children’s activity centre, stating that it is a welcome facility in the area, would be very popular, sensory play is an important part of children’s learning and there is a lack of indoor play areas within Bracknell.

7. SUMMARY OF CONSULTATION RESPONSES

Highways Officer

7.1 No objection

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The primary strategic planning considerations applying to the site and the associated policies are:

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	consistent
Parking	Saved policy M9 of BFBLP	Consistent NPPF refers to LPAs setting their own parking standards for residential development, this policy is considered to be consistent.
Transport	CS23 of the CSDPD	Consistent
Employment	CS19 of the CSDPD	Consistent
Supplementary Planning Documents (SPD)		
Parking standards SPD		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		

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. Impact on highway safety
- v. Community Infrastructure Levy
- vi. Sustainability

i. Principle of development

9.2 The site is located within the defined settlement boundary as designated by the Bracknell Forest Borough Policies Map (2013).

9.3 SALP Policy CP1 refers to the presumption in favour of sustainable development as outlined within the National Planning Policy Framework (NPPF). SALP Policy CP1 states that the Council will act proactively and positively with applicants to seek solutions which mean that proposals can be approved wherever possible, and to improve the economic, social and environmental conditions within the area. Planning applications that accord with the policies in the development plan for Bracknell Forest should be approved without delay, unless material considerations indicate otherwise.

9.4 CSDPD Policy CS1 sets out a number of sustainable development principles including making efficient use of land and buildings, locating development in locations that reduce the need to travel and enhancing the health and education of the local population.

9.5 CSDPD Policy CS2 states that development will be permitted within defined settlements and on allocated sites. Development that is consistent with the character, accessibility and provision of infrastructure and services within that settlement will be permitted, unless material considerations indicate otherwise.

9.6 CSDPD Policy CS19 refers to the location of employment development (those uses within use classes B1, B2 and B8 or sui generis uses sharing characteristics with the aforementioned uses) and states new employment generating uses will be acceptable if there is no more than a net increase of 500sqm of GEA or less and does not give rise to any unacceptable impacts.

9.7 Paragraph 17 of the NPPF refers to the conversion and reuse of existing buildings and land.

9.8 The proposed use of 3no. outbuildings for B1 and D2 purposes would constitute the reuse of existing buildings on site in accordance with the NPPF and would provide small scale B1 and D2 uses within the settlement boundary in accordance with Policies CS8 and CS19 of the CSDPD.

9.9 The buildings subject to the change of use are located on land that is part of a larger site allocated for housing development through the adopted Site Allocations Local Plan (SALP July 2013). The site has the potential to provide 49 dwellings as stated in the SALP.

9.10 The adopted SALP is an integral part of delivering the Council's housing requirement of 11,139 dwellings (as contained in Core Strategy Policy CS15) across the plan period until 2026. It amends the boundaries of settlements where this is required as a result of the

allocation of edge of settlement sites such as the Palm Hills Estate and subsequently relevant changes are incorporated into the adopted Policies Map.

9.11 An application for the redevelopment of the site for 62 dwellings was refused in December 2014, LPA ref: 14/00569/FUL. There have been no subsequent applications for the redevelopment of the site since this date.

9.12 This application for the change of use of 3no. outbuildings to B1 and D2 uses would be for a temporary period of 1 year. Allowing a temporary permission on the site in relation to the 3no. outbuildings, this would not prejudice the redevelopment of the site for housing as part of the SALP within the plan period.

9.13 Given the location of the application site within the Defined Settlement boundary, the proposal is acceptable in principle subject to there being no adverse impacts upon the residential amenities of neighbouring properties, character and appearance of the surrounding area, highway safety implications, etc.

ii. Impact on Character and Appearance of Area

9.14 No external alterations are proposed to Buildings A, B and C to facilitate the changes of use to B1 and D2 uses. As such, there would be no impact to the character and appearance of the surrounding area. Further, no additional on site parking provision would be required as there are 60 parking spaces existing on site and therefore no additional harm would result to the visual amenities of the surrounding area.

9.15 The area immediately to the south and west of the application site is characterised by residential dwellings. There are however business/commercial uses within close proximity to the site, including a car sales garage, MOT test centre, a school and offices along London Road. Further, Building B has been used as a conference facility in the past, along with one of the other buildings within the estate being used as a C1 guest house and therefore other buildings on the site have been utilised for business/leisure purposes. As such, the proposed B1 and D2 uses would not detract from the character of the area given it is not solely a residential area and there are existing business/commercial uses within the surrounding area (including previous business uses that occurred within the site itself).

9.16 As such, the proposal would not adversely affect the character and appearance of the surrounding area and would be in accordance with Saved Policy EN20 of the BFBLP, Policy CS7 of CSDPD and the NPPF.

iii. Impact on Residential Amenity

9.17 The proposed use of buildings A and C for B1 office use would result in a business use of the 2no. buildings. However, in view of the modest floor area of the 2no. buildings with a combined floor area of 70sqm, such office use would be low key in use, occurring within the buildings and would result in a potential for 10-12 vehicular movements per day which would not result in a level of noise and disturbance to surrounding residential dwellings that would be harmful to their residential amenities in view of the separation distances to surrounding residential dwellings.

9.18 The proposed use of building B for D2 children's recreational use in the form of a role play centre for children would occur within the building, the operating hours would be split into 5no. separate 90 minute time slots. It is estimated that this would generate in the region of 30-40 vehicular movements per day and the use would operate between 09:00 hours and

17:00 hours. Given the proposed D2 use would be contained within the building, this in itself would not be a noise-generating activity. Vehicular movements to and from the site connected to the proposed use could result in some noise and disturbance to adjoining dwellings, however any permission granted would be for a temporary period of 1 year which would allow the use to be monitored to assess matters including visitor attendance and vehicular movements to and from the site.

9.19 Building B has been used as a conference facility in the past. Given the building could be used for private functions, such uses could occur late into the evening whereas the proposed B1 and D2 uses would in general operate during the day. Whilst it is noted that the operational hours of the proposed D2 use have been given, it is not considered necessary to impose a condition restricting hours of operation to the proposed B1 and D2 uses given the following:

- this would be within the remit of Environmental Health to control if it became a nuisance; and
- the proposed uses would be contained within the buildings and not be noise generating activities.

9.20 The site is located within a 250m buffer zone of the London Road Chavey Down landfill. However the proposal relates solely to the change of use of existing buildings to B1 and D2 uses where no external changes are proposed to facilitate the change of use and the uses would be contained within the buildings themselves, therefore it is not considered that any measures are required to mitigate this impact.

9.21 As such, the proposal would not be considered to adversely affect the residential amenities of neighbouring properties and would be in accordance with Saved Policy EN20 of the BFBLP and the NPPF.

iv. Impact on highway safety

Access

9.22 Palm Hills takes access off the A329 London Road, a primary distributor road which is subject to a 40mph speed limit. There is a shared footway/cycleway across the London Road frontage and bus stops adjacent to the site served by regular bus services.

9.23 There are no changes to the existing access arrangements and it is noted that the adjoining access to Fern Lodge is currently being used by construction traffic for a small housing development (4 houses).

Parking

9.24 The use of 2 no. existing outbuildings as offices would create around 70m² of B1 (a) office space and this would require 3 parking spaces to comply with the Council's parking standards (2016).

9.25 The Council does not have a parking standard for D2 children's indoor recreational use, however it is noted that there are currently 60 spaces on the site which would remain and as such this would be adequate provision when considering its potential use and capacity. A parking plan has been provided and it is advised that this be secured through a planning condition.

Trips

9.26 Overall the offices would generate around 10 to 12 movements over the course of a typical day.

9.27 The information submitted indicates that the D2 children's recreational use would be a role play centre for children up to the age of 5 years and offering 5 no. 90 minute sessions, between the hours of 9am and 5pm.

9.28 The applicant has also indicated that, *'the amount of children attending each session will vary considerably and the proposed centre is not comparable in size to any other known centres in the area. Given the amount of accommodation available I would expect the use to generate between 30 and 40 traffic movements a day. Given that this will be a temporary consent, we would be happy to monitor the take up of the unit and the traffic generated from its use with a view to establish a more informed view after the temporary period has expired'*.

9.29 The provision of 60 parking spaces is considered adequate for staff and customer parking, including drop-off and pick-up with traffic spread across the day.

9.30 For the reasons given above the proposal is considered to be in accordance with Saved Policy M9 of the BFBLP, CS23 of the CSDPD and the NPPF and would not result in highway implications.

v. Community Infrastructure Levy (CIL)

9.31 Bracknell Forest Council commenced charging for its Community Infrastructure Levy (CIL) on 6th April 2015.

9.32 CIL applies to any new build (except outline applications and some reserved matters applications) including the creation of additional dwellings. The proposal is not CIL liable as no additional floor space is to be created. Further, the proposal is not considered development that is CIL chargeable as set out in the Council's CIL Charging Schedule as it does not relate to residential use, specialist residential accommodation or convenience based supermarkets/superstores/retailing warehousing.

vi. Sustainability

9.33 With regard to the requirements of Core Strategy Policies CS10 and CS12, the application is to convert existing buildings to B1 and D2 uses for a temporary period. Paragraph 2.6 of the Sustainable Resource Management SPD states that proposals to convert or change the use of a building are excluded from Core Strategy Policies CS10 and CS12. Therefore no submission is required with regard to Policies CS10 and CS12 of the CSDPD.

10. CONCLUSIONS

10.1 It is not considered that the proposed change of use of 3no. outbuildings to B1 and D2 uses would have a significant adverse impact upon the character and appearance of the surrounding area or residential amenities of neighbouring properties. There would be no highway safety implications. A temporary permission will be issued for a period of 1 year to monitor visitor attendance and vehicular movements connected to the proposed uses in the interests of residential amenity and highway safety and to not prejudice the redevelopment of the site for housing as part of the SALP within the plan period. The proposal is not CIL liable.

10.2 It is therefore considered that the proposed development complies with Development Plan Policies SALP Policy CP1, CSDPD Policies CS1, CS2, CS7, CS10, CS12, CS19 and CS23, BFBLP 'Saved' Policy EN20 and M9, and the NPPF.

11. RECOMMENDATION

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

1. The uses of buildings A, B and C as shown on drawing no. PHA/COU/200 received 28 July 2016 by the Local Planning Authority for B1 and D2 purposes shall be for a limited period being the period of one year from the date of planning permission being granted. The uses hereby permitted shall cease thereafter.

REASON: To ensure that the development is carried out as approved by the Local Planning Authority

[Relevant Plans and Policies: BFBLP EN20, EN25]

2. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 4 May 2016, 27 June 2016, 28 July 2016:

drawing no. PHA/COU/200

drawing no. PHA/COU/201

drawing no. PHA/COU/202

drawing no. PHA/COU/203

drawing no. PHA/Parking/SK001

REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

3. Buildings A and C as shown on drawing no. PHA/COU/200 received 28 July 2016 by the Local Planning Authority shall be used only for B1 office purposes and for no other purpose (including any other purpose in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

REASON: To ensure that the development is carried out as approved by the Local Planning Authority

[Relevant Plans and Policies: BFBLP EN20, M9, CSDPD CS23]

4. Building B as shown on drawing no. PHA/COU/200 received 28 July 2016 by the Local Planning Authority shall be used only for D2 purposes as a children's role play centre by the business known as "Imagination Children's Role Play Limited" and for no other purpose (including any other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) or by any other business.

REASON: To ensure that the development is carried out as approved by the Local Planning Authority

[Relevant Plans and Policies: BFBLP EN20, M9, CSDPD CS23]

5. The uses hereby permitted shall not be occupied until the associated vehicle parking and turning space has been surfaced and marked out in accordance with the approved drawing. The spaces shall thereafter be kept available for parking and turning at all times.

REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.

[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]

Informative

1. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

2. No details are required to be submitted in relation to the following conditions; however they are required to be complied with:

1. Temporary use
2. Approved plans
3. Use of buildings A and C
4. Use of building B
5. Parking and turning