

Date of Meeting	18 May 2016
Application Number	16/02223/FUL
Site Address	The Grove Primary School Hazel Grove Trowbridge Wiltshire BA14 0JG
Proposal	Change of use to meeting room and after school club.
Applicant	The Grove Primary School
Town/Parish Council	TROWBRIDGE
Electoral Division	TROWBRIDGE GROVE – (Call in by Councillor Payne)
Grid Ref	384871 156405
Type of application	Full Planning
Case Officer	Matthew Perks

Reason for the application being considered by Committee

This application is brought to Committee because it is a Wiltshire Council application to which objections have been received and which has been called in by Councillor Payne for consideration of the impacts on highways and parking.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be approved.

2. Report Summary

The application proposal is described in the application form as being for a change of use to allow for a meeting room, breakfast club and after school club. The building is currently used as a meeting room of the ex-caretaker's dwelling (currently lawfully in use as a meeting room). The report assesses this proposal in the light of the site history and neighbouring amenity considerations and recommends that permission is granted.

Neighbourhood Responses: 38 neighbour objection were received.

Trowbridge Town Council: Objects to the proposals.

3. Site Description

The application site is a meeting area which was originally a caretaker's dwelling within the grounds of Grove Primary School. The building is located in the north east corner of the school grounds.

4. Planning History

W/09/03237/FUL Change of use of dwelling house (C3) to form school meeting room (use class D1) and alterations to fenestration : Permission

13/06157/FUL Conversion of existing school bungalow accommodation into a nursery and external covered area, fencing with associated works : Refused

5. The Proposal

The proposal is for the change of use to allow for a meeting room, breakfast club and after school club of a building currently used only as a meeting room.

6. Local Planning Policy

Core Policy 57: Ensuring High Quality Design and Place Shaping
Core Policy 61 Transport and New Development

7. Summary of consultation responses

Trowbridge Town Council

Objected where there are concerns regarding car parking. The Council would like to see the school provide a five year plan outlining improved car parking facilities as this will have an environmental and highway impact on neighbourhood.

Highway Officer

The Officer notes that from the information supplied the proposal is already in place and the building is being used as intended in the proposal already. The proposal is for a use that is ancillary to the school use and as such the children attending will already be pupils of the school, therefore there will not be an increase in pupils attending the school, they will be getting to school and leaving school at different times other than core school hours and therefore will not be causing an increase to the vehicles that already drop and collect the children from the school. No objection.

Environmental Health

The officer has no adverse comments to make.

8. Publicity

38 responses were received to advertising. Objections are:

- The application is misleading where the activities are already occurring. It is retrospective;
- Highway congestion and lack of adherence to traffic laws;
- Hazel Grove is restricted and extensions to the school have led to increasing congestion;
- The application will lead to extra traffic;
- Parking situation will worsen;
- Possibility of additional pupils and staff;
- No need for additional space;
- Not clear what the hours will be;
- No additional space needed for children;
- Previous refusal under 13/06157/FUL due to traffic issues;
- Full traffic assessment required;
- Anti-social behaviour from parents during congestion; and
- Hazards to pedestrian;

9. Planning Considerations

Under Planning Application W/09/03237/FUL permission was granted for the change of use of the caretaker's cottage to a meeting room subject, inter alia, the following condition:

"The site shall be used for a meeting room and for no other purpose (including any other purpose in Class D1 of the Schedule 10 the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005,(or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

REASON: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use having regard to the Circumstances of the case."

The current proposals would enable the building to be utilised for the meeting room as well as a breakfast club and after school club.

Following initial enquires, inter-alia from the highway officer, the applicant has confirmed that the use would be restricted exclusively to current pupils. It was also confirmed that the school has used the bungalow for educational purposes during the school day; for a daily breakfast club (7.45 a.m. - 8.30 a.m.) and after school club (3.05 p.m. – 5.30 p.m.) and that the after school club has operated since September 2012. The proposal is therefore partially retrospective albeit that the definition of a "meeting room" is not defined in the condition previously imposed, and is open to interpretation. The application would however properly define and regularise the use in the event that permission is granted.

From the neighbour and Town Council responses it is clear that congestion is of major concern to residents of the area, and this was the reasons for the previous refusal under application 13/06157/FUL. That application was however for an increase in capacity at the school in terms of overall numbers.

Core Policy 57 (Ensuring High Quality Design and Place Shaping) requires that neighbouring amenity is considered in any planning application and that nuisance and highway matters are considered (Core Policy 61 : Transport and New Development)

There are no highway officer objections to the current proposal where no additional pupils are proposed to be accommodated. The proposal does not constitute any new physical development, and the existing lawful use of the building is for a “meeting room” with no constraints in terms of time or nature of the meetings. It is considered that the proposals would allow for a reasonable use ancillary to the school, without giving rise to any additional congestion. It is furthermore considered that the previous conditions can be reasonably amended to include time constraints which better define the activities in the building. Without being dismissive of what is clearly an issue of traffic for neighbours it is considered that there are not valid highway reasons for the refusal of the application provided that the consent is clearly conditioned in terms of the use and hours.

No changes are proposed to the building structure and layout and there are no objections from Environmental Health Officers.

RECOMMENDATION

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: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), the building shall be used solely for purposes of a meeting room, breakfast club and/or after-school club within Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended)(or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

REASON: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use, other than a use within the same class, having regard to the circumstances of the case.

3. The uses hereby permitted shall not be used at any time other than for purposes ancillary to The Grove Primary School.

REASON: The use of the building for anything other than school needs would have a detrimental impact on neighbouring amenity.

4. The uses hereby permitted shall not take place outside of the hours of 07h45 and 17h30 from Mondays to Fridays only.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and vehicular activity in the interests of the amenity of the area.

5. The development hereby permitted shall be carried out in accordance with the following approved plans:

290455-07 (Location Plan) first registered on 9 November 2009; and
290455-09 Received on 17 March 2016.

REASON: For the avoidance of doubt and in the interests of proper planning.