Application Number	Expiry Date	Parish	Ward
190395	15th May 2019	Wokingham	Wescott;

Applicant	Bernie Pich (Wokingham Borough Council)
Site Address	Alexandra House, Alexandra Court, Wokingham RG40 2LD
Proposal	Full planning application for the proposed change of use of ground floor from 'Spin and Night club' to mixed use comprising retail (use class A1) and Business (use class B1a), plus changes to fenestration to ground floor.
Type	Full
PS Category	20
Officer	Nesha Burnham
Reason for determination by committee	Applicant is Wokingham Borough Council

FOR CONSIDERATION BY	Planning Committee on Wednesday, 8 May 2019
REPORT PREPARED BY	Assistant Director – Place

SUMMARY

This planning application is before the planning committee as it is the Council's own development and involves an increase in staff numbers.

This is a proposal for the change of use of the ground floor level of Alexandra House from Sui Generis (nightclub) to a mixed use comprising use classes A1 (Retail) and B1a (Business). The proposed external changes include new door entrances and fenestration changes.

The proposal would provide 264 square metres of additional office floor space and four retail units ranging between 46 to 47 square metres. The proposed office and retail use classes are considered acceptable given the site's town centre location. The proposal would not result in the loss of any Use Class B floor space.

The proposed external changes would respect the character and appearance of the application building and the surrounding Conservation Area, subject to a condition being secured requiring the external finishes to match those on the building. The proposed change of use would not cause undue harm upon the amenities enjoyed by neighbouring occupiers.

This planning application does not provide any allocated parking. However, given its town centre location and close proximity to Elm's Car Park, this arrangement is considered acceptable and is unlikely to cause parking stress on the surrounding streets.

The proposal would comply with development plan policy and is recommended for approval, subject to conditions.

PLANNING STATUS

- Major Development Location
- Wokingham Town Centre Conservation Area
- Site of Special Scientific Interest Impact Risk Zones
- Archaeological Site
- Aerodrome Safeguarding for Wind
- Special Protection Area (7km linear)

RECOMMENDATION

That the committee authorise the GRANT OF PLANNING PERMISSION subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
   Reason: In pursuance of s.91 of the Town and Country Planning Act 1990 (as amended by s.51 of the Planning and Compulsory Purchase Act 2004).

2. This permission is in respect of the submitted application plans and drawings numbered 4075.1002 PL1, 4075.1003 PL1, 4075.2001 PL1, 4075.2002 PL1, a Planning Statement (Project Ref: 4075) and a Design and Access Statement (Project Ref: 4075) all received by the local planning authority on 8th February 2019 and drawing numbered 4075.9001 PL2 received by the local planning authority on 26th February 2019. The development shall be carried out in accordance with the approved details unless other minor variations are agreed in writing after the date of this permission and before implementation with the Local Planning Authority.
   Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the application form and associated details hereby approved.

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be of a similar appearance to those used in the existing building unless other minor variations are agreed in writing after the date of this permission and before implementation with the Local Planning Authority.
   Reason: To ensure that the external appearance of the building is satisfactory. Relevant policy: Policies CP1 and CP3 of the adopted Wokingham Borough Core Strategy (2010).

4. The development hereby permitted shall be used for purposes falling within A1 (retail) and B1a (Offices) Use Classes only, and for no any other purpose as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instruction revoking and re-enacting that Order (with or without modification), without written consent from the Local Planning Authority first being obtained.
   Reason: To enable the Local Planning Authority to regulate and control the development of land, having regard to Policies CP1, CP3, CP6 of the adopted Wokingham Borough Core Strategy (2010) and Policy CC01 of the adopted Wokingham Borough Managing Development Delivery Local Plan (2014).

5. The A1 (retail) use hereby permitted shall not operate other than between the hours of 9.00am to 18.00pm Mondays to Saturdays and 10.00am to 16.00pm on Sundays and Bank or National Holidays.
   Reason: To safeguard residential amenities. Relevant policy: Policies

CP1 and CP3 of the adopted Wokingham Borough Core Strategy (2010) and Policy CC06 of the adopted Wokingham Borough Managing Development Delivery Local Plan (2014).

Informatives:

1. 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. This planning application has been the subject of positive and proactive discussions with the applicant in terms of:
   - Extending the determination period of the application to allow for the proposal to be presented at Planning Committee

   The decision to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the NPPF is considered to be a positive outcome of these discussions.

PLANNING HISTORY		
Application Number	**Proposal**	**Decision**
F/2001/3437	Proposed three storey extension to office building for (B1) office use (at Exa House)	Withdrawn
F/2005/4915	Proposed extension to office building (B1a) and change of use of ground floor from B1a office use to A1, A2, A3 & A4 (shops, financial and professional service, restaurants and pub/bar) use (at Exa House)	Approved on 14th December 2005
VAR/2008/1257	Proposed variation to condition 9 of consent F/2002/4915 to extend opening hours for the supply of food and drink from 9:00-23:20 to 9.00 to 2.30 (at Exa House)	Withdrawn
F/2008/1976	Proposed change of use from A4 (drinking establishments) to Sui Generis (nightclub) including extension of hours (at Exa House)	Refused on 4th September 2008 Allowed at appeal on 29th April 2009
VAR/2010/0984	Application for variation of Condition 1 of appeal planning consent F/2008/1976 to extend opening hours from 02.30 to 03.30 daily (at Spin Bar Exa House)	Approved on 22nd July 2010
170695	Full planning application for the part change of ground floor night club from A5 back to Sui Generis	Not proceeded with

SUMMARY INFORMATION	
For Commercial	
Site Area	887 m^2
Previous land use(s) and floor space(s)	Sui Generis (418 m^2) and Office entrance (41 m^2)
Proposed floor space of each use	Office (264m^2) and Retail (195m^2)
Change in floorspace (+/-)	No increase in floor space
Number of jobs created/lost	10 full-time jobs created
Existing parking spaces	10 car parking spaces
Proposed parking spaces	None

CONSULTATION RESPONSES	
WBC Conservation	No objection
WBC Highways	No objection
WBC Environmental Health	No objection

REPRESENTATIONS
Town/Parish Council: No comments received
Local Members: No comments received
Neighbours: No comments received

PLANNING POLICY		
National Policy	**NPPF**	National Planning Policy Framework
Adopted Core Strategy DPD 2010	**CP1**	Sustainable Development
	CP2	Inclusive Communities
	CP3	General Principles for Development
	CP6	Managing Travel Demand
	CP7	Biodiversity
	CP8	Thames Basin Heaths Special Protection Area
	CP9	Scale and Location of Development Proposals
	CP13	Town Centres and Shopping
	CP14	Growth and Renaissance of Wokingham Town Centre
	CP15	Employment Development
Adopted Managing Development Delivery Local Plan 2014	**CC01**	Presumption in Favour of Sustainable Development
	CC02	Development Limits
	CC03	Green Infrastructure, Trees and Landscaping
	CC04	Sustainable Design and Construction

	CC05	Renewable energy and decentralised energy networks
	CC06	Noise
	CC07	Parking
	CC09	Development and Flood Risk (from all sources)
	CC10	Sustainable Drainage
	TB01	Development within the Green Belt
	TB06	Development of private residential gardens
	TB07	Internal Space standards
	TB15	Major Town, and Small Town/District Centre Development
	TB16	Development for Town Centre Uses
	TB20	Service Arrangements and Deliveries for Employment and Retail Use
	TB21	Landscape Character
	TB23	Biodiversity and Development
	TB24	Designated Heritage Assets
Supplementary Planning Documents (SPD)	**BDG**	Borough Design Guide
		DCLG – National Internal Space Standards

PLANNING ISSUES

Description of Development:

1. The application site is located within the Wokingham Town Centre Conservation Area, and comprises a three storey building known as Alexandra House. The building contains a vacant night club at ground floor level, and office space at first and second floor level.

2. This proposal is for the change of use of the ground floor level of Alexandra House from Sui Generis to a mixed use comprising Use Classes A1 (Retail) and B1a (Business). The proposed office space would measure 264 square metres and serve as a reception area, meeting rooms, kitchenette and store room. Four retails units are proposed measuring between 46 and 47 square metres.

3. Access to the retail units would be from the northern elevation facing the courtyard. There would be a separate entrance to the office on the eastern elevation. Changes to the fenestration and door arrangements are proposed in order to facilitate the proposed new access points to the building.

4. The proposal would create 10 full-time job opportunities.

Principle of Development:

5. The National Planning Policy Framework has an underlying presumption in favour of sustainable development which is carried through to the local Development Plan. The Managing Development Delivery Local Plan (MDD) Policy CC01 states that planning applications that accord with the policies in the Development Plan for Wokingham Borough will be approved without delay, unless material considerations indicate otherwise.

6. Policy CC02 of the MDD sets out the development limits for each settlement as defined on the policies map and therefore replaces the proposals map adopted through the Core Strategy, as per the requirement of policy CP9. Policy CP9 of the Core Strategy seeks to ensure the scale of development proposals in Wokingham Borough reflect the existing or proposed levels of facilities and services at or in the location, together with their accessibility.

7. Policy CP13 of the Core Strategy states that Wokingham town centre, in conjunction with other town centres, district centres and village centres within the Borough are suitable in principle to accommodate town centre uses. The supporting text defines town centre uses as retailing, entertainment, arts and culture, indoor recreation, leisure, health, community and office uses. Policy CP14 of the Core Strategy states that Wokingham, as a major town centre in Berkshire, is considered suitable for growth.

8. Policy TB15 of the MDD establishes that proposals for main town centre uses should demonstrate that they are “of a scale and form that is compatible with the retail character of the centre and its role in the hierarchy of retail centres”. They should also demonstrate that “they contribute to the provision of day and evening/night-time uses” and are compatible with other uses and “enhance vitality and viability”.

9. The application site is situated in the town centre of Wokingham, a Major Development Location. The proposed use of the ground floor space for retail (use class A1) and office (use class B1a) purposes would provide an appropriate town centre use within a building that is situated in a town centre location. At present, the nightclub at the application site is not in operation and has been vacant for a period of time.

10. There are no policies set out in the Development Plan which seeks the protection of nightclubs, and it should be noted that there is an existing Public House in close proximity to the application site (i.e. The Gig House). It is therefore considered that the proposed office and retail uses would complement the surrounding context, particularly noting the strategic mixed use scheme currently being constructed to the south of the application site at ‘Land between Wellington Road and Shute End (Elms Field and Paddocks Car Park)’.

11. Given the above, it is considered that the principle of the proposed change of use is acceptable in planning policy terms.

Character of the Area:

12. Policy CP1 of the Core Strategy states that planning permission will be granted for development proposals that maintain or enhance the high quality of the environment. Policy CP3 of the Core Strategy states planning permission will be granted if development is of an appropriate scale of activity, mass, layout, built form, height, materials and character to the area together with a high quality of design without detriment to the amenities of adjoining land users including open spaces or occupiers and their quality of life.
13. Policy TB24 of the Managing Development Delivery Local Plan (MDD) states that the Borough Council will conserve and seek the enhancement of designated heritage assets in the Borough and their setting.

14. Alexandra House is not a designated heritage asset, but it is located within the Wokingham Town Centre Conservation Area. It is noted that the site is also located near to a number of neighbouring listed buildings. The proposed changes involves new door openings and fenestration changes along the northern and eastern elevations. It is considered that the proposed external changes would be in-keeping with the architectural style of the application building, and would respect the overall character and appearance of the Conservation Area.

15. The Council's Conservation Officer has raised no objection to this application, subject to a condition requiring the materials to match those on the building.

16. As such, it is considered that the proposal would not have a harmful impact upon the character and appearance of the building or surrounding Conservation Area. This would be compliant with policies CP1 and CP3 of the Core Strategy and Policy TB24 of the MDD.

Residential Amenities:

17. Policy CP3 of the Core Strategy aims to ensure that there is no detrimental impact upon neighbour amenity. Policy CC06 of the MDD states that the noise impact of the development must be assessed. The application site's approved use class at ground floor level is Sui Generis, i.e. a nightclub. It is also noted that the site is within close proximity to other commercial units and business premises, notably a Public House, hair dressers, offices and restaurants.

18. The nearest residential development are the flats located at The Plaza and Regent Court. However, given the surrounding context and the extant use of the application site, it is considered that the proposed mixed retail (use class A1) and office (use class B1a) uses would not result in an unacceptable impact upon the living conditions of neighbouring occupiers in terms of noise and disturbance, and would be reflective of the other uses nearby.

19. If approved, a condition would be secured restricting the hours of operation of the proposed retail units.

20. Overall, it is considered that the proposal would not cause undue harm upon the living conditions of neighbouring occupiers, in accordance with policy CP3 of the Core Strategy and Policy CC06 of the MDD.

Parking and Highway:

21. Policy CP6 of the Core Strategy seeks to manage travel demand with sustainable travel modes, appropriate vehicle parking and minimisation of traffic impacts. Policy CC07 and Appendix 2 of the MDD sets out the minimum parking requirements for development proposals.

22. It is acknowledged that no parking provision would be provided as part of this planning application. However, consideration must be given to the location of the site.

23. The site is located in the town centre meaning that potential customers of the proposed retail units and users of the office space would have good access to public transport, and would not necessarily be reliant upon driving. For those customers or employees who wish to drive, it is noted that 'Elm Road Car Park' is within a relatively short walking distance to the site. With regards to servicing, there is an existing vehicular access point along Elm Road that other commercial units currently use for deliveries and servicing.

24. The Council's Highway Officer has raised no objection to this application on parking or highway grounds.

25. On this basis, it is considered that proposal would not result in unacceptable parking pressures on surrounding streets or prejudice highway safety.

Thames Basin Heaths Special Protection Area:

26. The Thames Basin Heaths Special Protection Area (SPA) was designated under European Directive due to its importance for heathland bird species. Policy CP8 of the Core Strategy specifies proposals that provide 50 or more residential units within 7km (linear) will be individually assessed for whether a significant effect upon the SPA is likely to occur.

27. In this regard, the site is within the 7km buffer of the Thames Basin Heath Special Protection Area but given the nature of the development, the proposal does not trigger further mitigation or assessment.

Equalities and people with disabilities:

28. In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. The key equality protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation.

29. The proposed retail units and office space would be accessible to wheelchair users from the ramp on Denmark Road or the relatively flat pavement on Elm Road. The proposed door entrances would be at least 1.5 metres wide, which would provide sufficient clearance for wheel chairs. Furthermore, a lift would be located on the ground floor level of the building for those requiring its service to the first and second floor offices.

30. There is no indication or evidence (including from consultation on the application) that protected groups have or will have any other different needs, experiences, issues and priorities in relation to this planning application, other than those mentioned in the preceding paragraph. It is therefore considered that the proposal would not conflict with the Equality Act 2010.

CONCLUSION

The proposal complies with the relevant development plan policies and is consistent with the provisions of the NPPF specifically in relation to promoting sustainable development, conserving the environment, protecting neighbouring amenity and highway safety. In the absence of any material considerations of sufficient weight, it is recommended that the proposal be approved subject to conditions.

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