ITEM NO: 05

Application No.	Ward:	Date Registered:	Target Decision Date:
19/00753/FUL	Binfield With Warfield	20 August 2019	15 October 2019

Site Address: **Unit C Cookham Road Bracknell Berkshire RG12 1RB**

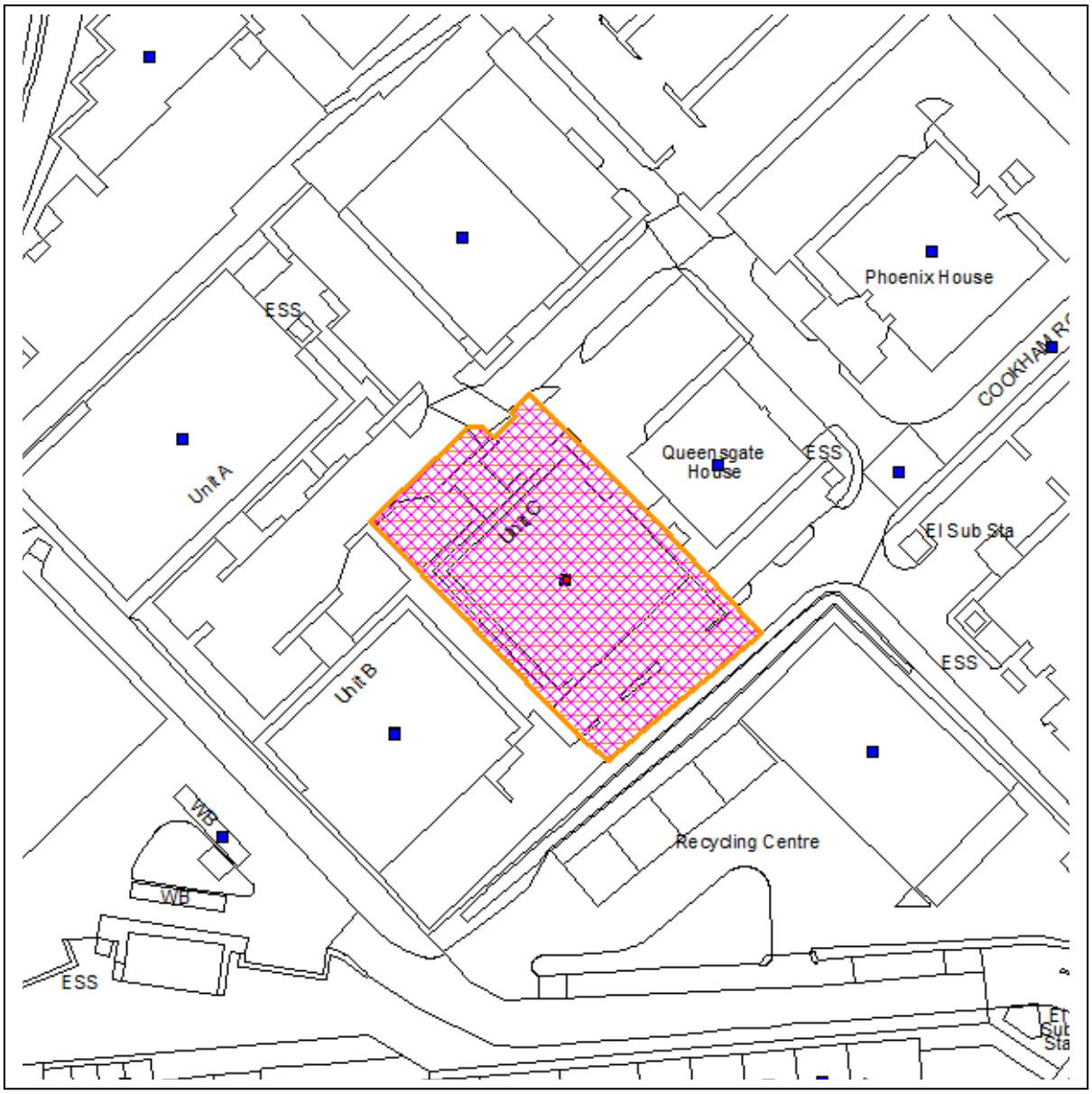
Proposal: **Change of use from office (B1) to Islamic community centre (D1).**

Applicant: Mr Ebrahim Walele

Agent: Mr Kaleem Janjua

Case Officer: Olivia Jones, 01344 352000
development.control@bracknell-forest.gov.uk

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



1. SUMMARY

1.1 The proposal is for the change of use of Unit C within the Waterside Park business estate, from office (B1a) to a community centre (D1).

1.2 The change of use would not result in an adverse impact on the viability of the employment area, the character or appearance of the surrounding area, the amenities of the residents of the neighbouring properties or highway safety.

RECOMMENDATION
Planning permission be granted subject to conditions in Section 11 of this report and a section 106 agreement to secure a travel plan and associated fees.

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 The application has been reported to the Planning Committee following the receipt of more than 5 letters of objection.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Within settlement boundary
Within designated employment area

3.1 Unit C is a single storey detached office building located within the defined employment area of Waterside Park with a floor area of 1,089 square metres.

3.2 The building is to bounded to the north east by an office building (B1 - Queensgate House), to the south east the Longshot Lane Recycling Centre (sui generis), to the south west a warehouse (B2 – Mallard House), and to the north west an office building (B1 – Unit A) and storage and distribution building (B8 - Magnum House).

4. RELEVANT SITE HISTORY

4.1 The relevant planning history can be summarised as follows:

609293
Erection of 3997 sq.m of high tech. industrial units with associated roads and car parking.
Approved 1985

609645
Details of drainage external materials and landscaping for previously approved industrial development.
Approved 1985

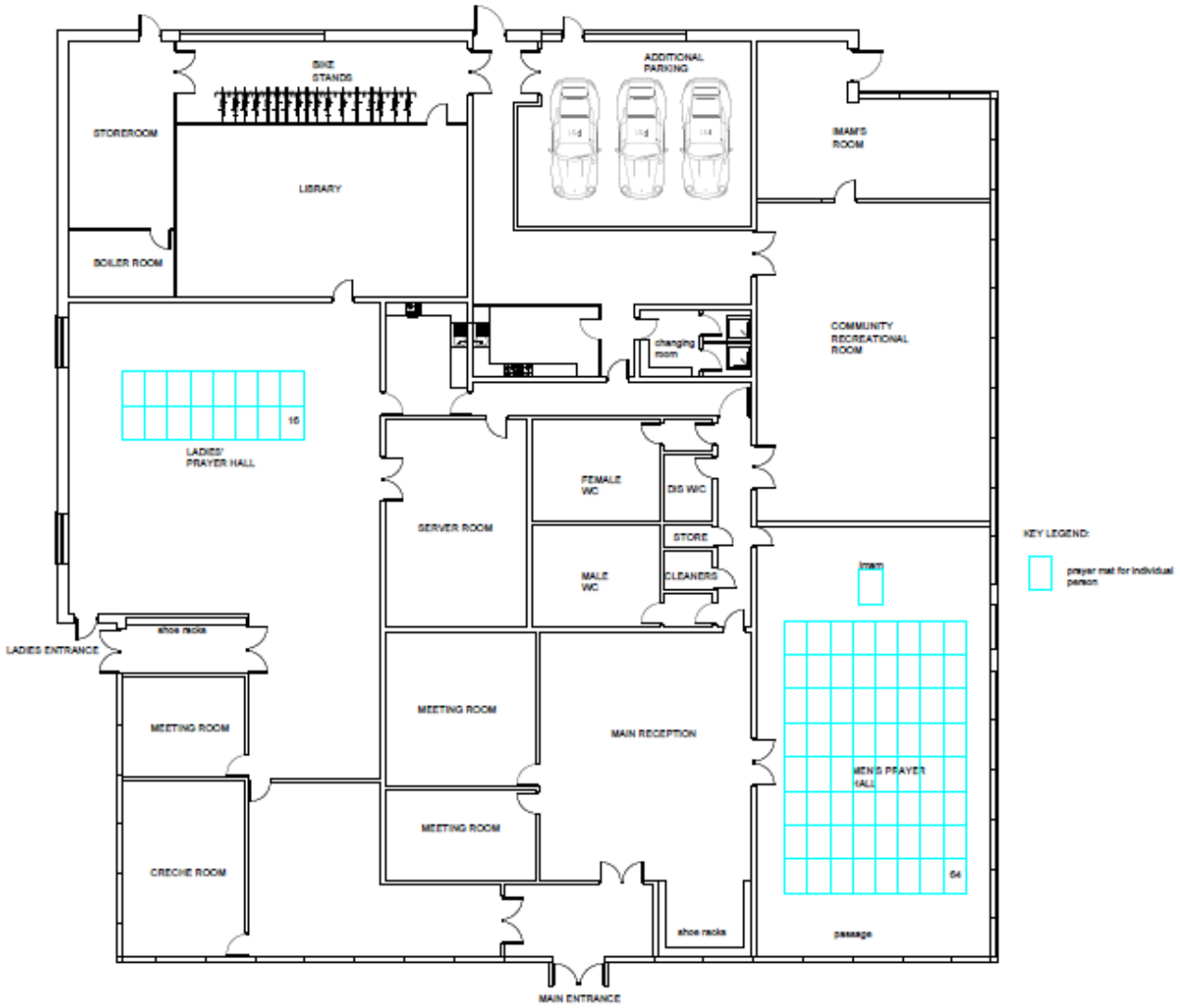
612480
Change of use of premises to business use (B1) and storage (B8)
Approved 1987

614343
Application for change of use to Business Class B1.
Approved 1989

5. THE PROPOSAL

5.1 It is proposed to use Unit C as an Islamic Community Centre. Internally, the building would be rearranged to provide 2 prayer halls, a library, mortuary, creche, a recreation room and meeting rooms. No external changes are proposed to the building.

5.2 It is proposed to operate the building from 6am to 11pm, seven days a week.



PROPOSED GROUND FLOOR PLAN

6. REPRESENTATIONS RECEIVED

<u>Binfield Parish Council</u>

6.1 No objection

<u>Other representations</u>

6.2 192 letters of objection have been received, raising the following material planning considerations:

(i) Insufficient parking, leading to increase in traffic and impact on highway safety

(ii) Unsuitable location within employment area and loss of employment space

(iii) Impact on residential amenity in terms of noise and disturbance

6.3 685 letters of support and a petition of support with 198 signatures have been received.

7. SUMMARY OF CONSULTATION RESPONSES

Environmental Health Officer

7.1 It is not proposed to install loudspeakers on the building, and there is therefore no objection.

Highway Authority

7.2 No objection subject to suitable conditions and a Travel Plan secured by legal agreement.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	**NPPF**
General policies	CS1 and CS2 of the CSDPD CP1 of the SALP	Consistent
Employment area	CS19 and CS20 of the CSDPD	Consistent
Design	CS7 of the CSDPD	Consistent
Amenity	'Saved' policies EN20 and EN25 of the BFBLP	Consistent
Highway Safety	'Saved' policies M4 and M9 of the BFBLP CS23 of the CSDPD	Consistent
Supplementary Planning Documents (SPD)		
Bracknell Forest Parking Standards Supplementary Planning Document (2016) Bracknell Forest Council's Planning Obligations SPD (2015)		
Other publications		
National Planning Policy Framework (NPPF) 2019		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

i. Principle of Development
ii. Impact on Character and Appearance of Area
iii. Impact on Residential Amenity
iv. Transport and Highways Considerations

i. Principle of Development

9.2 The application site is located within the Western Employment Area, a designated employment area for business, industrial and storage uses (BIDS). Policy CS20 of the CSDPD requires that new development or uses support the primary business function of the employment area, and cumulatively do not compromise the integrity of the prime business functions of the employment area. The proposed use therefore does not comply with the function of this business area.

9.3 However, the application site has been vacant since February 2018. Furthermore, evidence has been provided that the neighbouring building (Phoenix House) was on the market since 2017 and a BIDS use has not yet been found. Phoenix House is similar to the application site in a number of ways:

- Phoenix House and Unit C are both office buildings
- Phoenix House has a floor area of 1668 square metres and Unit C has a floor area of 1089 square metres (it should be noted that Phoenix House was available to let in part).
- Phoenix House has 70 parking spaces available, and Unit C has 42 parking spaces available.
- Phoenix House and Unit C are accessed from Cookham Road.

9.4 Given that Phoenix House was on the market for over 2 years without finding a BIDS tenant or purchaser, it is accepted that it would also have been difficult to find a BIDS tenant for Unit C, and there is a reasonable prospect that the building would remain vacant.

9.5 It is preferable for the unit to be occupied by a non-business use than for the building to remain vacant. The proposed use would serve a recognised community need, as evidenced by the high level of support for the application. This is supported by the NPPF.

9.6 Given the prospect that the building would remain vacant, and the provision of needed community facilities, on balance it is considered justifiable in this case to accept the loss of the business unit within the Western Employment Area.

ii. Impact on the Character and Appearance of the Area

9.7 No significant changes to the external appearance of Unit C are proposed. A re-configuration of the car park is proposed to enable the provision of more parking spaces however this is not considered to result in a prominent impact or appear out of keeping in the area.

9.8 While the non-business use of the area is expected to result in a higher frequency of visitors to the site compared to the existing situation, the opening hours would not be dissimilar to the opening hours of the neighbouring recycling facility (8am – 8pm Monday to Friday between 1st April and 30th September). Therefore, the levels of visitors are not considered to result in a significant alteration to the character of the area.

iii. Impact on Residential Amenity

9.9 The closest residential properties to the application site are approximately 0.3km away in Technology House, the new office conversion approved off Cain Road.

9.10 The proposal does not include the provision of a loudspeaker, and it has been confirmed by the agent for this application that a call to prayer will not be broadcast. Should the proposed use result in a noise nuisance it would be subject to Environmental Health legislation.

iv. Transport and Highway Considerations

9.11 It is proposed to provide 42 parking spaces, including 2 spaces for disabled users, 1 space for shuttle bus parking, and 13 spaces marked for 'car sharing' described as follows:

- 20 parking spaces to the north of Unit C,
- 12 parking spaces to the south of Unit C,
- 7 parking spaces along the southern alignment of Cookham Road, and
- 3 parking spaces internal to the building accessed via roller-shutter doors to the south.

9.12 In addition, in order to reduce the traffic impact the following is proposed:

- Physically restrict prayer space for Friday 'Jummah' Prayer to a maximum of 80 people;
- Split the Friday 'Jummah' Prayer into 3 sessions starting at least 40 minutes apart;
- Provide a BICS Shuttle minibus service operating every Friday between 12:45 and 15:15 between a public car parking facility and Unit C Cookham Road
- Provide cycle parking for a minimum of 20 cycles through a mixture of covered, secure parking within the building and external Sheffield-style stands; and
- Improve pedestrian connectivity with a pedestrian crossing across the northern branch of Cookham Road linked to a gap in parking providing access to the building.

ANTICIPATED TRIPS AND PARKING DEMAND

9.13 A revised anticipated modal split has been provided in Section 4 of the Design and Access Statement (DAS) and Table 5.3 of the Transport Statement (TS). The DAS states that this is based on a sample of 200 BICS attendees.

Mode of Transport	**Percentage**
Walk	12%
Car	64%
Bicycle	9%
Bus or Free Shuttle	15%

Based on each session of the Friday 'Jummah' Prayer sessions being 80 people, this would result in the following number of trips per session:

Mode of Transport	**Trips per 80 person prayer session**
Walk	10
Car	51
Bicycle	7
Bus or Free Shuttle	12

9.14 The 51 car-borne trips for an 80-person prayer session is greater than the 42 car parking spaces proposed. However, 13 of these proposed spaces are shown to be marked as 'for car sharers' and therefore, assuming at least 2 people per vehicle in these spaces would give provision of parking for 55 car-borne occupants. This will require strict policing of the use of car share spaces by BICS.

9.15 Comparison can be drawn between the proposal and the Islamic Community Centre in Windsor (approved on appeal in 2006) and with TRICS data for Cranford Mosque (TRICS ref HO-07-T-01) surveyed in March 2015:

Islamic Community Centre, Shirley Avenue, Windsor (RBWM ref 05/00759)

- Within built area of Windsor with residential areas in close proximity.
- Gross Floor Area: 574 sq. m.
- Prayer room area: 120 sq. m.
- Maximum of 80 people permitted for Friday prayer. The building's use is restricted to Friday prayers only at this time.
- In appeal documents: 39 parked vehicles recorded during Friday prayers (24 car on site plus 15 vehicles on street).

Cranford Mosque (TRICS ref HO-07-T-01)

- Neighbourhood Centre TRICS location, residential area of Cranford to the east.

- Sustainable location, close to local bus routes and with cycle lanes and routes available in close proximity
- GFA 650 sq. m.
- TRICS parking accumulation: 46.

9.16 The comparison sites indicate that limiting Unit C to operate with a maximum Friday prayer session size of 80 people and with the measures set out in the Travel Plan in operation, including the shuttle bus, the parking proposed should be sufficient to limit the parking demand to within the available parking supply and not result in a detrimental level of on-street parking occurring on Cookham Road.

REFUSE COLLECTION

9.17 A bin store is now shown in a more accessible location adjacent to the car park to the north of Unit C. It is assumed that refuse vehicles would reverse from the northern branch of Cookham Road, south of the most northerly parking spaces, in order to collect refuse from the site. Refuse collection, and any other deliveries to the site, should be arranged such that this does not coincide with Friday prayers.

TRAVEL PLAN

9.18 The operation of the Travel Plan, including a Travel Plan fee and deposit, will need to be secured through a S106 legal agreement.

9.19 The Highway Authority is satisfied that the submitted plans and documents would not result in a detrimental level of on-street parking or highway safety issues.

10. CONCLUSIONS

10.1 The use of the building for community purposes, and the preference to fill a vacant building, is considered sufficient to overcome the loss of a business use within an employment area. The proposed development is not considered to have an adverse impact on the character of the area or residential amenity, and the parking provision in conjunction with the proposed travel plan is considered acceptable.

11. RECOMMENDATION

11.1 **Following the completion of planning obligation(s) under Section 106** of the Town and Country Planning Act 1990 relating to the following measures:

- Securing a travel plan with associated fees and deposit payments

That the Head of Planning be authorised to **APPROVE** the application 19/00753/FUL subject to the following conditions amended, added to or deleted as the Head of Planning considered necessary:

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 use hereby permitted shall be carried out only in accordance with the following approved plans and other submitted details:
Site Location Plan - Drawing Number: 004 - Received 9th March 2020
Block Plan - Drawing Number: 003 Rev A - Received 9th March 2020
Proposed Ground Floor Plan - Drawing Number: 002 Rev B - Received 9th March 2020

Transport Statement - Received 9th March 2020
Travel Plan - Received 9th March 2020
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

03. The hours of operation shall be restricted to between 6am and 11pm.
REASON: In the interests of the neighbouring properties.
[Relevant Policies: BFBLP EN20]

04. The development hereby permitted may not be brought into use until the associated vehicle parking and turning space has been laid out within the site in accordance with the approved Block Plan BICS/PLAN/003/REV-A and the approved Proposed Ground Floor Plan BICS/PLAN/002/REV-A for 42 cars and 1 shuttle minibus to be parked with 2 spaces marked for disabled users and 13 spaces marked for car share. The spaces shall thereafter be kept available for parking 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]

05. The southern access doors to the internal parking hereby approved shall be of a roller shutter design. Any replacement or repair shall only be with a roller shutter type door.
REASON: To ensure that the internal parking is still accessible while cars are parked to the south of the building, avoiding inappropriately parked cars comprising the reversing/turning area.
[Relevant Policy: BFBLP M9]

06. The development hereby permitted may not be brought into use until at least 20 cycle parking spaces have been provided in the locations identified for cycle parking on the approved Block Plan BICS/PLAN/003/REV-A and the approved Proposed Ground Floor Plan BICS/PLAN/002/REV-A and shower and changing facilities have been provided for cyclists within the development. The cycle parking spaces and facilities shall thereafter be retained.
REASON: In the interests of accessibility of the development to cyclists.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]

07. The development hereby permitted may not be brought into use until a pedestrian crossing with dropped kerbs and tactile paving to each side has been provided on the northern branch of Cookham Road in the location shown on the approved Block Plan. BICS/PLAN/003/REV-A.
REASON: In the interests of accessibility of the development to pedestrians.
[Relevant Policy: BFBLP M4 and M6, Core Strategy DPD CS23]

08. The development hereby permitted may not be brought into use until details of the means to physically limit the number of people present on the site to a maximum of 80 people have been submitted to and approved in writing by the Local Planning Authority. Thereafter the means to physically limit the number of people present on the site to a maximum of 80 people shall be retained and used.
REASON: To reduce the likelihood of parking demand exceeding capacity resulting in on-street car parking which would be a danger to other road users.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]

09. The development hereby permitted shall not be brought into use until details of the proposed shuttle bus service to operate between 12:45 and 15:15 hours every Friday on a continuous loop between an agreed public car park location and the development

site have been submitted to and approved in writing by the Local Planning Authority. The service shall be implemented in accordance with the approved details.
REASON: In the interests of accessibility by public transport and to reduce the likelihood of parking demand exceeding capacity resulting in on-street car parking which would be a danger to other road users.
[Relevant Policies: BFBLP M4 and M8, Core Strategy DPD CS23]

10. Once the development hereby permitted has been brought into use, deliveries or refuse collection to the development using vehicles larger than 7.5 tonnes or exceeding 6m in length shall NOT be undertaken between the following time periods:
    (a) between 12:30 and 15:30 on a Friday
    (b) after 16:00 on any day
    REASON: To avoid deliveries or refuse collection coinciding with peak demand for parking at the development resulting in obstruction to parking which would result in on-street parking which would be a danger to other road users.
    [Relevant Policies: Core Strategy DPD CS23]

11. The approved Travel Plan dated 6th Jan 2020 shall be implemented in full for a minimum period of 5 years from the development being brought into use in accordance with the following criteria:
    (a) The details of the appointed Travel Plan Coordinator shall be submitted to the Local Planning Authority at least 3 months prior to the development being brought into use.
    (b) If the Travel Plan Coordinator changes within 5 years from the development being brought into use then the new Travel Plan Coordinator's details shall be submitted to the Local Planning Authority as soon as reasonably practical.
    (c) A baseline travel and parking survey shall be undertaken within 4 months of the development being brought into use covering all three Friday Prayer sessions. Thereafter travel and parking surveys shall be repeated annually for 5 years. The results of each travel survey shall be submitted to the Local Planning Authority within 3 months of each travel survey being undertaken.
    (d) The operation of the Travel Plan and relevant travel plan fee and deposit shall be secured through a S106 legal agreement.
    (e) Any variation to the approved Travel Plan document must approved in writing by the Local Planning Authority.
    [Relevant Policies: Core Strategy DPD CS23 and CS24]

12. Friday Prayer shall be operated in sessions as follows:
    (a) a maximum of three sessions.
    (b) a maximum of 80 people per session.
    (c) the start times of each session must be at least 45 minutes apart.
    (d) each session must last no longer than 35 minutes.
    (e) the site must be clear of people from the previous session before people may begin prayers for the following session with the exception of the imam and up to 3 other staff.
    (f) any area of the site which is not associated with Friday Prayer including inter alia meeting rooms, library and community recreational room shown on the approved Proposed Ground Floor Plan BICS/PLAN/002/REV-A may NOT be occupied for the period from 15 minutes prior to the start of the first session to 15 minutes after the end of the last session.
    REASON: To reduce the likelihood of parking demand exceeding capacity resulting in on-street car parking which would be a danger to other road users.
    [Relevant Policies: BFBLP M9, Core Strategy DPD CS23]

<u>Informative(s):</u>

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. No details are required to be submitted in relation to the following conditions, however they are required to be complied with:
    1. Commencement
    2. Approved Plans
    3. Hours of Operation
    5. Roller Shutter Door
    10. Deliveries and Refuse Collection
    12. Friday Prayers

    The development cannot be brought into use until the following conditions have been discharged:
    4. Vehicle Parking and Turning
    6. Cycle Parking
    7. Pedestrian Crossing
    8. Means to Limit Number of People
    9. Shuttle Bus
    11. Travel Plan

03. The Travel Plan for the development will need to be secured, and appropriate travel plan fee and deposit paid, through a S106 Legal Agreement; as set out in the Planning Obligations SPD, February 2015.

04. This is a planning permission. Before beginning any development you may also need separate permission(s) under Building Regulations or other legislation. It is your responsibility to check that there are no covenants or other restrictions that apply to your property.

In the event of the S106 agreement not being completed by 23rd October 2020, the Head of Planning be authorised to either extend the period further or refuse the application on the grounds of:

In the absence of a planning obligation to secure a travel plan with associated fees and deposit payments the proposal would not cater satisfactorily for the needs of pedestrians, cyclists and vehicle users to the detriment of road safety and sustainable development and would therefore be contrary to Policy M4 of the Bracknell Forest Borough Local Plan and Policies CS1, CS23 and CS24 of the Core Strategy Development Plan Document.